

County Buildings Wellington Square AYR KA7 1DR Tel No: 01292 612189

25 January 2022

To:- Councillors Connolly (Chair), I. Campbell, Cavana, Clark, Fitzsimmons, Kilpatrick, Mackay, McGinley and Toner.

Dear Councillor

SOUTH AYRSHIRE LOCAL REVIEW BODY

You are requested to participate in the above Panel to be held on <u>Tuesday, 1st February 2022 at 2.00 p.m</u>. for the purpose of considering the undernoted business. <u>Please note that a briefing meeting for all Panel Members will take place online at 1.40 p.m.</u>

In light of the current COVID-19 pandemic, this meeting will be held remotely in accordance with the provisions of the Local Government (Scotland) Act 2003. The meeting will be live-streamed and available to view at https://south-ayrshire.public-i.tv/

Yours sincerely

Catriona Caves
Head of Legal, Human Resources and Regulatory Services

BUSINESS

- 1. Declarations of Interest.
- 2. Minutes of previous meetings of: 26 October 2022 and

16 November

17 New Case for Review – Planning permission for the erection of dwellinghouse and agricultural shed at Land at Catcraig Farm C8 from A719 Junction at Adamhill to council boundary Craigie Kilmarnock South Ayrshire (21/00644/PPP) (copy of correspondence herewith).

Application Summary

3. New Case for Review – Planning permission for the erection of dwellinghouse and garage at Jellieston Farm from B742 from Council Boundary to A70 Junction at Hillhead Coylton, Ayr, South Ayrshire, KA66ES (21/00705/APP)

Application Summary

www.south-ayrshire.gov.uk

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SOUTH AYRSHIRE COUNCIL LOCAL REVIEW BODY

NOTE of CURRENT POSITION

Site Address:	Land At Catcraig Farm C8 From A719 Junction At Adamhill To Council Boundary Craigie Kilmarnock South Ayrshire KA1 5NB
Application:	21/00644/PPP Planning Permission in Principle for the erection of dwellinghouse and agricultural shed

Appointed Officer's Decision:	Refusal
Date Notice of Review Received:	29 th November 2021

Current Position:	New Case for Review The following documents in relation to the review are attached: Pages 1 to 6 – Report of Handling Pages 7 to 32 – Notice of Review and Supporting Information Pages 33 to 42 – Planning Application and Supporting Information Pages 43 to 46 – Decision Notice Pages 47 to 48 – Interested Parties Correspondence	
Documentation:		
New Material:	No	
Additional Material Any other Comments:	N/A	
Dated:	21 January 2022	

South Ayrshire Council

Place Directorate

Report of Handling of Planning Application

Application Determined under Delegated Powers where less than five objections have been received.

The Council's Scheme of Delegation can be viewed at http://www.south-ayrshire.gov.uk/committees/

Reference No:	21/00644/PPP
Site Address:	Land At Catcraig Farm C8 From A719 Junction At Adamhill To Council Boundary Craigie Kilmarnock South Ayrshire KA1 5NB
Proposal:	Planning Permission in Principle for the erection of dwellinghouse and agricultural shed
Recommendation:	Refusal

REASON FOR REPORT

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

1. Site Description:

The application site is located in the countryside, approximately 200 metres to the north of the village of Craigie. The application site comprises of rough grazing land which is located to the east of Craigie Road, Craigie. Access to the site is taken directly from Craigie Road and extends to approximately 120 metres. Including the site access, the site extends to approximately 2880 sq metres.

The agricultural holding which the application site is associated with is bisected by the Main Street, with the steading at Catcraig Farm, which forms the operational base of the farm being located to the south of the Main Street, and approximately 0.67 km from the site of the application. The steading at Catcraig Farm comprises of a farmhouse and a various out-buildings and larger agricultural buildings, which are grouped together so as to form a compact operational base.

2. Planning History:

None relevant to this application.

3. <u>Description of Proposal:</u>

Planning permission in principle is sought for the erection of a farm workers dwellinghouse and the erection of an agricultural shed. Given the nature of this application, details for the siting and design of the dwellinghouse would require to be established by the submission of further applications for matters specified in conditions, if planning permission in principle is granted. Notwithstanding, an indicative layout drawing has been submitted which shows a proposed house located to the east of the site, with a proposed shed located in the north-western corner of the site.

4. Consultations:

Ayrshire Roads Alliance offer no objections subject to conditions.

5. Submitted Assessments/Reports:

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

The applicant/ agent has submitted a planning justification report and labour requirement report in support of the development proposal, which are summarised below as follows;

- o It is considered that the application for the proposed new dwelling house meets the criteria set out in South Ayrshire Council LDP and is fully justified within the labour justification report:
- o The farm has no buildings suitable for conversion and has not sold or by other means
- o separated any property in the last 5 years;
- o The proposed dwelling house and shed are required to facilitate on site supervision for the
- o expanding agricultural business;
- o The proposed site does not equate to the loss of any prime quality agricultural land and is in full
- o ownership of the applicant; and
- o The application is in line with all relevant policies as detailed in the above document.

6. S75 Obligations:

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

None.

7. Scottish Ministers Directions:

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

None.

8. Representations:

No representations were received.

9. Development Plan:

Section 25 of the Town and Country Planning (Scotland) Act 1997 (as amended) indicates that in making any determination under the Planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise.

The following policies are relevant in the assessment of the application and can be viewed in full online at http://www.south-ayrshire.gov.uk/planning/local-development-plans/local-development-plan.aspx

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

The Spatial Strategy of the LDP sets out the settlement strategy for South Ayrshire and can be viewed as the foundation framework which provides the vision for how the Council wishes to see the towns and countryside areas develop over the duration of the plan.

The Spatial Strategy of the LDP states that; we will not support development outwith the boundaries of settlements (towns and villages), except where we believe it can be justified because it will benefit the economy and there is a need for it in that particular area and in line with the spatial strategy. Notwithstanding the provisions of the Spatial Strategy, the LDP Core Investment Area and Rural Housing

Policies allow for housing to be built within rural areas, in accordance with their provisions, and the related provisions of the Council's supplementary planning guidance entitled Rural Housing. The Sustainable Development policy of the LDP seeks to consider the details of development proposals.

Of particular relevance in the consideration of the proposal are the terms of the LDP Rural Housing Policy. Criterion d. of this policy requires that where a home is essential to a rural business, the developer, must satisfy (the Council) through the submission of a sound business plan, that the business is economically viable and could not be run without residential accommodation. The accompanying text relating to limited extensions to existing and clearly defined nucleated housing clusters is also considered to be relevant in the assessment of the current application. In all instances, the LDP policy confirms that proposals for rural housing must comply with the policy guidance as set out in the associated Rural Housing Planning Guidance note in terms of being appropriately sited and designed.

For the reasons noted elsewhere within this report there are policy concerns in relation to the development proposal, in so far as it is not considered that the proposal is in accordance with the provisions of the LDP and in particular the supplementary policy in relation to Rural Housing. Further consideration of the proposal against the provisions of the Council's Rural Housing SPG, and also site specific aspects relating to the proposal are considered further below.

The provisions of the Adopted South Ayrshire Local Plan must 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.

The statutory Local Development Plan (LDP) for the area currently comprises the South Ayrshire Local Development Plan (adopted in September 2014) and its associated Supplementary Guidance, as well as the Town Centre and Retail Local Development Plan, adopted in 2017.

At a special meeting on 1 September, the Council considered representations on the Modified Proposed Replacement South Ayrshire Local Development Plan (MPLDP2), submitted in response to public consultation, and agreed (1) to submit the Plan, without further modification, to the Scottish Ministers for Examination; and (2) the Plan would be a material consideration in determining planning applications, with the weight accorded to it increasing as it progresses through the statutory process.

As MPLDP2 now represents the Council's settled position on the Development Plan it wishes to progress to adoption, it is a material consideration in the assessment of planning applications. However, it remains the subject of unresolved representations, which will be considered by the Scottish Government's Directorate of Planning and Environmental Appeals (DPEA), as part of the Examination process.

In considering development proposals, the Council may now apportion significant weight to those principles or policies of MPLDP2 which are not the subject of unresolved representations, but MPLDP2 is otherwise unlikely to be the determining factor in the determination of Planning Applications, remaining subordinate in status to the adopted LDP.

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

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

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

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

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

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

Guidance on Business Plans: Business plans will be required to demonstrate that by the third year of operation, the business will employ at least one essential worker per dwelling on a full time basis at a

wage of at least 50% of the South Ayrshire average and that the remaining income from the business would support the total equivalent borrowing cost of creating the business, together with its land, property and residential accommodation assets.

It is accepted that the farming enterprise could benefit from an additional residential property, and therefore, in principle, the Service could be minded to support the applicant's case for an additional dwellinghouse to serve the farming operations, however, under criterion d. above, "any proposed buildings or structures form or complement a coherent group of buildings and are not visually intrusive." Where a dwelling house is required in connection with the operation of an existing rural based business, then it is reasonable to expect that, any new dwelling should be sited adjacent to the existing steading so as to reinforce the building grouping and operational base at Catcraig Farm. The steading at Catcraig provides residential accommodation for family members in addition to various out-buildings ranging from traditional out-buildings sited adjacent to the farmhouses, and also large modern agricultural buildings to meet operational and storage requirements of the farming enterprise. The existing steading and the associated operational buildings are considered form a compact and self- contained building grouping which forms the operational hub which is the focus of the farming enterprise.

In contrast, rather than any new dwellinghouse being located so as to concentrate the building grouping and operational base of the existing steading, the proposed new house is not located within or adjacent to the existing steading and operational base at Catcraig Farm, but is located approximately 0.67 km to the north of Catcraig Farm, and in a location where no agricultural buildings are currently present.

The proposed application site is also noted to stand alone at the north-western extremity of the land associated with farm holding. The application submission indicates that the applicant's criteria for the proposed dwelling and shed are as follows;

- Retain all grazing land of existing farm steading;
- Ability to view youngstock grazing from within new dwelling;
- o Ample space for dwelling house and shed;
- o Close to all relevant services; and
- o Improve overall farm security.

As noted above, the existing steading at Catcraig is the operational base for the farming enterprise, and is the locus of the associated operational buildings. The location of the associated operational buildings and infrastructure is considered to reinforce the need for any additional new dwellings to be located at the existing steading. It should also be noted that proposed location of the dwellinghouse remote from the existing steading would also likely result in the occurrence of vehicle trips to and from the steading to run and manage the daily operations of the business. The occurrence of daily and potentially numerous trips to, and from the steading from the application site, would not otherwise occur where a dwellinghouse was sited at the existing steading.

As noted above, the applicant/ agent consider that the house in the location proposed is justified on the basis of retaining all grazing land at the existing farm steading, offer surveillance of youngstock grazing and overall improved farm security. However, the submission does not demonstrate, to the satisfaction of the planning authority that farming operations could not continue to be managed in the current manner, with the addition of a dwellinghouse and agricultural shed at the existing steading. The applicant's supporting information also sets out a series of locational criteria for the siting of a new dwellinghouse. It is considered that the criteria noted by the applicant/ agent could be equally fulfilled by locating an additional dwelling and shed around the vicinity of Catcraig Farm in terms of; providing accommodation with the ability to view the grazing land, sufficient space for a dwelling house and shed, proximity to relevant services and retention of agricultural land.

Therefore, for the purposes of assessing this application, it is not considered that the proposal is justified on the basis of the need for a dwelling house and shed to be provided in the location proposed. In this regard, it is considered that there is sufficient land around the existing steadings and operational buildings at Catcraig Farm so as to enable the applicant to provide for an additional dwelling and any additional operational buildings, as required. The application has been considered in this context.

Additionally, it is considered that the existing steadings at Catcraig Farms are less visually obtrusive than the application site, which comprises of a portion of a larger field where there are currently no services or buildings, and therefore the positioning of additional buildings at, or in close proximity of the steading, offers the best opportunity to consolidate and reinforce the existing building grouping at the steading as the operational locus of farming activities. In this context, a revised application with an alternatively sited dwelling house and agricultural shed at Catcraig Farm steading is also considered to be preferential from a landscape setting perspective.

Assessment (including other material considerations):

A site visit has not been undertaken as it is considered that sufficient information is available to determine the application; in accordance with the Council's agreed protocol and the advice of the Scottish Government in containing the spread of Coronavirus. It is considered that sufficient information has been provided with which to undertake an assessment of the application.

The application seeks planning permission in principle for the erection of a dwellinghouse to support the existing farming enterprise. As noted above, the applicant/ agent has submitted a supporting labour requirement report, which considers that the need for an additional dwellinghouse is derived from the labour requirement associated with the farming activities, and the applicant/ agent has submitted a supporting labour requirement report and supplementary information on this basis.

It is accepted that the farming enterprise could benefit from an additional residential property, and therefore, in principle, the Service could be minded to support the applicant's case for an additional dwellinghouse to serve the farming operations, however, under criterion d. above, "any proposed buildings or structures form or complement a coherent group of buildings and are not visually intrusive." Where a dwelling house is required in connection with the operation of an existing rural based business, then it is reasonable to expect that, any new dwelling should be sited adjacent to the existing steading so as to reinforce the building grouping and operational base at Catcraig Farm. The steading at Catcraig provides residential accommodation for family members in addition to various out-buildings ranging from traditional out-buildings sited adjacent to the farmhouses, and also large modern agricultural buildings to meet operational and storage requirements of the farming enterprise. The existing steading and the associated operational buildings are considered form a compact and self- contained building grouping which forms the operational hub which is the focus of the farming enterprise.

In contrast, rather than any new dwellinghouse being located so as to concentrate the building grouping and operational base of the existing steading, the proposed new house is not located within or adjacent to the existing steading and operational base at Catcraig Farm, but is located approximately 0.67 km to the north of the Catcraig Farm, and in a location where no agricultural buildings are currently present. The proposed application site is also noted to stand alone at the north-western extremity of the land associated with farm holding. Therefore, there are concerns in relation to the proposed siting of the dwellinghouse/ shed due to the proposals not being located so as to consolidate and reinforce the existing steadings and building groupings at Catcraig Farm, and also in terms of the visibility of the site.

For the reasons noted in this report, it is considered that, as the operational hub and locus of farm buildings and farm activities, the existing steading at Catcraig Farm forms a centrally located, and compact building grouping which is well-located to meet the operational needs of the farming enterprise, as well as being less visually sensitive; this approach is in accordance with the policy provisions of the Local Development Plan and the related supplementary guidance. Therefore, it is considered that the applicants' business needs could be equally, if not better, fulfilled by locating an additional dwelling around the vicinity of Catcriag Farm. The application has been considered in this context.

For completeness, the proposals have also been considered against the Council's policies in relation to extensions to a cluster of existing residential properties. In this regard it is noted that, the application site stands in isolation, is bound by agricultural land on three sides, and by a public road to the west. Given the afore-mentioned, the proposed development does not represent the sensitive in-filling of an existing cluster. Therefore, it is not considered that the proposed site could be considered to represent a cluster for the purposes of considering this application.

For the reasons noted above, there are policy concerns in relation to the proposal, and the proposed erection of a dwelling house on this site is not considered to meet with the provisions of the Adopted South Ayrshire Local Development Plan policies in relation to Sustainable Development and Rural Housing, or the provisions of the Council's Supplementary Planning Guidance in relation to Rural Housing. The primacy of the development plan is noted above. An assessment of the development proposal is set out in this report, and as already noted, there are policy objections to the proposal which lead to the conclusion that the development is contrary to the provisions the Local Development Plan, and also the Council's Supplementary Guidance in relation to Rural Housing which supplements formal policy, and that there are no material planning considerations that would out-weigh these provisions. It should also be noted that, the purpose of planning (as set out in the Planning (Scotland) Act 2019) is to manage the development and use of land in the long term public interest.

Given the above assessment and having balanced the applicants' rights against the general interest, it is recommended that the application be refused, for the reasons below.

Recommendation: 12.

It is recommended that the application is refused for the reasons, below.

Reasons:

- (1) That the development proposal is contrary to the Adopted South Ayrshire Local Development Plan Rural Housing policy due to any proposed buildings or structures not forming or complementing a coherent group of buildings so as to reinforce the existing operational base of the farming enterprise at Catcraig Farm, and not being visually intrusive, and no satisfactory justification having been provided for a departure from this policy.
- (2) That the development proposal is contrary to the Planning Guidance in relation to Rural Housing due to not being sited so as to reinforce the existing operational base of the farming enterprise at Catcraig Farm, and due to not constituting development within an existing cluster or the sensitive in-filling of an available gap site which consolidates existing properties within a cluster, and no satisfactory justification having been provided for a departure from the Rural Housing planning guidance.

Advisory Notes:

List of Plans Determined:

Drawing - Reference No (or Description): Refused 0717PP01

Reason for Decision (where approved):

N/A.

Equalities Impact Assessment

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

Decision Agreed By:	Appointed Officer
Date:	16 September 2021



County Buildings Wellington Square Ayr KA7 1DR Tel: 01292 616 107 Email: planning.development@south-ayrshire.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE

100425980-002

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

Applicant or Agent Details Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting ☐ Applicant ☒ Agent on behalf of the applicant in connection with this application) **Agent Details** Please enter Agent details Stairhill Architecture Ltd Company/Organisation: Ref. Number: You must enter a Building Name or Number, or both: * Alistair Stairhill First Name: * **Building Name:** Mair Last Name: * **Building Number:** Address 1 Stair 01292591500 Telephone Number: * (Street): 3 **Extension Number:** Address 2: Mauchline Town/City: * Mobile Number: United Kingdom Fax Number: Country: * KA5 5HN Postcode: * alistair@stairhill.co.uk Email Address: * Is the applicant an individual or an organisation/corporate entity? * Individual ☐ Organisation/Corporate entity

Applicant Details					
Please enter Applicant details					
Title:	Mr	You must enter a Building Name or Number, or both: *			
Other Title:		Building Name:	Catcraig Farm		
First Name: *	J	Building Number:			
Last Name: *	Brown	Address 1 (Street): *	Craigie		
Company/Organisation	Messrs J & A Brown	Address 2:			
Telephone Number: *		Town/City: *	Kilmarnock		
Extension Number:		Country: *	Scotland		
Mobile Number:	07823 325530	Postcode: *	KA1 5NB		
Fax Number:					
Email Address: *	jrb2102@hotmail.co.uk				
Site Address	Details				
Planning Authority:	South Ayrshire Council				
Full postal address of th	ne site (including postcode where available	e):			
Address 1:					
Address 2:					
Address 3:					
Address 4:					
Address 5:					
Town/City/Settlement:					
Post Code:					
Please identify/describe the location of the site or sites					
Land of Catcraig Farm North West of Craigie Kilmarnock South Ayrshire					
Northing	632465	Easting	242564		

Description of Proposal	
Please provide a description of your proposal to which your review relates. The description should be the same as given in the application form, or as amended with the agreement of the planning authority: * (Max 500 characters)	
Planning permission in principle for the erection of dwelling house and agricultural shed.	
Type of Application	
What type of application did you submit to the planning authority? *	
 □ Application for planning permission (including householder application but excluding application to work minerals). □ Application for planning permission in principle. □ Further application. □ Application for approval of matters specified in conditions. 	
What does your review relate to? *	
Refusal Notice. Grant of permission with Conditions imposed. No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal	
Statement of reasons for seeking review	
You must state in full, why you are a seeking a review of the planning authority's decision (or failure to make a decision). Your state must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided separate document in the 'Supporting Documents' section: * (Max 500 characters)	
Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you procall of the information you want the decision-maker to take into account.	luce
You should not however raise any new matter which was not before the planning authority at the time it decided your application (o the time expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before time or that it not being raised before that time is a consequence of exceptional circumstances.	r at that
Appeal statement provided within supporting documentation	
Have you raised any matters which were not before the appointed officer at the time the Determination on your application was made? *	
If yes, you should explain in the box below, why you are raising the new matter, why it was not raised with the appointed officer bef your application was determined and why you consider it should be considered in your review: * (Max 500 characters)	ore
Determination on your application was made? * If yes, you should explain in the box below, why you are raising the new matter, why it was not raised with the appointed officer bef	ore

Please provide a list of all supporting documents, materials and evidence which you wish to to rely on in support of your review. You can attach these documents electronically later in the			intend
appeal statement, planning supporting statement, labour justification report, location plan, delegated report			
Application Details			
Please provide the application reference no. given to you by your planning authority for your previous application.	21/00644/PPP		
What date was the application submitted to the planning authority? *	10/06/2021		
What date was the decision issued by the planning authority? *	16/09/2021		
Review Procedure			
The Local Review Body will decide on the procedure to be used to determine your review an process require that further information or representations be made to enable them to determ required by one or a combination of procedures, such as: written submissions; the holding or inspecting the land which is the subject of the review case.	nine the review. Further	information n	
Can this review continue to a conclusion, in your opinion, based on a review of the relevant i parties only, without any further procedures? For example, written submission, hearing sess X Yes No		yourself and o	other
In the event that the Local Review Body appointed to consider your application decides to in	spect the site, in your op	inion:	
an the site be clearly seen from a road or public land? *			
Is it possible for the site to be accessed safely and without barriers to entry? *			
Checklist – Application for Notice of Review			
Please complete the following checklist to make sure you have provided all the necessary in to submit all this information may result in your appeal being deemed invalid.	nformation in support of	your appeal.	Failure
Have you provided the name and address of the applicant?. *	ĭ Yes ☐ 1		
Have you provided the date and reference number of the application which is the subject of review? *	this 🗵 Yes 🗌 N	No	
If you are the agent, acting on behalf of the applicant, have you provided details of your name and address and indicated whether any notice or correspondence required in connection with the review should be sent to you or the applicant? *		No 🗌 N/A	
Have you provided a statement setting out your reasons for requiring a review and by what procedure (or combination of procedures) you wish the review to be conducted? *			
Note: You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. You may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.			
Please attach a copy of all documents, material and evidence which you intend to rely on (e.g. plans and Drawings) which are now the subject of this review *	⊠ Yes □ N	Мо	
Note: Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice (if any) from the earlier consent.			

Declare - Notice of Review

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

Declaration Name: Mr Alistair Mair

Declaration Date: 25/10/2021



NOTICE OF REVIEW STATEMENT

App 21/00644/PPP

'Proposed erection of farm workers dwelling house and agricultural shed'

at

Lands of Cateraig Farm
Craigie
Ayrshire
KA1 5NB

Client

Messrs J & A Brown.



Client: Messrs J & A Brown

Cateraig Farm

Craigie Ayrshire. KA1 5NB

Agent: Stairhill Architecture Ltd

Stairhill Mauchline Ayrshire KA5 5HN

Planning History

21/00644/PPP - Planning permission in principle for the erection of dwelling

house and agricultural shed.

Application Refused

Reasons For Refusal

- 1. That the development proposal is contrary to the Adopted South Ayrshire Local Development Plan Rural Housing policy due to any proposed buildings or structures not forming or complementing a coherent group of buildings so as to reinforce the existing operational base of the farming enterprise at Catcraig Farm, and not being visually intrusive, and no satisfactory justification having been provided for a departure from this policy.
- 2. That the development proposal is contrary to the Planning Guidance in relation to Rural Housing due to not being sited so as to reinforce the existing operational base of the farming enterprise at Catcraig Farm, and due to not constituting development within an existing cluster or the sensitive in-filling of an available gap site which consolidates existing properties within a cluster, and no satisfactory justification having been provided for a departure from the Rural Housing planning guidance.

Reasons for Review

We have studied and reviewed the planning officers report of handling and make note as follows.

No objections were received from any public members.

No objections were received from any consultees.

The planning officer states 'It is accepted that the farming enterprise could benefit from an additional residential property, and therefor on principle, the Service could be minded to support the applicants case for an additional dwelling house to serve the farming operations'

So by agreement of the council the application has proved and justified the requirement for an additional dwelling house.

The single reason for refusing the application is the siting of the proposed dwelling and agricultural shed.

South Ayrshire Rural Design Guidance states;

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

The planner states;

It is reasonable to expect that, any new dwelling should be sited adjacent to the existing steading so as to reinforce the building grouping and operational base at Catcraig Farm.

There is no mention in any policy or guidance for reinforcing the existing operational base of the farm. The planner's opinion of what should be reasonable does not meet current policy nor do they have any first-hand experience of how our client's business operates. We have precisely detailed the site-specific reasons as to why the proposed site has been chosen within our supporting statement which are as follows;

The farm operates a dairy herd which is milked through a robotic milking system.

Traditional milking parlours hold approx. 8-10 cows per side which are all milked at the same time. When the last cow finishes milking they are released and the next lot of cows enter the parlour to be milked in the same way. This would normally take between 1-3 hours depending on the size of the herd and happen twice daily. Once all cattle are milked they would all be herded back to their grazing field.



A robotic parlour works in a completely different manner, broadly speaking the process runs thus. Your cow enters a small pen, driven by the desire to relieve udder pressure and nibble on the food that's on offer during milking. As the cow enters the pen, an ID tag is scanned that tells the system when the cow was last milked, how the udder is shaped and the rate at which each teat dispenses milk. Robotic arms simultaneously sanitize and stimulate the teats, prompting the cow to let down her milk. Lasers then guide suction tubes onto each teat and the milking begins.

This type of system relies on the cows being housed directly adjacent to the parlour, hence the justified reason we are not able to build a new shed or house adjacent the farm steading as all grazing land is critical to allow cows summer grazing adjacent to the parlour.

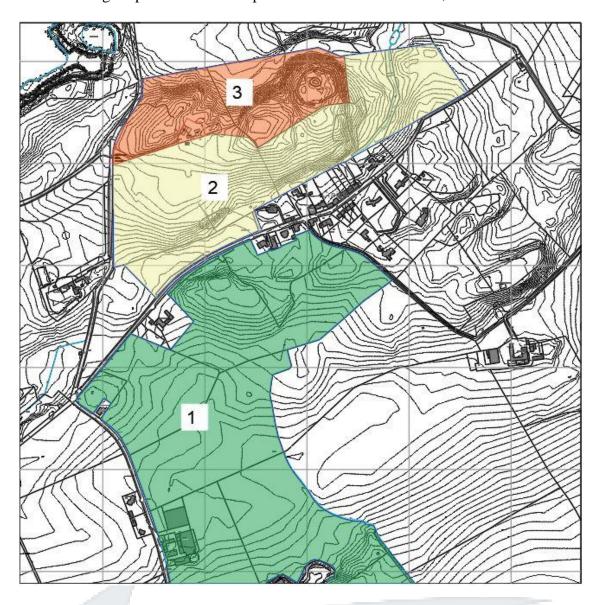




This type of system means the cattle must be kept indoors or in very close proximity to the parlour to allow barrier free access.

If our clients were to erect the proposed house adjacent the existing steading this would remove valuable grazing land that is required to allow growth of the herd and business.

The land holding is split into 3 distinct parcels of land as shown here;



- 1. grazing land surrounding the farm to the south of Craigie
- 2. grazing land to the north of Craigie
- 3. Craigie Hill with rough grazing / gorse.

The proposed site is located within area 3 on the edge of the rough grazing / gorse land. This is directly adjacent the grazing land and no land of any agricultural value shall be lost from the proposals.

The grazing land surrounding the farm requires to be retained and expanded (through land purchase) where possible to allow the growth of the dairy herd. As detailed previously, they require to be housed in winter and have direct access to summer grazing from the robotic milking parlour.

The land to the North of Craigie is used for grazing young stock, silage production and calving cows.



The planning officer has sited the following reasons as further justification to refuse the proposed site.

- 1. Trips between farm and new house / shed.
- 2. Not demonstrated that the business could not operate in current manner with addition of dwelling house and shed at existing steading
- 3. Application sites compromises of portion of a larger field with no services or buildings.
- 4. No agricultural buildings are currently present.

Trips between the proposed dwelling and shed and the existing steading would have no negative impact on the local area. The proposed dwelling and shed will allow for the farm work to be split into youngstock and in calf cows at the new shed and dairy cows at the existing farm steading. There are currently journeys between the existing steading and the land holding adjacent the proposed site daily to both feed and check on livestock. The proposed dwelling will help reduce this as any checks can be done on foot.

The labour report along with our supporting statement have justified the need for an additional house and the reason for siting the house in the chosen location. We have again demonstrated exactly why this site has been chosen within this supporting LRB document. Building a dwelling house at the existing steading would have a negative impact on our client's business and is not in the best interests of our client or their business operations.

The application site is not part of a larger field. The site is a portion of Craigie Hill which is covered in gorse and has steep drops to the north side. It is not suitable for livestock other than sheep grazing. The site does not loose any prime agricultural land and indeed does not lose any productive farming land either.

The application includes the erection of an agricultural shed as well as the dwelling house which will form a coherent group in line with policy guidance.



Summary

The council are minded to support the principle for the erection for a farm workers dwelling house and shed.

The singular reason for refusal is the location of proposed site and lack of justification for choosing said site.

We have clearly demonstrated previously and reiterated within this statement the importance that the land adjacent the existing steading remains as grazing land to allow the dairy herd access to fresh grass and the robotic milking parlour.

The specific site has been chosen as it protects all the farms productive land and utilises a small piece of unproductive gorse hillside.

It is of our professional opinion that the proposals are in full accordance with all relevant SAC LDP policies and supporting guidance and that the LRB should overturn the decision to approve the application for the proposed farm workers dwelling house and shed.





SUPPORTING STATEMENT

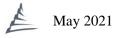
'Proposed erection of farm workers dwelling house and agricultural shed'

at

Lands of Cateraig Farm Craigie Ayrshire KA1 5NB

Client

Messrs J & A Brown.



Client: Messrs J & A Brown

Catcraig Farm

Craigie Ayrshire. KA1 5NB

Agent: Stairhill Architecture Ltd

Stairhill Mauchline Ayrshire KA5 5HN

Background Information

Messrs J & A Brown are a specialist dairy farm, milking 100 cows through their robotic parlour. The farm consists of 122acres with an additional 20acres of rented grassland to produce silage for winter forage.

The farm has continually invested in the business over recent years with the last significant investment being a robotic milking system in 2019.

Due to this investment the business is now in a financial position where they are able to erect a farm workers dwelling house and further agricultural shed to secure the future of the farm for the next generation.

Farming practice

The farm is run as a specialist dairy herd milking 100 cows through a robotic milking parlour. They farm a total of 142 acres of land of which 122 acres are owned and 20 acres are rented for silage production. Milk is sold off to Graham's Milk.

The farmland is split into two distinctive land parcels, the dairy herd grazing land to the South of Craigie which surrounds the farm steading and the silage and youngstock grazing which sits to the North of Craigie separated by the Main Street.

Emerging legislation from Europe is moving away from 24hr 365day cattle housing similarly to how poultry has done the same. This will require all milking cattle to have access to summer grazing.

This will be achieved by utilising the parcel of land that surrounds the existing farm steading on a rotational plan. This will allow cattle to graze and have daily access to the robotic milking system without crossing any public roads. The parcel of land to the north of main street will then be utilised for silage production, young stock and calving cows.

Our clients daughter Georgia (18) currently works on the farm but is seeking to enter further education and plans to move to student accommodation. This will have a big impact on an already under strain team of work staff. This has been the catalyst for our client to seek planning approval to provide accommodation for a skilled stock man which will help alleviate the demanding workload.

The labour requirement for the farm is 3.11 labour units.

Proposals

The proposal is for the erection of a new dwelling house and shed to provide shelter for winter grazing cattle and calving cows.

This proposed set up will allow for the farm managers to have a more balanced work life and aims to create a working environment that is beneficial to both the mental and physical health of all managers and employees.

The criteria required for the proposed dwelling and shed are as follows;

- Retain all grazing land of existing farm steading.
- Able to view youngstock grazing from within new dwelling.
- Ample space for dwelling house and shed.
- Close to all relevant services.
- Improve overall farm security

There is an area of rough land to the north of the farms outer limits which will be utilised for the new agricultural shed and bungalow which will retain all current grazing land in use for the business.

Site Analysis

Planning policy and design guidance looks to encourage good design within the countryside where it can be justified that the dwelling house is required on an agricultural basis.

The labour requirement report breaks down the farming business and details the labour requirement for the entire farming unit. The fam business requires a total of 3.11 labour units.

Planning policy looks to group buildings together to create a uniform farming base, with the possibility of converting redundant buildings or using brownfield land opposed to green field sites.

The most important issue within the brief was to retain the existing land around Catcraig Farm steading to allow for maximum herd allocation and herd health when new regulations are introduced for grazing access giving the farm options to grow the existing business further.



Due to lack of buildings suitable for conversion within the steading we have studied the entire land holding of the farm and assessed where potential sites meet our client's criteria whilst also meeting with current planning policy at both national and local level.

The land holding is split in two 3 distinctive sections, the grazing land surrounding the farm to the south of Craigie, the grazing land to the north of Craigie and Craigie Hill with rough grazing / gorse.

Due to the farms compact land holding in terms of modern farming our client is keen to utilise every acre possible for productive grazing and silage production.

This has led us to look at the poorest quality farm land on Craigie Hill, due to the elevated nature we have studied the contours to find a site that sits down within the hills side allowing for the proposals to become part of the landscape.

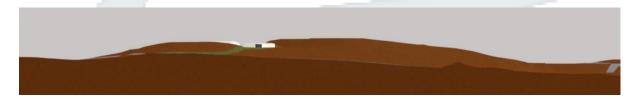
The site identified is located approx. 200m to the North West of Craigie Village accessed from Craigie Road directly opposite Laigh Langeraig Farm road. The site sits at approx. 148m AOD sitting within a hollow of the hill side surrounded by land at 152m AOD and rising. The site equates to a total of 2880m² of rough grazing land surrounded with gorse bushes and is bounded to the south with an agricultural stob and wire stock proof fence.

This proposed site will retain all the farms best quality grazing land adjacent to the existing steading whilst also providing vital care and support to the livestock on the land to the North of Craigie village. The elevated nature of the site allows for the new dwelling to have a vantage point overlooking the farmland.

Preliminary 3D landscape analysis is shown below showing how a proposed shed and dwelling house would fit within the landscape from critical viewpoints. The analysis shows only the landform and no existing buildings or vegetation etc.

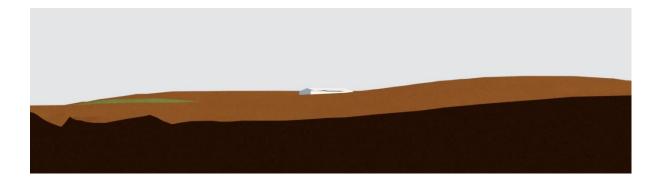
The views clearly show scope for the design to fit within the landscape as per the proposals.

View looking towards site from proposed new access



View looking towards site from Craigie Village





Electricity and water are in close proximity to service the site.

In summary the proposed site utilises a derelict piece of land with little to no agricultural value. Sits below the skyline, offers views across the farmland where the young stock graze. The current application is for planning permission in principle only and a full application will be submitted with the design for the proposed shed and house that demonstrates how the design will fit within the rural landscape and be screened by the natural topography and setting.

The application will be supported by the following documents;

Labour assessment report. Proposed Plans

Conclusion

It is considered that the application for the proposed new dwelling house meets the criteria set out in South Ayrshire Council LDP and is fully justified within the labour justification report.

The farm has no buildings suitable for conversion and has not sold or by other means separated any property in the last 5 years.

The proposed dwelling house and shed are required to facilitate on site supervision for the forward thinking and expanding agricultural business.

The proposed site does not equate to the loss of any agricultural land of merit and is in full ownership of our client.

The application is for planning permission in principle only and a full detailed application for design and siting of the dwelling and shed in line with rural design guidance shall be submitted under a further application.

The application is in line with all relevant policies as detailed in the above document. It is for these reasons that the planning authority should use there duly elected powers to approve this application.



Strictly Private and Confidential

PLANNING JUSTIFICATION REPORT

Prepared for:

Messrs J & A Brown
Catcraig
Craigie
Kilmarnock
Ayrshire
KA1 5NB

Prepared by:

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November 2020

This report has been prepared exclusively for the use of the above business on the basis of information supplied, and no responsibility can be accepted for actions taken by any third party arising from their interpretation of the information contained in this document. No other party may rely on the report and if he does, then he relies upon it at his own risk.

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1.0 INTRODUCTION

Jim Brown farms with his wife Mhairi at Catcraig farm near the village of Craigie in South Ayrshire. They are assisted on the unit by their daughter Georgia (18). The family farm a total of 49.35 hectares (122 acres) of land and an additional 8.30 hectares (20 acres) is rented locally for silage.

The business is a specialist 100 cow robotic dairy unit with milk being sold to Graham's Milk.

A planning application is being submitted by the business for a new dwelling house at Catcraig for an agricultural worker. This house would be located near the rough grazing land at Craigie where the young stock are grazed and wintered. This would ensure that all the farm would be visible from either of the two farmhouses so security would be enhanced.

A site visit was carried out to view the proposed location of the new dwelling house. In addition, the business policy was discussed, as well as factors that would support the proposed dwelling house.

The assessment of the business is presented in this report to justify the requirement of an additional dwelling house at Catcraig and has been prepared on the basis of the information provided during consultation with the Brown family. Agricultural Consultancy Services Ltd accepts no liability in the event of the planning application being turned down. In the event of planning permission being granted, Agricultural Consultancy Services Ltd accept no liability for any planning conditions which South Ayrshire Council may impose on the dwelling house.

2.0 CATCRAIG FARM

2.1 Business Overview

Catcraig farm extends to 49.35 hectares (122 acres) of land near the village of Craigie in South Ayrshire. An additional 8.30 hectares (20 acres) is rented locally for silage. The business is run as a specialist dairy unit with a 100 Holstein Friesian and Ayrshire cows. Jim has a specialist interest in breeding red and white Holstein and Ayrshire cattle.

The business is run as a family partnership consisting of Jim and his wife Mhairi. They are assisted by their daughter Georgia who is keen on showing and stock work.

The business sells their milk to Graham's family dairy. The business installed two robots in 2019 and produce over 900,000 litres of milk per annum. The herds average production is 9,000 litres per cow. Heifer replacements are retained from the dairy herd and male dairy calves and beef calves are sold reared to other farmers for beef production.

The business grows two cuts of silage on 23.51 hectares (58 acres) of land at home and on 8.30 hectares (20 acres) of rented land. The remaining land is used for grazing. Jim has been enhancing the biodiversity on the farm by planting hedges and fencing off watermargins.

Cateraig is a diverse mix of land types – grade 3^2 , 4^1 , 4^2 and 5^1 according to the Macaulay land classification system. Grade 3 is land that is capable of producing good yields of a narrow range of crops primarily cereals and grass. Grade 4 is land that is suited to grassland enterprises with short arable breaks. Grade 5 land is land capable of use as improved grassland.

2.2 Summary of Land

Category of Land	Hectares	
Silage – 2 cuts and aftermath	23.51	
grazing Silage – rented grazing Grassland	8.30 25.84	

2.3 Summary of Livestock

Stock	Number
Dairy Cows	100
Bulls	1
Dairy Heifers > 2 years	1
Dairy Heifers 1-2 years	40
Dairy Heifers < 1 year	40
Beef Cattle	20
Ewe hoggs	100

3.0 LABOUR REQUIREMENT

Using SGRPID's "Standard Labour Data for Agricultural and Horticultural Activities", sourced from the UK Farm Classification Working Party (February 2004), the hours required for the enterprises at Catcraig are as follows:

Crops	Area (ha)	Hours/Annum	Total
au.	21.01	2.5	007.04
Silage	31.81	26	827.06
Grassland	25.84	4	103.36
Sub total			930.42
Livestock	Number	Hours/Annum	Total
Dairy Cows	100	39	3,900.00
Bulls	1	9	9.00
Dairy Heifers > 2 years	1	9	9.00
Dairy Heifers $1 - 2$ years	40	9	360.00
Dairy Heifers < 1 year	40	9	360.00
Beef Cattle	20	9	180.00
Ewe hoggs	100	1.65	165.00
Sub total			4,983.00
TOTAL			5,913.42
SGRPID Standard Man Year			1,900
LABOUR REQUIREMENT FOR	R CATCRAIG		3.11

4.0 ADDITIONAL COMMENTS

4.1 The Site

The proposed house will be situated on the rougher ground near Craigie village. This will enhance roadside security and means that all of the land can be viewed from either of the two houses.

Cateraig is a diverse mix of land types – grade 3^2 , 4^1 , 4^2 and 5^1 according to the Macaulay land classification system. The proposed site is on land classified 5^1 .

The preferred site of the proposed development will not involve the loss of any environmental features. Jim has been enhancing the farm's conservation value and biodiversity by fencing off watermargins and planting hedges. Hedge planting is essential for providing a habitat for hedgerow birds.

4.2 Farm Labour and Working Practices

The Brown family all live in the farmhouse at Catcraig. It is proposed that the new house will be used to accommodate an agricultural worker to assist Jim on the farm.

Dairy farming involves working long hours 7 days per week. The milking is done by two robots which means that Jim is on call 24 hours per day, 7 days per week to sort out problems. The working day now starts later at 6 am than when Jim was milking the cows through a parlour. Each morning the cows and calves are all to feed and scrape and bed up. Cow fertility is monitored and any cows or heifers to serve are artificially inseminated. In the afternoon other stock tasks are undertaken as required and any paperwork or records are updated in the farm office. Cows are checked for signs of heat detection and calving throughout the day and usually the last check is at 10pm. If a cow is calving Jim or Mhairi will have to wait up until the cow calves. The business calves all year around which means that cows are checked all year around. Most of calf rearing duties are carried out by Mhairi or Georgia.

Jim is also responsible for all field work in the spring and summer and silage is brought in with their own forage wagon instead of contractors.

4.3 Animal Welfare and Management

Livestock require constant supervision by a suitably qualified individual. Animal losses contradict welfare standards, as well as having a significant economic impact on the farm business.

The business has 100 dairy cows and 101 dairy youngstock. As noted above these animals calve all year around so require constant supervision. Generally, on a dairy farm of this type there will be someone with the cattle 16 hours per day plus someone will stay up if cows are calving at night.

Catcraig is situated near the village of Craigie. The roads near the farm are used extensively by cyclists, dog walkers and walkers. Activity has increased due to lockdown during the

recent Co-vid outbreak. It is vital that stock are monitored to ensure that gates are not left open by walkers or vandals.

4.4 Security & Safety

Catcraig steading is situated 0.7 miles from the village of Craigie, 5 miles from Kilmarnock and 31 miles from Glasgow.

With the increasing awareness by the public of their access rights under the Land Reform (Scotland) Act 2003, there is potential of safety and security problems on the farm from people not fully understanding their responsibilities in the countryside.

Other notable problems with access are potential incidents with countryside visitors walking through fields where there are cattle. This is dangerous for both the people and the animals, and incidents arising could result in death or injury. Similarly, there is the risk of members of the public leaving gates open, which may allow stock to stray from inbye fields onto the road, putting others at risk.

Another major concern with people coming into contact with animals is Zoonoses. Zoonotic diseases are those which are transmissible from animals to humans, including salmonella and E coli. This issue is of high importance and the government intervenes to control these diseases in order to protect public health.

In rural locations, problems may arise relating to vandalism – deliberate and accidental – and theft. In Ayrshire there has been an increase in farm thefts particularly farm quad bikes. Electrical cable theft is also at an all time high locally. Cateraig is located in close proximity to Craigie, Kilmarnock and Glasgow so is a high risk area. The new house will ensure that the whole farm can be monitored, thus enhancing security so this will help deter thieves from entering the farm from Craigie and prevent rustlers from taking any cattle or locals opening gates and letting cattle onto the roads.

4.5 Alternative Accommodation

There are no other dwelling houses or buildings suitable for conversion presently located at Catcraig that could be utilised by the business.

5.0 CONCLUSION

- The estimated annual labour requirement for the farming operations at Catcraig is currently 3.11 labour units. This type of unit and the stock carried therefore justifies three full time workers.
- It is considered highly desirable for welfare and security that there are suitably qualified personnel residing onsite at Catcraig at all times.
- The location of the proposed dwelling house at Catcraig is not prime agricultural land and does not pose any harmful threats or have a significant visual disturbance to the environment and surrounding landscape.
- There are no existing buildings on the unit that can be utilised for living quarters.
- Support from the local authority through the development of a dwelling house will help secure the farming future at Catcraig, as well as encouraging wider rural business and economic development through the house construction and long-term maintenance, as well as continuing farming operations.



County Buildings Wellington Square Ayr KA7 1DR Tel: 01292 616 107 Email: planning.development@south-ayrshire.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE

100425980-001

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

Type of Application	
What is this application for? Please select one of the following: *	
 □ Application for planning permission (including changes of use and surface mineral working). ☑ Application for planning permission in principle. □ Further application, (including renewal of planning permission, modification, variation or removal of a planning condition etc) □ Application for Approval of Matters specified in conditions. 	
Description of Proposal	
Please describe the proposal including any change of use: * (Max 500 characters)	
Proposed erection of farm workers dwelling house and agricultural shed.	
Is this a temporary permission? *	☐ Yes ☒ No
If a change of use is to be included in the proposal has it already taken place? (Answer 'No' if there is no change of use.) * Has the work already been started and/or completed? * No Yes – Started Yes - Completed	∑ Yes □ No
□ 100 □ 1es - Started □ 1es - Completed	
Applicant or Agent Details	
Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)	☐ Applicant ☒ Agent

Page 1 of 8

Agent Details			
Please enter Agent detail:	s		
Company/Organisation:	Stairhill Architecture Ltd		
Ref. Number:		You must enter a B	uilding Name or Number, or both: *
First Name: *	Alistair	Building Name:	Stairhill
Last Name: *	Mair	Building Number:	
Telephone Number: *	01292591500	Address 1 (Street): *	Stair
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Mauchline
Fax Number:		Country: *	United Kingdom
		Postcode: *	KA5 5HN
Email Address: *	alistair@stairhill.co.uk		
Is the applicant an individ	ual or an organisation/corporate entity? * nisation/Corporate entity		
Applicant Det	ails		
Please enter Applicant de	etails	-	
Title:	Mr	You must enter a B	uilding Name or Number, or both: *
Other Title:		Building Name:	Catcraig Farm
First Name: *	J	Building Number:	
Last Name: *	Brown	Address 1 (Street): *	Craigie
Company/Organisation	Messrs J & A Brown	Address 2:	
Telephone Number: *		Town/City: *	Kilmarnock
Extension Number:		Country: *	Scotland
Mobile Number:		Postcode: *	KA1 5NB
Fax Number:			
Email Address: *			

Site Address D	Details				
Planning Authority:	South Ayrshire Cour	ncil			
Full postal address of the s	ite (including postcode	where available):			
Address 1:					
Address 2:					
Address 3:					
Address 4:					
Address 5:					
Town/City/Settlement:					
Post Code:					
Please identify/describe the	e location of the site or	sites			
Land of Catcraig Farm N	lorth West of Craigie K	ilmarnock South A	yrshire		
Northing 6:	32465		Easting	242564	
Pre-Applicatio	n Discussio	n			
Have you discussed your p					☐ Yes ☒ No
Site Area					
Please state the site area:		2880.00			
Please state the measurem	Please state the measurement type used: Hectares (ha) Square Metres (sq.m)				
Existing Use					
Please describe the curren	t or most recent use: *	(Max 500 charact	ers)		
Rough grazing land					
Access and Parking					
Are you proposing a new a		o or from a public	road? *		Ⅺ Yes ☐ No
If Yes please describe and	show on your drawing	s the position of ar	ny existing. Altered	or new access points,	highlighting the changes
you propose to make. You should also show existing footpaths and note if there will be any impact on these.					

Are you proposing any change to public paths, public rights of way or affecting any public right of a	ccess? * Yes X No
If Yes please show on your drawings the position of any affected areas highlighting the changes yo	
arrangements for continuing or alternative public access.	ou propose to make, moluting
Water Supply and Drainage Arrangements	
Will your proposal require new or altered water supply or drainage arrangements? *	X Yes □ No
Are you proposing to connect to the public drainage network (eg. to an existing sewer)? *	
Yes – connecting to public drainage network	
No – proposing to make private drainage arrangements	
☐ Not Applicable – only arrangements for water supply required	
As you have indicated that you are proposing to make private drainage arrangements, please provi	ide further details.
What private arrangements are you proposing? *	
☐ New/Altered septic tank.	
Treatment/Additional treatment (relates to package sewage treatment plants, or passive sewage	ge treatment such as a reed bed).
Other private drainage arrangement (such as chemical toilets or composting toilets).	
Please explain your private drainage arrangements briefly here and show more details on your plan	ns and supporting information: *
Package sewage treatment plant with filter drain	
Do your proposals make provision for sustainable drainage of surface water?? * (e.g. SUDS arrangements) *	X Yes □ No
Note:-	
Please include details of SUDS arrangements on your plans	
Selecting 'No' to the above question means that you could be in breach of Environmental legislation	n.
Are you proposing to connect to the public water supply network? *	
X Yes	
☐ No, using a private water supply	
☐ No connection required	
If No, using a private water supply, please show on plans the supply and all works needed to provide	de it (on or off site).
Assessment of Flood Risk	
Is the site within an area of known risk of flooding? *	☐ Yes ☒ No ☐ Don't Know
If the site is within an area of known risk of flooding you may need to submit a Flood Risk Assessm determined. You may wish to contact your Planning Authority or SEPA for advice on what informati	ent before your application can be
	CONTROL OF THE CONTRO
Do you think your proposal may increase the flood risk elsewhere? *	CONTROL CONTRO

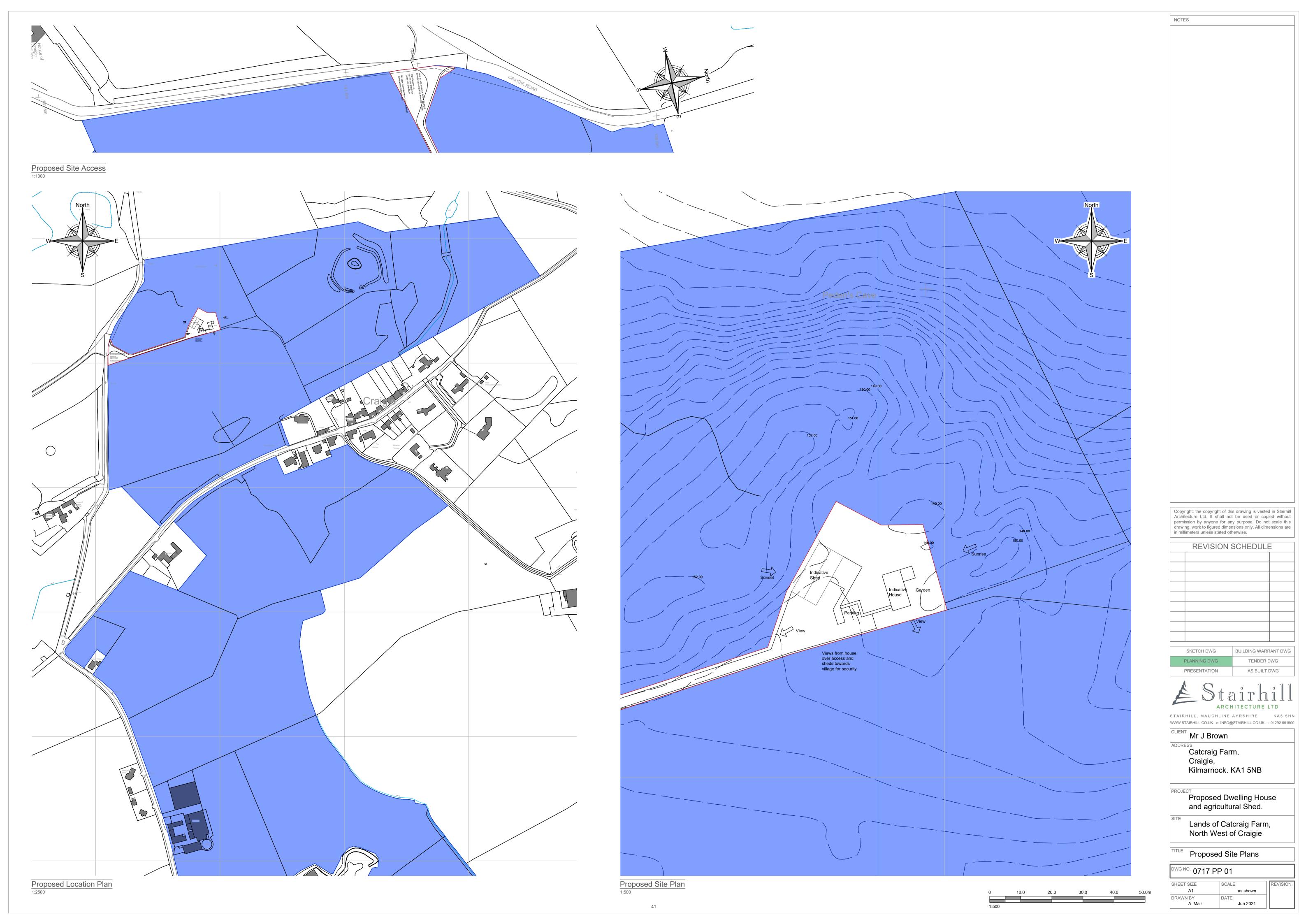
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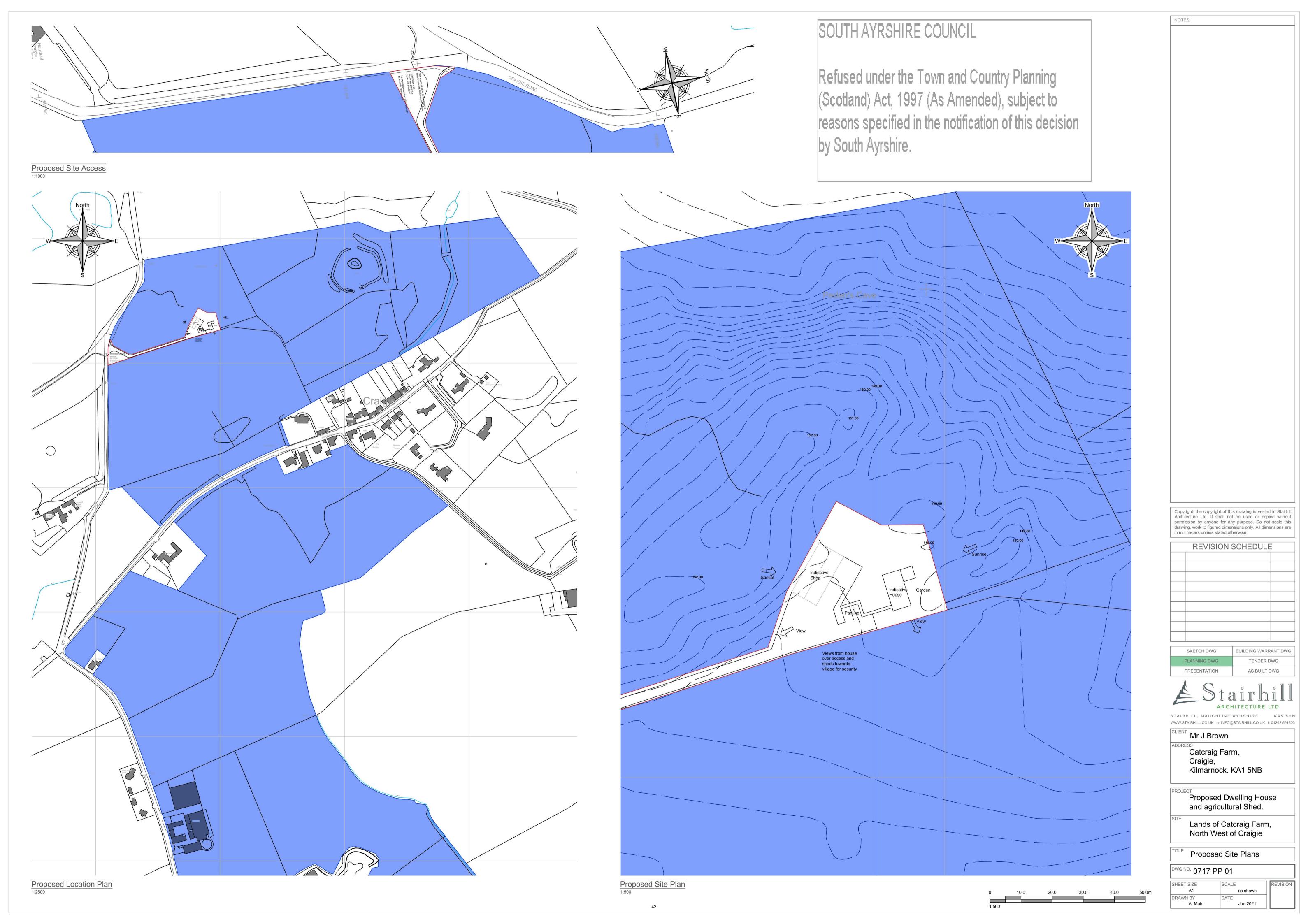
Trees			
Are there any trees on or adja	cent to the application site? *		☐ Yes ☒ No
	If Yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate if any are to be cut back or felled.		
All Types of Nor	n Housing Develo	pment – Proposed	New Floorspace
Does your proposal alter or cr	reate non-residential floorspace?	*	⊠ Yes □ No
All Types of Nor Details	n Housing Develo	pment – Proposed	New Floorspace
	nciple applications, if you are un d provide a fuller explanation in t		pace dimensions please provide an
-	·	r of rooms if you are proposing a he	otel or residential institution): *
Not in a Use Class			
Gross (proposed) floorspace (Rooms (If class 7, 8 or 8a): *	(In square meters, sq.m) or num	ber of new (additional)	1
If Class 1, please give details	of internal floorspace:		
Net trading spaces:		Non-trading space:	
Total:			
If Class 'Not in a use class' or	'Don't know' is selected, please	give more details: (Max 500 chara	cters)
outline planning permission stage.	only at this time. Proposed agric	cultural shed, size, siting and desig	n to be confirmed at full planning
Schedule 3 Deve	elopment		
	orm of development listed in Sch gement Procedure (Scotland) Re	edule 3 of the Town and Country egulations 2013 *	Yes No Don't Know
	ehalf but will charge you a fee. F		of the development. Your planning 's website for advice on the additional
If you are unsure whether you notes before contacting your p		velopment listed in Schedule 3, ple	ase check the Help Text and Guidance
Planning Servic	e Employee/Elect	ed Member Interes	t
Is the applicant, or the applica elected member of the plannir		mber of staff within the planning se	rvice or an Yes 🗵 No

Certificates and Notices	
CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPME PROCEDURE) (SCOTLAND) REGULATION 2013	ENT MANAGEMENT
One Certificate must be completed and submitted along with the application form. This is most usually Certificate B, Certificate C or Certificate E.	ate A, Form 1,
Are you/the applicant the sole owner of ALL the land? *	X Yes □ No
Is any of the land part of an agricultural holding? *	⊠ Yes □ No
Do you have any agricultural tenants? *	Yes X No
Certificate Required	
The following Land Ownership Certificate is required to complete this section of the proposal:	
Certificate E	
Land Ownership Certificate	
Certificate and Notice under Regulation 15 of the Town and Country Planning (Development Management Pro Regulations 2013	cedure) (Scotland)
Certificate E	
I hereby certify that –	
(1) – No person other than myself/the applicant was the owner of any part of the land to which the application rethe period 21 days ending with the date of the application.	relates at the beginning of
(2) - The land to which the application relates constitutes or forms part of an agricultural holding and there are	no agricultural tenants
Or	
(1) – No person other than myself/the applicant was the owner of any part of the land to which the application rethe period 21 days ending with the date of the application.	relates at the beginning of
(2) - The land to which the application relates constitutes or forms part of an agricultural holding and there are	agricultural tenants.
Name:	
Address:	
Date of Service of Notice: *	

	plicant has taken reasonable steps, as listed below, to ascertain the names and addresses of the other owners or and *have/has been unable to do so –
Signed:	Alistair Mair
On behalf of:	Mr J Brown
Date:	10/06/2021
	▼ Please tick here to certify this Certificate.*
Checklist	– Application for Planning Permission
Town and Country	Planning (Scotland) Act 1997
The Town and Cou	untry Planning (Development Management Procedure) (Scotland) Regulations 2013
in support of your a	moments to complete the following checklist in order to ensure that you have provided all the necessary information application. Failure to submit sufficient information with your application may result in your application being deemed any authority will not start processing your application until it is valid.
that effect? *	r application where there is a variation of conditions attached to a previous consent, have you provided a statement to Not applicable to this application
you provided a stat	cation for planning permission or planning permission in principal where there is a crown interest in the land, have lement to that effect? * Not applicable to this application
c) If this is an appli development belon you provided a Pre	cation for planning permission, planning permission in principle or a further application and the application is for ging to the categories of national or major development (other than one under Section 42 of the planning Act), have -Application Consultation Report? * Not applicable to this application
Town and Country	Planning (Scotland) Act 1997
The Town and Cou	untry Planning (Development Management Procedure) (Scotland) Regulations 2013
major developmen Management Proce	cation for planning permission and the application relates to development belonging to the categories of national or ts and you do not benefit from exemption under Regulation 13 of The Town and Country Planning (Development edure) (Scotland) Regulations 2013, have you provided a Design and Access Statement? *
	☑ Not applicable to this application
to regulation 13. (2 Statement? *	cation for planning permission and relates to development belonging to the category of local developments (subject) and (3) of the Development Management Procedure (Scotland) Regulations 2013) have you provided a Design
	☑ Not applicable to this application
ICNIRP Declaration	n relates to installation of an antenna to be employed in an electronic communication network, have you provided an not not not not not not not not not no

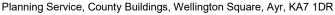
	planning permission, planning permission in principle, an application for apportant or mineral development, have you provided any other plans or drawings as	
Site Layout Plan or Bloo	ik njan	
Elevations.	i pien.	
Floor plans.		
Cross sections.		
Roof plan.		
Master Plan/Framework	Plan.	
Landscape plan.		
Photographs and/or pho	otomontages.	
Other.	•	
If Other, please specify: * (M	lax 500 characters)	
Provide copies of the following	ng documents if applicable:	
A copy of an Environmental S	Statement. *	☐ Yes ☒ N/A
A Design Statement or Design		☐ Yes ☒ N/A
A Flood Risk Assessment. *	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	☐ Yes ☒ N/A
A Drainage Impact Assessme	ent (including proposals for Sustainable Drainage Systems). *	☐ Yes ☒ N/A
Drainage/SUDS layout. *		☐ Yes ☒ N/A
A Transport Assessment or 1	Fravel Plan	☐ Yes ☒ N/A
Contaminated Land Assessn		☐ Yes ☒ N/A
Habitat Survey. *		☐ Yes ☒ N/A
A Processing Agreement. *		Yes X N/A
Other Statements (please sp	ocify) (May 500 characters)	
Other Statements (please sp	ecity). (Max 500 Characters)	
L		
Declare – For A	pplication to Planning Authority	
I, the applicant/agent certify t	that this is an application to the planning authority as described in this form.	The accompanying
Declaration Name:	Mr Alistair Mair	
Declaration Date:	10/06/2021	





Place Directorate

Assistant Director: Louise Reid



www.south-ayrshire.gov.uk/planning/

Tel: 01292 616118

Email: david.clark@south-ayrshire.gov.uk

Our Ref: 21/00644/PPP 22 September 2021 Date:

Messrs J & A Brown per Stairhill Architecture Ltd Alistair Mair Stairhill Stair Mauchline United Kingdom KA5 5HN



Dear Sir/Madam

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997 AS AMENDED BY THE PLANNING ETC. (SCOTLAND) ACT 2006

PROPOSAL: Planning Permission in Principle for the erection of dwellinghouse and

agricultural shed

Land At Catcraig Farm C8 From A719 Junction At Adamhill To Council Boundary SITE ADDRESS:

Craigie Kilmarnock South Ayrshire

KA1 5NB

With reference to your application for Planning Permission in Principle (Local Development), I enclose a copy of the Decision Notice refusing permission. The drawings and, where relevant, the documents to which this decision relates can be accessed from the Council's website www.south-ayrshire.gov.uk/planning/ by using the application reference number detailed above. You may find the Report of Handling otherwise entitled Delegated Report of particular interest, as this sets out an assessment of the application and an explanation for the decision taken.

If you require further information in respect of your decision notice, please contact Mr David Clark by telephoning 01292 616118 or by emailing david.clark@south-ayrshire.gov.uk

Yours faithfully

Louise Reid

Louise Reid Assistant Director - Place Directorate

Encs



LOCAL DEVELOPMENT

REFUSAL OF PLANNING PERMISSION IN PRINCIPLE (Delegated)

Ref No: 21/00644/PPP

SOUTH AYRSHIRE COUNCIL

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997 as amended by the PLANNING ETC. (SCOTLAND) ACT 2006

TOWN AND COUNTRY PLANNING (GENERAL DEVELOPMENT) (SCOTLAND) ORDERS

To: Messrs J & A Brown
per Stairhill Architecture Ltd
Alistair Mair
Stairhill
Stair

Mauchline United Kingdom

KA5 5HN

With reference to your application dated **29th July 2021** for planning permission in principle under the above-mentioned Acts and Orders for the following development, viz:-

Planning Permission in Principle for the erection of dwellinghouse and agricultural shed

at: Land At Catcraig Farm C8 From A719 Junction At Adamhill To Council Boundary Craigie Kilmarnock South Ayrshire KA1 5NB

The Council in exercise of their powers under the above-mentioned Acts and Orders hereby **refuse** planning permission in principle for the said development.

The drawings and other documents, where relevant, which relate to this refusal can be viewed at www.south-ayrshire.gov.uk/planning/

The reasons for the Council's decision are:

- (1) That the development proposal is contrary to the Adopted South Ayrshire Local Development Plan Rural Housing policy due to any proposed buildings or structures not forming or complementing a coherent group of buildings so as to reinforce the existing operational base of the farming enterprise at Catcraig Farm, and not being visually intrusive, and no satisfactory justification having been provided for a departure from this policy.
- (2) That the development proposal is contrary to the Planning Guidance in relation to Rural Housing due to not being sited so as to reinforce the existing operational base of the farming enterprise at Catcraig Farm, and due to not constituting development within an existing cluster or the sensitive infilling of an available gap site which consolidates existing properties within a cluster, and no satisfactory justification having been provided for a departure from the Rural Housing planning guidance.

List of Plans Determined:

Drawing - Reference No (or Description): Refused 0717PP01

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

Dated: 16th September 2021

Louise Reid

Assistant Director - Place Directorate

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

NOTICE TO ACCOMPANY REFUSAL OR GRANT OF PERMISSION WITH CONDITIONS

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997 as amended by the PLANNING ETC. (SCOTLAND) ACT 2006

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

South Ayrshire Council Planning Service County Buildings Wellington Square Ayr

KA7 1DR

T: 01292 616 107

E: planning.development@south-ayrshire.gov.uk

W: www.south-ayrshire.gov.uk/planning/

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

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



On Behalf of South Ayrshire Council
Roads and Transportation Services
Observations on Planning Application

Contact: ARA.TransportationPlanningConsultations@ayrshireroadsalliance.org

ARA Case Officer: AP

Planning Case Officer: D Clark

Planning Application No: 21/00644/PPP Location: Land At Catcraig Farm, Craigie

Date Received: 31/08/2021 Date Returned: 01/09/2021

Recommendation: No Objection subject to Conditions

The following response has been prepared following a review of the information made available through South Ayrshire Council's Planning portal website at the time of writing.

Expository Statement (if applicable):

Required for Major applications, or where the recommendation is for refusal or deferral.

Advisory Notes:

Road Opening Permit:

That a Road Opening Permit shall be applied for, and obtained from the Council as Roads Authority, for any work within the public road limits, prior to works commencing on site.

Roads (Scotland) Act:

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

New Roads and Street Works Act 1991:

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

Costs of Street Furniture:

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

Conditions:

Access Construction (single access or small development):

That the proposed access shall be constructed in accordance with the specifications in the Council's National Roads Development Guide and be a minimum of 5.5 metres wide over the initial 10 metres as measured from the rear of the public roadway and be formed with 6 meter radius curves. The access shall be constructed, as approved, prior to completion of the development.

Reason:

In the interest of road safety and to ensure an acceptable standard of construction.

Private Access Surfacing:

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

Reason:

In the interest of road safety and to ensure an acceptable standard of construction.

Discharge of Water:

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

Reason:

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

Off Road Parking Provision (PPP):

That off-road parking spaces shall be provided within the existing site boundary to satisfy provision levels as defined within the Council's adopted National Roads Development Guide, with parking layouts designed to comply with the guidance set out in the National Roads Development Guide, and within the Designing Streets publication as National Policy.

Reason:

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

SOUTH AYRSHIRE COUNCIL LOCAL REVIEW BODY NOTE of CURRENT POSITION

Site Address:	JELLIESTON FARM B742 FROM COUNCIL BOUNDARY TO A70 JUNCTION AT HILLHEAD COYLTON AYR SOUTH AYRSHIRE KA6 6ES
Application:	21/00705/APP ERECTION OF DWELLINGHOUSE AND GARAGE

Appointed Officer's Decision:	Refusal
Date Notice of Review Received:	29 th November 2021

Current Position:	New Case for Review
Documentation:	The following documents in relation to the review are attached: Pages 1 to 6 – Report of Handling Pages 7 to 64 – Notice of Review and Supporting Information Pages 65 to 85 – Planning Application and Supporting Information Pages 86 to 87– Decision Notice Pages 88 to 89 – Interested Parties Correspondence
New Material:	No
Additional Material Any other Comments:	N/A
Dated:	21 January 2022

South Ayrshire Council

Place Directorate

Report of Handling of Planning Application

Application Determined under Delegated Powers where less than five objections have been received.

The Council's Scheme of Delegation can be viewed at http://www.south-ayrshire.gov.uk/committees/

Reference No:	21/00705/APP
Site Address:	Jellieston Farm B742 From Council Boundary To A70 Junction At Hillhead Coylton Ayr South Ayrshire KA6 6ES
Proposal:	Erection of dwellinghouse and garage
Recommendation:	Refusal

REASON FOR REPORT

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

1. <u>Site Description:</u>

The site of the proposed development is located within the lands of Jellieston Farm, approximately 1.6 kilometres south-west of Coylton, on the southern side of the B742 public road.

2. Planning History:

17/00226/MDO - discharge of minute of agreement (Section 75) of planning permission P/959/85 - permitted - this application sought to discharge the Section 75 legal agreement, which related to Jellieston Farmhouse, land at Jellieston Farm and Jellieston Cottage. The Section 75 restricted occupation of Jellieston Farmhouse and Jellieston Cottage to: "...persons owning/and or being employed in the agricultural and horticultural business operated on the said subjects [i.e. land formerly known as Jellieston Farm), and prohibited the sale or lease of either Jellieston Farmhouse or Jellieston Cottage unless such sale also incorporates the agricultural and horticultural business based at Jellieston Farm.

17/00227/FUR - further application so as not to comply with condition 3 of planning permission P/959/85 - permitted - this application sought non-compliance with condition 3 of planning permission P/959/85. Condition 3 of the permission states "that the occupation of the dwelling shall be limited to a person fully employed in the pig meat processing business located on the site or employed locally in agriculture as defined in Section 275(1) of the Town and Country Planning (Scotland) Act 1972 or in forestry or dependant of such a person residing with him including widow or widower of such a person)".

3. <u>Description of Proposal:</u>

Planning permission is sought for the erection of a two-storey detached dwellinghouse and a single-storey detached triple garage. Full details are set out in the submitted plans.

4. Consultations:

Ayrshire Roads Alliance offer no objections to this application.

5. Submitted Assessments/Reports:

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

A design statement has been submitted with this application. The statement indicates that the dwellinghouse will increase the number of residential properties at Jellieston from 2 to 3, and that the proposed dwellinghouse will maintain the established equestrian business at the locale. The statement details the materials to be used in the construction of the dwellinghouse, and considers that the proposals will compliment the rural location.

6. S75 Obligations:

In assessing and reporting on a planning application the Council is required to provide a summary of the terms of any planning obligation entered into under Section 75 of the Town and Country Planning (Scotland) Act in relation to the grant of planning permission for the proposed development. **None**.

7. Scottish Ministers Directions:

In determining a planning application, the Council is required to provide details of any Direction made by Scottish Ministers under Regulation 30 (Directions requiring consultation), Regulation 31 (Directions requiring information), Regulation 32 (Directions restricting the grant of planning permission) and Regulation 33 (Directions requiring consideration of condition) of The Town and Country Planning (Development Management Procedure)(Scotland) Regulations 2013, or under Regulation 50 (that development is EIA development) of the Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017. **None**.

8. Representations:

One comment of support has been received. This can be viewed at www.south-ayrshire.gov.uk/planning

9. Development Plan:

Section 25 of the Town and Country Planning (Scotland) Act 1997 (as amended) indicates that, in making any determination under the Planning Acts, regard is to be had to the Development Plan. The determination shall be made in accordance with the plan unless material considerations indicate otherwise. The following policies are relevant in the assessment of the application and can be viewed online at http://www.south-ayrshire.gov.uk/planning/local-development-plans/local-development-plans/local-development-plan.aspx

- LDP Policy: Spatial Strategy (Core Investment Area);
- LDP Policy: Sustainable Development;
- LDP Policy: Rural Housing; and
- LDP Policy: Landscape Quality.

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

The provisions of the Adopted South Ayrshire Local Plan must 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.

The statutory Local Development Plan (LDP) for the area currently comprises the South Ayrshire Local Development Plan (adopted in September 2014) and its associated Supplementary Guidance, as well as the Town Centre and Retail Local Development Plan, adopted in 2017.

At a special meeting on 1 September, the Council considered representations on the Modified Proposed Replacement South Ayrshire Local Development Plan (MPLDP2), submitted in response to public consultation, and agreed (1) to submit the Plan, without further modification, to the Scottish Ministers for Examination; and (2) the Plan would be a material consideration in determining planning applications, with the weight accorded to it increasing as it progresses through the statutory process.

As MPLDP2 now represents the Council's settled position on the Development Plan it wishes to progress to adoption, it is a material consideration in the assessment of planning applications. However, it remains the subject of unresolved representations, which will be considered by the Scottish Government's Directorate of Planning and Environmental Appeals (DPEA), as part of the Examination process.

In considering development proposals, the Council may now apportion significant weight to those principles or policies of MPLDP2 which are not the subject of unresolved representations, but MPLDP2 is otherwise unlikely to be the determining factor in the determination of Planning Applications, remaining subordinate in status to the adopted LDP.

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

Scottish Planning Policy (SPP) forms the statement of the Scottish Government's policy on nationally important land use planning matters. Paragraph 75 states that "the planning system should:

- In all rural and island areas promote a pattern of development that is appropriate to the character
 of the particular rural area and the challenges it faces;
- Encourage rural development that supports prosperous and sustainable communities and business whilst protecting and enhancing environmental quality".

Planning Advice Note (PAN) 72 - Housing in the Countryside - provides advice on good practice for the design of housing in the countryside. The PAN emphasises the importance of simplicity of form and proportion when designing new housing in the countryside, and promotes good quality rural housing which respects Scottish landscapes and building traditions.

South Ayrshire Council's Supplementary Guidance (SG) on Rural Housing represents the most recent expression of Council policy in respect of residential development within rural areas, and is therefore materially significant in the determination of this application. This document offers specific guidance on development within clusters. The SG states that additions to clusters (which are defined as consisting of 2 or more houses forming a clearly identifiable group, with strong visual cohesion and sense of place) will be acceptable where: -

- a) the proposal is sympathetic to the character and landscape setting of the existing cluster.
- b) the development represents the sensitive in-filling of any available gap sites consolidating existing dwellings within the cluster.
- c) the development has a clear relationship with the existing cluster by being physically connected with the cluster.
- d) the proposed design solution is in keeping with the character and built form of the existing cluster and otherwise complies with design guidance in the supplementary guidance.
- e) the proposal does not expand the cluster by more than 50% of the number of houses within that group (rounded up to nearest single dwellinghouse) as at date of adoption of this supplementary quidance.

Additions to clusters will not be acceptable where:-

- · the cluster is located within the greenbelt.
- · the development results in the coalescence of settlements
- the development extends/creates a ribbon of development
- the development has an unacceptable impact on the character of the existing building group or its landscape setting and settlement.

Note: In applying LDP Policy: Rural Housing, and this supplementary guidance, a 'cluster' is defined as a building group consisting of 2 or more houses forming a clearly identifiable 'group', with strong visual cohesion and sense of place.

The Council may give favourable consideration to the provision of on-site residential accommodation for a worker employed in an existing rural business, providing that:

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

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

The Council may give favourable consideration to the provision of temporary on-site residential accommodation for a worker employed in a proposed new rural business for a period of two years, providing that it is in full compliance with criteria a-d, inclusive, above, and that a business plan is submitted for the proposed business, which demonstrates the economic viability of the business and associated buildings/property.

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

Guidance on Business Plans: Business plans will be required to demonstrate that by the third year of operation, the business will employ at least one essential worker per dwelling on a full time basis at a wage of at least 50% of the South Ayrshire average and that the remaining income from the business would support the total equivalent borrowing cost of creating the business, together with its land, property and residential accommodation assets.

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

- a) there will be a presumption against rural housing being located on ridge lines and hill tops, or where the building will disrupt a skyline. Other locations where the building interrupts and conflicts with the flow of the landform will also be resisted.
- b) existing landscape features such as treebelts, rising ground or natural hollows should be used as a setting to help reduce the prominence of the building(s).
- c) advantage should be taken of sunlight and aspect; and the landform and landscape features should be used to provide natural shelter from winter exposure.
- d) changes to the existing topography of a site should be minimised in order that the house fits into the landform naturally, rather than giving the appearance of being engineered into the site.
- e) new housing in close proximity to existing traditional vernacular building(s) should respect and relate to the pattern and design of the existing building(s), and should integrate into the existing layout.
- f) where the floor area of a proposed dwelling is in excess of 200 square metres, accommodation should be grouped in a courtyard form. Traditional rural domestic scale should be preserved. Generally, houses should not exceed 1½ storeys in height.

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

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

11. Assessment (including other material considerations):

Due to current Government Guidance involving Covid-19 Pandemic and current working practices, a site visit was not carried out to the application site. However, the site has been assessed in terms of the photographs contained within the application submission.

A determining factor in the consideration of this application is whether or not the proposed development meets with the Council's Rural Housing SG. While the application submission intimates that the proposed dwellinghouse will maintain the established equestrian business at the locale, no information has been submitted which demonstrates that the proposed dwelling is essential for the operation of the equestrian business. The Rural Housing SG indicates that it must be demonstrated to the satisfaction of the Council, through a sound business plan, that the business is economically viable and could not operate without the provision of the proposed dwellinghouse.

The application assessment also needs to consider whether the site is located within a cluster as defined by the terms of the Council's SG on Rural Housing. Although the existing two properties to the north of the application site could potentially be considered to form a defined group, it does not automatically follow that the application site is located within a cluster as defined by the above terms, and therefore individual site specific factors will require to be carefully considered.

At a distance of approximately 45 metres south of the nearest dwellinghouse (Jellieston Farm), and almost 75 metres south of the other dwellinghouse (Jellieston Cottage), it is considered that the application site cannot be considered to be a gap/infill site relative to these properties. In contrast, the application site is considered to constitute part of a larger area of land positioned to the south of two existing properties, with the proposed development creating a form of ribbon development which would extend the existing linear form and pattern of development to the south, to the visual detriment of the landscape setting of the locality. It would also potentially open the opportunity for further ribbon

development. In this regard, the SG specifically states that additions to clusters will not be acceptable where the development extends or creates a ribbon of development. It is considered that the proposal represents a form of ribbon development, and for this reason does not accord with the provisions of the Council's SG in relation to Rural Housing, and would result in form and pattern of development which would be detrimental to the rural setting and visual amenity of the locality.

Planning policy and supplementary guidance advising on the siting and design of new housing development in the countryside plays an important role in maintaining its character. When considering proposals for new housing in the countryside, it is important that cognisance is taken of the special quality and character of the countryside and its setting to ensure that it is preserved. The local vernacular tradition and landscape setting of the countryside requires buildings of a different scale and form to those in an urban or suburban setting to ensure that new housing is designed specifically to fit its countryside location.

In terms of the design, layout, form, massing, scale and proportions of the dwellinghouse, it is considered that the proposed development does not take cognisance of the advice as contained within the Council's SG on Rural Housing. The proposed dwellinghouse, with a floor area of $477m^2$, has not been laid out in a courtyard layout as required by the SG. The width of gables, particularly the gables to each end of the main body of the dwellinghouse and the glazed gable proposed to the south-eastern elevation, is considered to be excessive at 9.2 metres and 12 metres respectively, and contribute to a dwellinghouse that does not respect of reflect the traditional rural vernacular of South Ayrshire. Traditional rural buildings in South Ayrshire are often characterised as having wide frontages and a narrow plan, which dictates the scale and proportions of the building. In this instance, the plan form is at odds with the SG, and alters the building's proportions in a manner that results in a design solution which is uncharacteristic for a rural area. Additionally, the extent of glazing proposed to the south-eastern elevation is considered to be excessive.

There are no residential amenity concerns arising from the proposed development due to the separation distance between the proposed dwellinghouse and the properties to the north.

It is considered that the proposal as submitted does not accord with the provisions of the South Ayrshire Local Development Plan (specifically LDP Policy: Sustainable Development and LDP Policy: Rural Housing), the provisions of South Ayrshire Council's Supplementary Guidance on Rural Housing, or the provisions of SPP or PAN 72 in that the proposal represents ribbon development and would therefore have an adverse impact upon the rural landscape. No information has been submitted to demonstrate that the dwellinghouse is essential to the operation of the equestrian business. It is further considered that the design, layout, massing, scale and proportions of the proposed dwellinghouse does not respect or reflect the traditional vernacular of dwellinghouses within South Ayrshire. There are no material planning considerations that would outweigh the provisions of the Development Plan in this instance. Given the above, and having balanced the rights of the applicant against the general interest, it is recommended that the application be refused.

12. Recommendation:

It is recommended that the application is refused.

Reasons:

- (1) That the proposal is contrary to the provisions of the South Ayrshire Local Development Plan, specifically LDP Policy: Sustainable Development and LDP Policy: Rural Housing, South Ayrshire Council's Supplementary Guidance on Rural Housing, and the terms of Planning Advice Note 72, by reason that the design, layout, massing, scale, form and proportions of the dwellinghouse does not respect or reflect the traditional rural vernacular of rural housing in South Ayrshire.
- (2) That the proposal is contrary to the provisions of the South Ayrshire Local Development Plan, specifically LDP Policy: Rural Housing, and to South Ayrshire Council's Supplementary Guidance on Rural Housing, by reason that the proposal does not represent development within a clearly defined and nucleated housing cluster, or the infilling of a gap site which would consolidate an existing cluster.
- (3) That the proposal is contrary to the provisions of the South Ayrshire Local Development Plan, specifically LDP Policy: Rural Housing, and to South Ayrshire Council's Supplementary Guidance on Rural Housing, by reason that the proposal will create a form of ribbon development which results in a form and pattern of development which would not be characteristic of and detrimental to the rural setting and visual amenity of the locality.
- (4) That the proposal is contrary to the provisions of the South Ayrshire Local Development Plan, specifically LDP Policy: Rural Housing, and to South Ayrshire Council's Supplementary Guidance on Rural Housing, by reason that it has not been demonstrated that the dwellinghouse is essential

to the operation of the equestrian business at Jellieston.

List of Plans Determined:

Drawing - Reference No (or Description): **Refused** 001 Drawing - Reference No (or Description): **Refused** 002 C Drawing - Reference No (or Description): **Refused** 003 C

Equalities Impact Assessment

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

Decision Agreed By:	Appointed Officer
Date:	7 September 2021



County Buildings Wellington Square Ayr KA7 1DR Tel: 01292 616 107 Email: planning.development@south-ayrshire.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100479995-001

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.				
Applicant or Agent Details Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application) Applicant Agent				
Agent Details				
Please enter Agent details	5			
Company/Organisation:	Derek Scott Planning	ott Planning		
Ref. Number:		You must enter a Building Name or Number, or both: *		
First Name: *	Derek	Building Name:		
Last Name: *	Scott	Building Number:	21	
Telephone Number: *	0131 535 1103	Address 1 (Street): *	Lansdowne Crescent	
Extension Number:		Address 2:		
Mobile Number:		Town/City: *	Edinburgh	
Fax Number:		Country: *	Scotland	
		Postcode: *	EH12 5EH	
Email Address: *	scott.planning@btconnect.com			
Is the applicant an individual or an organisation/corporate entity? *				
✓ Individual ☐ Organisation/Corporate entity				

Applicant Details				
Please enter Applicant of	details			
Title:	Mrs	You must enter a Bu	You must enter a Building Name or Number, or both: *	
Other Title:		Building Name:	Jelliston Farm	
First Name: *	Elizabeth (Liz)	Building Number:		
Last Name: *	Smith	Address 1 (Street): *	Jelliston Estate	
Company/Organisation		Address 2:		
Telephone Number: *		Town/City: *	Coylton	
Extension Number:		Country: *	Scotland	
Mobile Number:		Postcode: *	KA6 6ES	
Fax Number:				
Email Address: *	enquiries@derekscottplanning.com			
Site Address	Details			
Planning Authority:	South Ayrshire Council			
Full postal address of th	e site (including postcode where available)	:		
Address 1:	JELLIESTON FARM			
Address 2:	COYLTON			
Address 3:				
Address 4:				
Address 5:				
Town/City/Settlement:	AYR			
Post Code:	KA6 6ES			
Please identify/describe the location of the site or sites				
Northing	617748	Easting	239708	

Description of Proposal
Please provide a description of your proposal to which your review relates. The description should be the same as given in the application form, or as amended with the agreement of the planning authority: * (Max 500 characters)
ERECTION OF DWELLING HOUSE AND GARAGE AT JELLISTON FARM, B742 FROM COUNCIL BOUNDARY TO A70 JUNCTION AT HILLHEAD, COYLTON, AYR, SOUTH AYRSHIRE KA6 6ES
Type of Application
What type of application did you submit to the planning authority? *
Application for planning permission (including householder application but excluding application to work minerals).
Application for planning permission in principle.
Further application.
Application for approval of matters specified in conditions.
What does your review relate to? *
⊠ Refusal Notice.
Grant of permission with Conditions imposed.
No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.
Statement of reasons for seeking review
You must state in full, why you are a seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: * (Max 500 characters)
Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.
You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.
Please refer to attached Review Request Statement
Have you raised any matters which were not before the appointed officer at the time the Determination on your application was made? *
Determination on your application was made? * If yes, you should explain in the box below, why you are raising the new matter, why it was not raised with the appointed officer before
Determination on your application was made? * If yes, you should explain in the box below, why you are raising the new matter, why it was not raised with the appointed officer before
Determination on your application was made? * If yes, you should explain in the box below, why you are raising the new matter, why it was not raised with the appointed officer before

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review. You can attach these documents electronically later in the process: * (Max 500 characters)				
Please refer to Page 6 of attached Review Request Statement				
Application Details				
Please provide the application reference no. given to you by your planning authority for your previous application.	21/00705/APP			
What date was the application submitted to the planning authority? *	25/06/2021			
What date was the decision issued by the planning authority? *	07/09/2021			
Review Procedure				
The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.				
Can this review continue to a conclusion, in your opinion, based on a review of the relevant it parties only, without any further procedures? For example, written submission, hearing sessing Yes X No		yourself and other		
Please indicate what procedure (or combination of procedures) you think is most appropriate select more than one option if you wish the review to be a combination of procedures.	e for the handling of your	review. You may		
Please select a further procedure *				
By means of inspection of the land to which the review relates				
Please explain in detail in your own words why this further procedure is required and the ma will deal with? (Max 500 characters)	tters set out in your state	ement of appeal it		
The application site and the dwelling house proposed thereon can only be properly apprec	iated by means of a site	e visit.		
In the event that the Local Review Body appointed to consider your application decides to in	spect the site, in your op	pinion:		
Can the site be clearly seen from a road or public land? *		Yes 🗵 No		
Is it possible for the site to be accessed safely and without barriers to entry? *		Yes 🗵 No		
If there are reasons why you think the local Review Body would be unable to undertake an u explain here. (Max 500 characters)	naccompanied site inspe	ection, please		
Access to the site is provided via a locked gate so arrangements would require to be made	e with applicant/agent.			

Checklist – App	lication for Notice of Review		
	ase complete the following checklist to make sure you have provided all the necessary information in support of your appeal. Failure ubmit all this information may result in your appeal being deemed invalid.		
Have you provided the name	and address of the applicant?. *	⊠ Yes □ No	
Have you provided the date a review? *	and reference number of the application which is the subject of this	X Yes ☐ No	
, , , , ,	n behalf of the applicant, have you provided details of your name nether any notice or correspondence required in connection with the or the applicant? *	X Yes ☐ No ☐ N/A	
, ,	nt setting out your reasons for requiring a review and by what procedures) you wish the review to be conducted? *	X Yes □ No	
Note: You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. You may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.			
• •	cuments, material and evidence which you intend to rely on ich are now the subject of this review *	☑ Yes ☐ No	
Note: Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice (if any) from the earlier consent.			
Declare - Notice	e of Review		
I/We the applicant/agent certi-	fy that this is an application for review on the grounds stated.		
Declaration Name:	Mr Derek Scott		
Declaration Date:	08/10/2021		

REVIEW REQUEST STATEMENT

21/00705/APP - Erection of Dwelling House and Garage

at

JELLISTON FARM
B742 FROM COUNCIL BOUNDARY TO A70 JUNCTION AT HILLHEAD
COYLTON
AYR
SOUTH AYRSHIRE
KA6 6ES

Prepared by

Derek Scott Planning Planning and Development Consultants



21 Lansdowne Crescent
Edinburgh
EH12 5EH
Tel No: 0131 535 1103

E-Mail: enquiries@derekscottplanning.com

On behalf of

Mrs. Elizabeth Smith

Executive Summary

REVIEW REQUEST - 21/00705/APP – ERECTION OF DWELLING HOUSE AND GARAGE AT JELLISTON FARM, B742 FROM COUNCIL BOUNDARY TO A70 JUNCTION AT HILLHEAD, COYLTON, AYR, SOUTH AYRSHIRE KA6 6ES

- Jelliston Farm, within which the application site is located, lies approximately 1.6 km to the south west of Coylton and is accessed via a private road off the southern side of the B742 at a point approximately 2 km to the north east of its junction with the A713. The farm incorporates some 6.0335 hectares (14.9 acres) of land within which there are located two dwelling houses (original farmhouse and cottage); an equestrian facility incorporating stables for 18 no. horses, an outdoor riding arena and customer parking facilities; paddocks; and woodland areas.
- The application submitted to South Ayrshire Council had sought detailed planning permission for the erection of a dwelling house designed in a contemporary style within a gap/infill site which had previously accommodated buildings associated with the historical use of the site as a pig rearing and processing unit. The said site is bordered to the east by buildings used for equestrian purposes; and to the north and west by mature woodland.
- The application has been submitted on behalf of Mrs. Elizabeth (Liz) Smith, who, in addition to operating an equestrian business from Jelliston Farm, also owns and runs a Sports Agency, Events and Sponsorship Business within which she acts as an agent/manager to a number of high-profile organisations and individuals in the fields of golf, football, horse racing, darts, boxing and snooker. Mrs Smith intends to use the dwelling house as both a home and a place of work.
- The application was refused by the Appointed Planning Officer for four reasons as summarised below:
 - (i) The proposal, in terms of its design does not respect or reflect the traditional rural vernacular of rural housing in South Ayrshire;
 - (ii) The application site is not located within a clearly defined and nucleated housing cluster, or the infilling of a gap site which would consolidate an existing cluster;

- (iii) The proposal would create a form of ribbon development which results in a form and pattern of development which would not be characteristic of and detrimental to the rural setting and visual amenity of the locality; and
- (iv) It had not been demonstrated that the dwelling house is essential to the operation of the equestrian business at Jelliston.
- The reasons for the refusal of the application are contested and the following points put forward in response to them:
 - (i) The Council's Supplementary Guidance on Rural Housing clearly states that both contemporary and traditional design solutions will be considered acceptable in the South Ayrshire Countryside. It is an unreasonable expectation for a contemporary dwelling house to reflect and respect the traditional rural vernacular which is defined in the Supplementary Guidance as 'a stone-built building built before 01st July 1948 which is of residential scale and form and which has a slate roof' in every respect. Notwithstanding this, the scheme advanced, although contemporary in nature, employs a range of natural materials including natural stone, render, timber cladding and slate roofs.
 - (ii) The application site is located within a clearly defined cluster or group of buildings comprising two dwelling houses, associated out buildings and equestrian buildings. The homogenous group of buildings referred to are contained within a strong and mature landscaped/woodland framework which provide for a strong sense of place and identity. The proposed dwelling house is positioned in a previously developed site, bordered to the east by existing buildings and to the north and west by woodland planting. The dwelling will consolidate the building group and represents an entirely natural addition to it.
 - (iii) 'Ribbon Development' is defined in the Council's Supplementary Guidance on 'Rural Housing' as the 'progression of development in a linear form usually along a road.' The dwelling house proposed is not positioned on or anywhere near an existing road. It is positioned on a previously developed 'gap site' and represents a natural addition to the existing group of buildings at Jelliston. It does not contribute to ribbon development.
 - (iv) It has not been claimed in the application submitted that the dwelling house proposed is essential to the operation of the equestrian business at Jelliston. The dwelling has been promoted on the back of the Council's Policy on Rural Housing which supports the addition of new housing to existing clusters of development within which there are at least two existing dwelling houses.

• In view of the considerations outlined it is respectfully suggested that this request to review the Planning Officer's decision be upheld and that planning permission is granted for the proposal as applied for.

REVIEW REQUEST

REVIEW REQUEST - 21/00705/APP – ERECTION OF DWELLING HOUSE AND GARAGE AT JELLISTON FARM, B742 FROM COUNCIL BOUNDARY TO A70 JUNCTION AT HILLHEAD, COYLTON, AYR, SOUTH AYRSHIRE KA6 6ES

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LIST OF DOCUMENTS

REVIEW REQUEST - 21/00705/APP – ERECTION OF DWELLING HOUSE AND GARAGE AT JELLISTON FARM, B742 FROM COUNCIL BOUNDARY TO A70 JUNCTION AT HILLHEAD, COYLTON, AYR, SOUTH AYRSHIRE KA6 6ES

LS Document 1 - Review Request Forms

LS Document 2 - Planning Application Documents Relating to Planning Application

Reference Number 21/00705/APP

2(a) – Planning Application Forms

2(b) – Location & Block Plans as Existing 2(c) – Elevations, Floor Plans & Site Plan 2(d) – Location & Block Plans as Proposed

2(e) – Design Statement

LS Document 3 – Report of Handling - 21/00705/APP

LS Document 4 – Decision Notice - 21/00705/APP

REVIEW REQUEST

REVIEW REQUEST - 21/00705/APP – ERECTION OF DWELLING HOUSE AND GARAGE AT JELLISTON FARM, B742 FROM COUNCIL BOUNDARY TO A70 JUNCTION AT HILLHEAD, COYLTON, AYR, SOUTH AYRSHIRE KA6 6ES

1. Introduction

1.1 This statement has been prepared by Derek Scott Planning, Chartered Town Planning and Development Consultants (Edinburgh and Dunfermline) in association with ADNR

Architecture and Design (Saltcoats) and is in support of a request to review the decision of the Appointed Planning



Officer in relation to a planning application which had sought detailed planning permission for the erection of a dwelling house and garage at Jelliston Farm, near Coylton, South Ayrshire. The application was refused permission under delegated powers on 07^{th} September 2021 (Planning Application Reference Number 21/00705/APP).



Location Plan (Application Site identified with red circle)

The applicant

1.2 The Review Request has been prepared on behalf of our client, Mrs. Elizabeth (Liz) Smith, who is the owner of the application site and the land surrounding it as outlined in blue in the location plan accompanying the application (see below).



Location Plan (Application site outlined in red – all land owned outlined in blue)

1.3 Mrs Smith, in addition to operating an equestrian business from Jelliston Farm also owns and runs a Sports Agency, Events and Sponsorship Business (Staben – www.staben.co.uk) within which she acts as an agent/manager to a number of high-profile organisations and individuals in the fields of golf, football, horse racing, darts, boxing and snooker.





2. Site Location and Description

2.1 Jelliston Farm, within which the application site is located, lies approximately 1.6 km to the south west of Coylton and is accessed via a private road off the southern side of the B742 at a point approximately 2 km to the north east of its junction with the A713. The farm incorporates some 6.0335 hectares (14.9 acres) of land within which there is located two dwelling houses (original farmhouse and cottage); an equestrian facility incorporating stables for 18 no. horses, an outdoor riding arena and a customer parking area; paddocks; and woodland areas.



- 2.2 The farm is bounded on its northern, eastern and western boundaries by farmland in the ownership of others and to the south by Martnaham Loch. All of the buildings within the site are contained within mature belts of woodland which provide screening to the buildings as viewed from the B742.
- 2.3 The original farmhouse at Jelliston appears, from an examination of historical maps, to have been developed in the late 1700s with the complex of farm buildings to the south of it, which are understood to have been used as a pig rearing and processing unit, developed in the mid-late 1900s. The buildings were subsequently converted to equestrian use (DIY Livery) in the 1990s.



2.4 The actual application site itself comprises some 0.7784 hectares (1.92 acres) of land and incorproates the area presently occupied by the stabling facilities and riding area; an area of land between the farm house and the cottage; and part of a paddock.





Jelliston Farm House





Jelliston Cottage























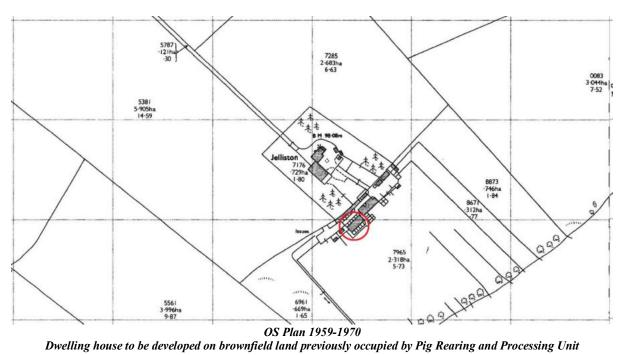
Jelliston Livery



Application site sits behind woodland and is not visible from B742



Application site as viewed from rural road network to south of site. Site benefits from wooded backdrop.





Application site as viewed from north east – Infill nature of site clearly evident

Planning History

2.5 An examination of the Council's Planning Portal has revealed the following Planning History in the period extending from January 2020:

11/00178/MDO – Application to Discharge minute of agreement (Section 50) November 1984 (Planning Permission P/959/85) relating to occupancy of dwelling house withdrawn on 29th March 2011.

17/00226/MDO – Application to discharge minute of agreement (Section 75) relating to Planning Permission Reference Number P/959/85 re: agricultural and horticultural occupancy granted on 18th April 2017.

17/00227/FUR – Application to discharge/remove Condition No. 3 on Planning Permission Reference Number P/959/85 which had required occupation of the dwelling (cottage) to a person employed in a pig meat processing business or agricultural/forestry granted on 18th April 2017.

3. Description of Proposed Development

3.1 The application submitted to South Ayrshire Council had sought detailed planning permission for the erection of a dwelling house and garage to the west of the existing stable buildings on a brownfield site previously occupied by a pig rearing and processing unit. Access to the proposed dwelling will be facilitated through an upgrade to an existing track that runs through the wooded area between the farmhouse and cottage with an additional spur proposed off that track which provides a new access into the customer parking area serving the existing equestrian facility.

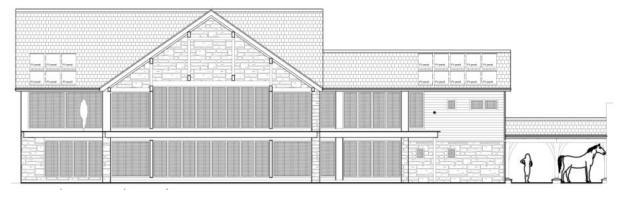


Proposed Site Plan



Dwelling House proposed on brownfield land (site of former piggery unit)

- 3.2 In addition to acting as a home, the proposed dwelling house will double up as our client's place of work and will, on occasions, be used for hosting clients and for the promotion of various parts of Scotland (including Ayrshire) as potential locations to host high profile sporting events.
- 3.3 The dwelling house itself, which is unashamedly contemporary in appearance, would be built over two storeys and has a total floor area of some 477 sq. metres. Accommodation comprised within the ground floor includes an open plan kitchen, dining and garden room; 2 no. bedrooms, a bathroom, shower room and utility. On the first floor, accommodation includes a further two bedrooms, office, lounge and external terrace area, offering views towards and across Martnaham Loch. The proposed garage which sits to the north of the dwelling house has sufficient space to accommodate up to three vehicles.



South East Elevation



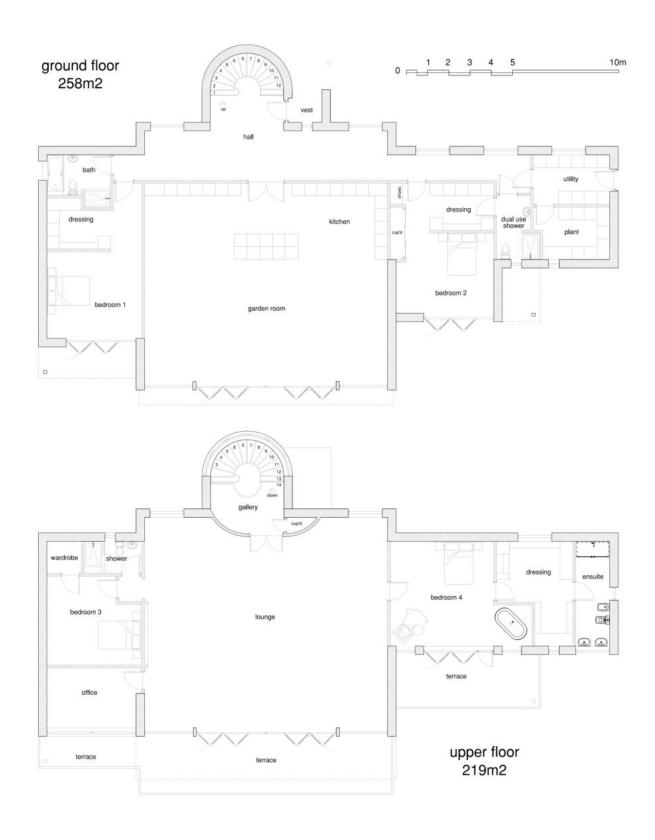


Bird's eye view of Application proposal as viewed from south showing site with proposed dwelling (bottom) and without (top)





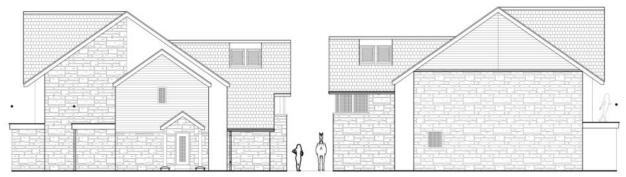
Application proposal as viewed from rural road network to south of site showing site with proposed dwelling (bottom) and without (top)



Floor Plans



Image of proposed dwelling as viewed from south east

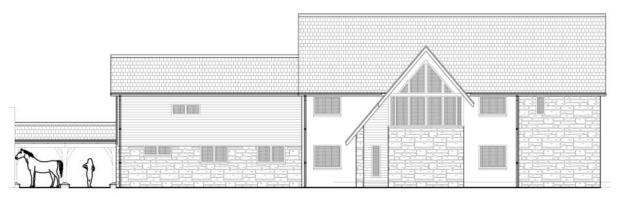


North East Elevation

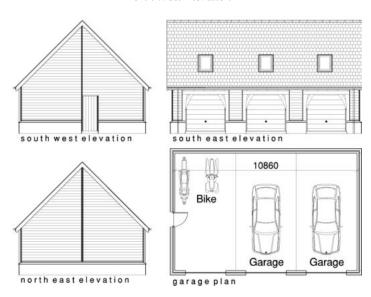
South West Elevation



Image of proposed dwelling as viewed from North West (next to Woodland)



North West Elevation

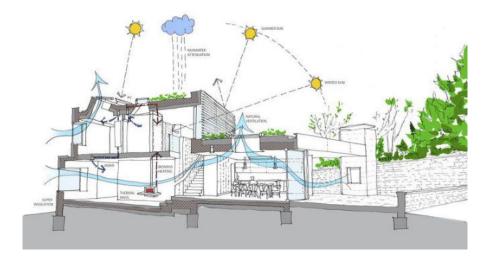


Proposed Garage

- 3.4 Materials proposed in the dwelling and garage include the following:
 - Natural Stone
 - Rendered Walls rural in nature, rough textured walls painted/coloured off white to reflect Ayrshire's approach to rendered walls on rural properties.
 - Timber details Oak/Douglas Fir.



- Masonry copes to break the line of the elevation, the wall treatments shall be terminated by masonry copes.
- Stone details stone panels will be natural stone built in random courses.
- Timber cladding Cedar vertical timber panels or Cedral Cladding.
- Windows Grey finish double glazed units.
- Doors Timber doors set within a grey frame.
- Roof Grey Natural slate
- Timber details Oak/Douglas Fir.
- 3.5 The dwelling house proposed will be energy efficent in every respect. Adopting a fabric first approach, enhanced standards of insulation will be incorporated within the walls, roofs and windows with energy requirements being met through a combination of an air or ground sourced heat pump, mechanical ventilation and photovoltaics. The dwelling will be constructed to achieve an air tightness of at least 5(Pa). Rainwater harvesting will be emplyed with surplus surface water discharging to the surrounding field drainage system following attenuatio. Foul water will be treated in either a septic tank or mechanical treatment system prior to the treated waters being similarly discharged. Full design details are contained within the supporting architectural drawings and Design Statement whichy accompanied the application.





Sustainable and Energy Efficent Design

4. Assessment of Development Proposals

4.1 Section 25 of the Town and Country Planning (Scotland) Act 1997 (as amended), hereinafter referred to as '*The Act*,' states that:

'where 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 development plan unless material considerations indicate otherwise.'

- 4.2 In the context of the above it is worth making reference to the House of Lord's Judgement on the case of the City of Edinburgh Council v the Secretary of State for Scotland 1998 SLT120. It sets out the following approach to deciding an application under the Planning Acts:
 - identify any provisions of the development plan which are relevant to the decision;
 - interpret them carefully, looking at the aims and objectives of the plan as well as detailed wording of policies;
 - consider whether or not the proposal accords with the development plan;
 - identify and consider relevant material considerations, for and against the proposal; and
 - assess whether these considerations warrant a departure from the development plan.
- 4.3 The relevant development plan for the area comprises the South Ayrshire Local Development Plan 2014 and its associated Supplementary Guidance as well as the Town Centre and Retail Local Development Plan adopted in 2017. The latter is of no relevance to the application proposals. Other material considerations which should be considered in the determination of the appeal include the Modified Proposed Replacement South Ayrshire Local Development Plan, Scottish Planning Policy, Consultation Responses and Third-Party Representations.

South Ayrshire Local Development Plan

4.4 The South Ayrshire Local Development Plan was adopted by South Ayrshire Council in October 2014 and is the main policy-based consideration against which the application must be assessed. The Local Development Plan's Spatial Strategy states that the Council

'will support development that encourages sustainable economic growth, improves the quality of the environment and creates sustainable communities. It will direct development to the most environmentally suitable places with the best infrastructure. It will assess all development against the priorities set out in the spatial strategy (as below) and LDP policy: sustainable development. It will not support development outwith the boundaries of settlements (towns and villages), except



where it believes it can be justified because it will benefit the economy and there is a need for it in that particular area and in line with the spatial strategy.'

Key polices relevant to the determination of the application include the following:

LDP Policy – Spatial Strategy (Core Investment Area)

LDP Policy – Rural Housing

LDP Policy – Landscape Quality

LDP Policy – Tourism

LDP Policy – Sustainable Development

4.5 The application site lies within the 'Core Investment Area' in respect of which the Plan states the following:

'We will encourage development within the core investment area, if:

- it results in new housing at allocated housing sites (shown in the settlement maps);
- it promotes the sustainable economic growth of Glasgow Prestwick Airport, the Enterprise Zone, other airport- related industry and infrastructure;
- it promotes rural diversification and tourism;
- it results in the non-residential reuse of a substantially intact building, which will benefit the local environment; and
- it promotes and improves the environmental quality and range of amenities within town centres.



LDP Spatial Strategy Map

We will not support proposals for residential development outwith existing town and village boundaries except where in compliance with LD

boundaries, except where in compliance with LDP policy: rural housing.'

As demonstrated below, the proposed dwelling house is considered to be compliant with the terms of the Council's Policy on the development of rural housing. Furthermore, given the equestrian facility already established and the fact that our client will be using the house in association with her business; part of which involves the promotion of the area for major sporting events, the proposal is also considered to gain support from the plan's positive disposition towards the promotion of rural diversification and tourism projects.

4.7 The Local Development Plan's Policy on '*Rural Housing*' which should be read in tandem and in conjunction with the Council's Supplementary Guidance on Rural Housing states the following:

'In countryside areas, including green belt, we may accept the following proposals for new housing.

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

In countryside areas, outwith the greenbelt, we may accept proposals for new housing that are a limited extension to: an existing clearly defined and nucleated housing cluster, group of four or more houses, or small settlement, subject to an acceptable impact on the existing form and character of the cluster. We would particularly encourage the sensitive infilling of gap sites that would consolidate existing dwellings within the group.

All proposals must comply with the policy guidance set out in the rural housing supplementary guidance.

We will aim to make sure that gardens at new or converted properties are in proportion to the size of the property.'

4.8 The Council's Supplementary Guidance on Rural Housing which was adopted by the Council in November 2014 is

'intended to supplement the Local Development Plan policy on rural housing by providing additional information on the process of assessing development proposals for rural housing. The guide will form an important part of considering planning applications for housing related development in rural areas. It is intended to be used by the development industry development management officers and applicants.'

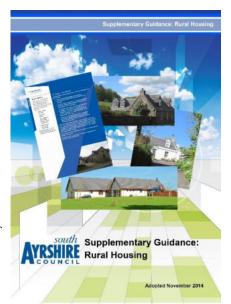
4.9 Part 1 of the Rural Housing Supplementary Guidance on the subject of 'Guidance on Assessing Proposals for New Rural Housing' states the following:

'In line with the LDP Policy 'Rural Housing' the following types of rural housing development may be acceptable in rural areas:

- 1. additions to 'clusters' i.e., where there are existing groups of houses and extensions to small settlements
- 2. rehabilitation of vacant rural buildings

- 3. replacement of existing houses
- 4. houses related to rural businesses
- 5. house extensions.'
- 4.10 Significantly the document also states that 'Guidance for new houses in rural areas is not intended to ensure only traditional design solutions will be acceptable.

 Contemporary design solutions will also be acceptable, where they can demonstrate the principles of good design set out in the design guidance.' (highlighting added)
- 4.11 Insofar as 'Additions to Clusters (existing groups of houses in the countryside but not within a town or village)' are concerned, the Supplementary Guidance states the following:



'Additions to clusters will be acceptable where:

- (a) the proposal is sympathetic to the character and landscape setting of the existing cluster.
- (b) the development represents the sensitive in-filling of any available gap sites consolidating existing dwellings within the cluster.
- (c) the development has a clear relationship with the existing cluster by being physically connected with the cluster.
- (d) the proposed design solution is in keeping with the character and built form of the existing cluster and otherwise complies with design guidance in the supplementary guidance.
- (e) The proposal does not expand the cluster by more than 50% of the number of houses within that group (rounded up to nearest single dwelling house) as at date of adoption of this supplementary guidance 20th November 2014.

Additions to clusters will not be acceptable where: -

- the cluster is located within the greenbelt.
- the development results in the coalescence of settlements.
- the development extends/creates a ribbon of development.
- the development has an unacceptable impact on the character of the existing building group or its landscape setting and settlement.

NOTE: In applying LDP Policy: Rural Housing, and this supplementary guidance, a 'cluster' is defined as a building group consisting of 2 or more houses forming a clearly identifiable 'group', with strong visual cohesion and sense of place.'

4.12 As evidenced in the plan below the dwelling house proposed within the application site involves the development of a gap or infill site (brownfield) within a cohesive and homogenous group of buildings surrounded and enclosed by heavily wooded surrounds and within which there are

two existing dwelling houses (Jelliston Farm House and Jelliston Cottage) thus rendering it compliant with the definition of a 'cluster' as defined within the Guidance.



Cohesive Group of Buildings forming a 'Cluster' with a 'Sense of Place' at Jelliston Farm

- 4.13 As far as the individual criteria within the Guidance is concerned the following comments are offered:
 - (a) the proposal is sympathetic to the character and landscape setting of the existing cluster.

Response – As demonstrated in the images below, the dwelling house proposed will be totally screened from views from the B742 due the established woodland existing. Although visible from the rural road network to the south it will be sited within the gap between the established woodland belt to the west and the equestrian buildings to the east. It is also viewed against the backdrop of the Farm House and further woodland to the rear (north). These considerations

will ensure that dwelling will be sympathetic to and will not have an adverse effect on the character or appearance of the existing cluster. The positive siting credentials associated with the proposed dwelling house are visibly evident when compared with those existing properties at Bowmanston further to the east on the B742 which break the skyline and do not benefit from any significant landscaping.





Proposed dwelling house not visible from B742

Proposed dwelling house benefits from its relationship to existing buildings and woodland





Siting arrangements associated with proposed dwelling house are considerably superior to those at Bowmanston

(b) the development represents the sensitive in-filling of any available gap sites consolidating existing dwellings within the cluster.

Response – As noted previously the application proposal clearly involves the development of a gap site sandwiched between the existing equestrian buildings and mature woodland. It will consolidate, homogenise and contribute in a positive manner to the 'sense of place' derived from the established cluster of buildings at Jelliston, which in addition to including the equestrian buildings referred to, also includes Jelliston Farmhouse and Jelliston Cottage, both of which are residential properties.

(c) the development has a clear relationship with the existing cluster by being physically connected with the cluster

Response – The comments we have made in relation to Criterion (b) above are equally applicable to Criterion (c).

(d) the proposed design solution is in keeping with the character and built form of the existing cluster and otherwise complies with design guidance in the supplementary guidance.

Response – The dwelling house proposed, as noted on a number of occasions previously, is unashamedly contemporary in appearance. The Guidance clearly states that it does not intend to ensure that only traditional design solutions will be acceptable and adds that 'Contemporary design solutions will also be acceptable.' It is evidently clear from the images submitted in support of the application that although being contemporary in appearance the proposed dwelling is carefully sited and employs a variety of natural and modern materials which will allow it to blend in harmoniously with its surrounding built and landscaped contexts.









Dwelling House unashamedly contemporary in appearance

(e) The proposal does not expand the cluster by more than 50% of the number of houses within that group (rounded up to nearest single dwelling house) as at date of adoption of this supplementary guidance - 20th November 2014.

Response – Only one additional house is being proposed in this application which, given that there are two existing houses within the cluster, falls within the required 50% threshold.

4.14 Other criteria referred to in the guidance includes the following:

Additions to clusters will not be acceptable where: -

• the cluster is located within the greenbelt.

Response – the application site is not located within the Green Belt.

• the development results in the coalescence of settlements.

Response – the development of the dwelling house proposed will not result in the coalescence of settlements.

the development extends/creates a ribbon of development.

Response — 'Ribbon Development' is defined in the Supplementary Guidance as the 'progression of development in a linear form usually along a road.' The application does not involve the development of a dwelling house in any form, never mind a linear form, along a road. In this particular case it involves the redevelopment of a brownfield site which has equestrian buildings on one side (east) and woodland to the north and west. Our client proposes no further development of dwelling houses on the site and would be content to enter into a legal agreement to that effect.

• the development has an unacceptable impact on the character of the existing building group or its landscape setting and settlement.

Response – The site is an established gap/infill opportunity within an established cluster of residential and equestrian buildings all of which are set within a mature woodland context. It would be a considerable challenge to find a more suitable site for the erection of a dwelling house in a rural location anywhere within the Council Area.

4.15 Party 2 of the Supplementary Guidance on Rural Housing deals with the 'Design of New Houses in the Countryside.' Design Policy 1 on 'Siting of New Housing' states the following:

'Houses should be designed to fit a site, not the other way around. Design solutions that do not consider the landscape setting of the site will often be ill-suited for the site, detracting from the surrounding landscape. This can represent a lost opportunity to allow the good quality design to be inspired by the site.

New houses in the countryside must comply with the following criteria: -

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

Response – The proposed dwelling house is not located on a ridge line or hilltop. It is set against a backcloth of mature trees with buildings and further trees on either side of it. The dwelling will not interrupt or conflict in any materially adverse manner with the flow of the landform.

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

Response – The response to Criterion (a) above is equally applicable to Criterion (b).

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

Response — Careful consideration has been given to siting considerations in the design of the the dwelling house proposed noting in particular the extensive use of glazing on the south facing elevation (solar gain) and the shelter benefits being derived from the surrounding landscaping.

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

Response – The site, having been previously developed, represents a natural platform for the development of the dwelling house proposed and will require minimal if any interventions in the prevailing landform.

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

Response – The dwelling house proposed is, as noted previously, contemporary in its appearance but nonetheless sympathetic to the established architectural vernacular. It will contribute significantly to the very special 'sense of place' existing at Jelliston Farm which comprises an eclectic mix of buildings within a mature and hugely desirable setting.

f) Where the floor area of a proposed dwelling is in excess of 200 square metres, accommodation should be grouped in a courtyard form. Traditional rural domestic scale should be preserved. Generally, houses should not exceed 1½ storeys in height.'

Response – The dwelling proposed by our client has a floor area of some 477 sq. metres (258 sq. metres on ground floor and 219 sq. metres on first floor) and as such is clearly in excess of the 200 sq. sq metre threshold referred to in this criterion. The guidance further states that the traditional rural domestic scale should be preserved and that generally, houses should not exceed 1½ storeys in height. The following considerations are advanced in response to the Guidance outlined:

- (i) The application proposals are not traditional in appearance. They are contemporary and unashamedly so. The Guidance states elsewhere that 'contemporary design solutions will also be acceptable.'
- (ii) The Guidance states that 'Generally, houses should not exceed 1½ storeys in height.' That implies that there can be exceptions to that general rule. As evidence below there are a number of dwellings in the immediate area which are greater than 1½ storeys in height and as a consequence of that the 2-storey dwelling proposed by our client is not, in terms of its height and scale, out of character with the prevailing pattern of development.











Two-storey dwelling houses within vicinity of application site

(iii) Whilst a courtyard form of development may be appropriate where the design solution involves the development of a traditionally designed dwelling house over 200 sq. metres in area, it does not and should not follow that houses designed in a contemporary form should follow such a pattern of development. The property known as Martnaham which is located on the loch shore approximately 750 metres to the south west of our client's proposed dwelling house has a footprint considerably greater than the footprint associated with it and is not in a courtyard form.





Martnaham substantially larger than dwelling proposed at Jelliston Farm

(iv) Weight should also be given in the context of rural design considerations to the fact that it is now possible under the terms of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (as amended), albeit subject to prior notification arrangements, to erect an agricultural building with a floor area of 1,000 sq. metres to a maximum height of 12 metres. Such a building would occupy a footprint approximately four times that which will be occupied by our client's house and would

be significantly greater in height. This helps to put into context the scale of the dwelling house proposed.

- 4.16 Given all of the considerations outlined above we do not consider the proposal to be in conflict with any of the specific requirements of Design Policy 1 on the 'Siting of New Housing.'
- 4.17 Design Policy 2 within the Supplementary Guidance relates to the 'Design of New Housing' and states the following:
 - 'New housing in the countryside, which seeks to achieve a traditional appearance, should take cognisance of the design guidance in Table 1.'
- 4.18 As the dwelling house proposed by our client is contemporary in its appearance and does not seek to achieve a traditional appearance there is no overriding requirement to take cognisance of the design guidance in the table referred to.
- 4.19 The LDP's policy on 'Landscape Quality' states the following:

'We will maintain and improve the quality of South Ayrshire's landscape and its distinctive local characteristics. Proposals for development must conserve features that contribute to local distinctiveness, including:

- (a) community settings, including the approaches to settlements, and buildings within the landscape;
- (b) patterns of woodland, fields, hedgerow and tree features;
- (c) special qualities of rivers, estuaries and coasts;
- (d) historic landscapes; and
- (e) skylines and hill features, including prominent views.'
- 4.20 The dwelling is proposed on a previously developed (brownfield) gap site contributing to the 'sense of place' established by the existing cluster of buildings (including two dwelling houses) and mature woodland planting presently existing within the confines of Jelliston Farm. It is, without question an entirely suitable site for the development of a dwelling house and due to its striking design qualities will contribute to rather than detract from the character, appearance and ultimate quality of the surrounding landscape.
- 4.21 The Local Development Plan's Policy on *'Tourism'* states the following:

'We will look favourably on proposals which will provide or improve tourist and leisure facilities and we will support keeping and improving existing significant leisure, recreation and tourist facilities.

We would aim to keep large-scale commercial leisure developments to the town centres of Ayr, Prestwick, Troon, Girvan and Maybole. If there is no alternative site in or next to a town centre, we may accept developments outside existing centres but still within settlements if there is convenient and regular public transport and the developer can show that there would be no negative effect on the vitality or viability of a town centre.

We will encourage proposals for tourist accommodation which are in accordance with LDP policy: the coast and which would improve the standards and appearance of self-catering or touring caravan and camping sites, and we will normally allow new sites to be developed (or existing sites to be expanded) as long as:

- a. all new accommodation is for holiday use only;
- b. the development has suitable screening and is appropriate in terms of the landscape setting and design; and
- c. the development is not isolated or scattered.

We will protect existing golf courses and will encourage the development and improvement of golf facilities. We will not usually allow development which we consider may negatively affect the status of Turnberry and Royal Troon as venues for the Open Championship.

When considering applications for planning permission, we will take account of the Ayrshire and Arran Tourism Strategy.'

- 4.22 Whilst the dwelling house proposed by our client does not relate directly to a tourist facility there are strong indirect links to tourism considerations which lend support to the proposal in the context of the local development plan's policy on Tourism. As noted on a number of occasions previously, our client acts as an agent/manager to a number of high-profile organisations and individuals in the fields of golf, football, horse racing, darts, boxing and snooker. The dwelling proposed, in addition to being her home, will, on occasions, be used in the promotion of Ayrshire and other parts of Scotland for high profile sporting events which have the potential to contribute significantly to the area. The dwelling has been carefully designed with such purposes thus lending considerable support to the proposal.
- 4.23 The Council's Policy on 'Sustainable Development' within the Local Development Plan states the following:

'We will support the principles of sustainable development by making sure that all development meets the following standards.

- Is appropriate in terms of its amenity impact, layout, scale, massing, design and materials in relation to its surroundings.
- Is designed to maximise energy efficiency through building siting, orientation and materials.
- Respects the character of the landscape.
- Respects, protects, and where possible, enhances natural, built and cultural heritage resources.
- Helps mitigate and adapt to the effects of climate change.
- Protects peat resources.
- Is appropriate to the local area in terms of road safety and effect on the transport network.
- Contributes to an efficient use of public services, facilities and infrastructure.

- Has sustainable urban drainage and avoids increasing (and where possible reduces) risks of or from all forms of flooding.
- Supports, and, where possible, improves the Central Scotland Green Network.
- Does not have a negative effect on air and water quality. Is not within Health and Safety Executive safeguard zones if this would lead to increased risk or danger. Is designed in a way that helps prevent crime.
- Wherever possible, is in an accessible location, with opportunities for the use of public transport, and other sustainable transport modes including cycling and walking.
- *Includes the use of micro-renewables, wherever appropriate and feasible.*'
- 4.24 We would to respond to the criteria outlined in the above-mentioned policies in the following terms:
 - Is appropriate in terms of its amenity impact, layout, scale, massing, design and materials in relation to its surroundings.

Response – As noted previously the dwelling house proposed is considered to be compliant with the terms of the Council's Policy on Rural Housing particularly in respect of amenity impact, layout, scale, massing, design, materials and its relationship with its surroundings.

• Is designed to maximise energy efficiency through building siting, orientation and materials.

Response – As noted in Paragraph 3.5 previously, the dwelling house proposed will be energy efficient in every respect. South facing to maximise solar gain, it will also adopt a fabric first approach in achieving standards of insulation in excess of those required by Scottish Building Regulations. These will be incorporated within the walls, roofs and windows with energy requirements being met through a combination of an air or ground sourced heat pump, mechanical ventilation and photovoltaics. Surrounding woodland will also provide shelter from prevailing winds, all with the aim of increasing energy efficiency.

• Respects the character of the landscape.

Response – As demonstrated in our consideration of and response to the Supplementary Guidance on Rural Housing, the dwelling proposed is entirely respectful to the character and appearance of the landscape benefitting in particular from its location within a gap between established development on one side (west) and mature woodland on others (west and north).

• Respects, protects, and where possible, enhances natural, built and cultural heritage resources.

Response – The dwelling house proposed will not result in an adverse effect on natural, built or cultural heritage resources.

• Helps mitigate and adapt to the effects of climate change.

Response – The proposal involves the redevelopment of a brownfield site and in that respect alone helps to mitigate and adapt to the effects of climate change. Furthermore, and as noted previously, aappropriate measures will be incorporated within the building to ensure that energy efficiency levels as set out in Scottish Building Standards are met and exceeded.

• Protects peat resources.

Response – The proposal does not impact on peat resources.

• Is appropriate to the local area in terms of road safety and effect on the transport network.

Response – The application premises are served by existing access arrangements off the B742 Dalyrmple to Coylton Road. The Ayrshire Roads Alliance, in its consultation, response have advised that it has no objections to the application.

• Contributes to an efficient use of public services, facilities and infrastructure.

Response – The proposed dwelling can be provided with all required services, facilities and infrastructure and as such does not result in an unreasonable burden to public bodies.

• Has sustainable urban drainage and avoids increasing (and where possible reduces) risks of or from all forms of flooding.

Response – The dwelling house will be serviced with an appropriate sustainable drainage system involving, in part rainwater harvesting with surplus waters appropriately treated by prior to discharge into the surrounding field drainage system.

• Supports, and, where possible, improves the Central Scotland Green Network.

Response – The proposal has no negative impacts on the Central Scotland Green Network.

• Does not have a negative effect on air and water quality.

Response – There are no impacts on air and water quality associated with the proposal.

• Is not within Health and Safety Executive safeguard zones if this would lead to increased risk or danger.

Response – The site is not located within a Health and Safety Safeguard Zone

• Is designed in a way that helps prevent crime.

Response – Whilst this particular criterion is more applicable to larger scale housing developments involving the erection of multiple units, it is suffice, in the context of the current proposal, to outline that our client will introduce appropriate security measures to prevent actions of crime.

• Wherever possible, is in an accessible location, with opportunities for the use of public transport, and other sustainable transport modes including cycling and walking.

Response – Whilst located in the countryside the application site lies within close proximity to bus based public transport services on the B742. Buses on that route stop to collect passengers in both directions at the end of the access road serving our client's site. The wider area is as well served as any with opportunities for cycling and walking.

• *Includes the use of micro-renewables, wherever appropriate and feasible.*

Response – As noted previously the proposal involves the use of either an air or ground sourced heat pump and photovoltaics in meeting the energy efficiency requirements of the Scottish Building Standards.

4.25 In light of all considerations outlined above we are firmly and unequivocally of the view that the application proposals do not materially conflict with the terns of the Council's policy on Sustainable Development.

Other Material Considerations

4.26 In addition to the development plan, due consideration must also be given to other material considerations when determining a planning application. Such considerations in this instance include Scottish Planning Policy, Planning Advice Notes, the Modified Proposed Replacement South Ayrshire Local Development Plan, Consultation Responses, Planning History and Third-Party Representations.

Scottish Planning Policy

- 4.27 The Scottish Planning Policy Document (SPP) was published by the Scottish Government in June 2014 and sets out national planning policies reflecting Scottish Ministers' priorities for the operation of the planning system and for the development and use of land. The SPP aims to promote consistency in the application of policy across Scotland whilst allowing sufficient flexibility to reflect local circumstances. It directly relates to:
 - the preparation of development plans;
 - the design of development, from initial concept through to delivery; and
 - the determination of planning applications and appeals.



4.28 Paragraphs 81 and 83 of Scottish Planning Policy are of relevance to the application proposals and state the following:

'In accessible or pressured rural areas, where there is a danger of unsustainable growth in long-distance car-based commuting or suburbanisation of the countryside, a more restrictive approach to new housing development is appropriate, and plans and decision-making should generally:

- guide most new development to locations within or adjacent to settlements; and
- set out the circumstances in which new housing outwith settlements may be appropriate, avoiding use of occupancy restrictions.' (Paragraph 81)

'In accessible or pressured rural areas, where there is a danger of unsustainable growth in long-distance car-based commuting or suburbanisation of the countryside, a more restrictive approach to new housing development is appropriate, and plans and decision-making should generally:

- guide most new development to locations within or adjacent to settlements; and
- set out the circumstances in which new housing outwith settlements may be appropriate, avoiding use of occupancy restrictions.' (Paragraph 83)
- 4.29 The Policy on Rural Development within the Council's Local Development Plan is compliant with the terms of SPP though its introduction of opportunities for developing houses in rural locations such as the application site.
- 4.30 The SPP (Paragraph 27) also introduces a presumption in favour of development that contributes to sustainable development. The SPP states that 'the planning system should support economically, environmentally and socially sustainable places by enabling development that balances the costs and benefits of a proposal over the longer term. The aim is to achieve the right development in the right place; it is not to allow development at any cost.' (Paragraph 28)
- 4.31 The SPP (Paragraph 29) states that policies and decisions should be guided by the following principles:
 - giving due weight to net economic benefit;
 - responding to economic issues, challenges and opportunities, as outlined in local economic strategies;
 - supporting good design and the six qualities of successful places;
 - making efficient use of existing capacities of land, buildings and infrastructure including supporting town centre and regeneration priorities;
 - supporting delivery of accessible housing, business, retailing and leisure development;
 - supporting delivery of infrastructure, for example transport, education, energy, digital and water;
 - supporting climate change mitigation and adaptation including taking account of flood risk;
 - improving health and well-being by offering opportunities for social interaction and physical activity, including sport and recreation;
 - having regard to the principles for sustainable land use set out in the Land Use Strategy;



- protecting, enhancing and promoting access to cultural heritage, including the historic environment;
- protecting, enhancing and promoting access to natural heritage, including green infrastructure, landscape and the wider environment;
- reducing waste, facilitating its management and promoting resource recovery; and
- avoiding over-development, protecting the amenity of new and existing development and considering the implications of development for water, air and soil quality.
- 4.32 Paragraph 32 of the SPP advises that 'the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making. Proposals that accord with up-to-date plans should be considered acceptable in principle and consideration should focus on the detailed matters arising. For proposals that do not accord with up-to-date development plans, the primacy of the plan is maintained and this SPP and the presumption in favour of development that contributes to sustainable development will be material considerations.'
- 4.33 Paragraph 33 of the SPP advises that 'Where relevant policies in a development plan are outof-date or the plan does not contain policies relevant to the proposal, then the presumption in
 favour of development that contributes to sustainable development will be a significant material
 consideration. Decision-makers should also take into account any adverse impacts which
 would significantly and demonstrably outweigh the benefits when assessed against the wider
 policies in this SPP. The same principle should be applied where a development plan is more
 than five years old.'
- 4.34 Paragraph 34 of the SPP states that 'where a plan is under review, it may be appropriate in some circumstances to consider whether granting planning permission would prejudice the emerging plan. Such circumstances are only likely to apply where the development proposed is so substantial, or its cumulative effect would be so significant, that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new developments that are central to the emerging plan. Prematurity will be more relevant as a consideration the closer the plan is to adoption or approval.'
- 4.35 Paragraph 35 of the SPP states the following:

To support the efficient and transparent handling of planning applications by planning authorities and consultees, applicants should provide good quality and timely supporting information that describes the economic, environmental and social implications of the proposal. In the spirit of planning reform, this should be proportionate to the scale of the application and planning authorities should avoid asking for additional impact appraisals, unless necessary to enable a decision to be made. Clarity on the information needed and the timetable for determining proposals can be assisted by good communication and project management, for example, use of processing agreements setting out the information required and covering the whole process including planning obligations.'

4.36 Paragraph 37 of the SPP advises that 'Planning should take every opportunity to create high quality places by taking a design led approach.' It further emphasises that 'Planning should direct the right development to the right place' (Paragraph 39) and that 'Planning should support development that is deigned to a high-quality which demonstrates the six qualities of successful place' (Paragraph 40) namely Distinctive, Safe and Pleasant, Welcoming, Adaptable, Resource Efficient, Easy to Move Around and Beyond.

4.37 The proposed dwelling house is considered to contribute to sustainable development when assessed against the principles outlined in Paragraph 29 of the SPP for the reasons stated below:

PRINCIPLES	REASONS FOR COMPLIANCE
 giving due weight to net economic benefit. responding to economic issues, challenges and opportunities, as outlined in local economic strategies; 	The proposed dwelling house will generate socio-economic benefits by providing residential choice, providing employment opportunities during construction and boosting economic investment.
• supporting good design and the six qualities of successful places.	The design proposals for the dwelling house are of an exceptionally high design quality and support the six qualities of successful places by being distinctive, safe and pleasant, welcoming, adaptable, resource efficient and easy to move around.
 making efficient use of existing capacities of land, buildings and infrastructure including supporting town centre and regeneration priorities; 	• The proposal involves the redevelopment of a brownfield 'gap' site for the erection of a new dwelling house in accordance with the Council's Policy on Rural Development contained within its local development plan.
• supporting delivery of accessible housing, business, retailing and leisure development;	The proposal will facilitate the development of a dwelling house which will act both as a home and as a location to support a business promoting South Ayrshire and the whole of Scotland as a sporting destination.
• supporting delivery of infrastructure, for example transport, education, energy, digital and water.	It is intended that the proposed dwelling house will maximise the use of innovative design technology to ensure that it is inherently sustainable and energy efficient.
supporting climate change mitigation and adaptation including taking account of flood risk.	The proposed development will introduce a range of measures which will support climate change mitigation. This will be achieved through enhanced levels of insulation and efficient heating systems/low carbon energy sources. The site is not at risk of flooding.

PRINCIPLES	REASONS FOR COMPLIANCE
• improving health and well-being by offering opportunities for social interaction and physical activity, including sport and recreation.	The site benefits from substantial areas of private amenity space within its curtilage and forms part of an equestrian facility frequented by many local people.
• having regard to the principles for sustainable land use set out in the Land Use Strategy.	The application proposals have been developed in due cognisance of the principles of sustainable land use noting in particular the fact that the site is brownfield in nature.
 protecting, enhancing and promoting access to cultural heritage, including the historic environment. 	The proposal will not result in an adverse effect on the area's cultural heritage.
reducing waste, facilitating its management and promoting resource recovery.	Recycling and refuse facilities will be incorporated into the proposal. Collection of waste will be undertaken in line with local authority procedures. Every effort will be made to ensure that waste is minimised on site and recycled in accordance with sound principles of sustainability where possible.

4.38 Paragraph 28 of SPP, as noted previously, states that 'the planning system should support economically, environmentally and socially sustainable places by enabling development that balances the costs and benefits of a proposal over the longer term. The aim is to achieve the right development in the right place; it is not to allow development at any cost. In view of the considerations outlined within this statement, the application proposal clearly represents a sustainable form of development; a consideration to which significant weight should be given in the determination of this planning application.

Planning Advice Note (PAN) 72 – Housing in the Countryside

4.39 Planning Advice Note (PAN) 72 ON 'Housing in the Countryside' was published by the Scottish Government in February 2005. The Document sets out its purposes as being

'to create more opportunities for good quality rural housing which respects Scottish landscapes and building traditions. The advice should not, however, be seen as a constraint on architects and designers wishing to pursue innovative and carefully considered contemporary designs.'

4.40 The Advice Note advocates that 'where possible, the aim should be to develop high quality modern designs which maintain a sense of place and support local identity.' It also states that

'Housing related to existing groupings will usually be preferable to new isolated developments. The groupings should not be suburban. They should be small in size, and sympathetic in terms of orientation, topography, scale, proportion and materials to other buildings in the locality.

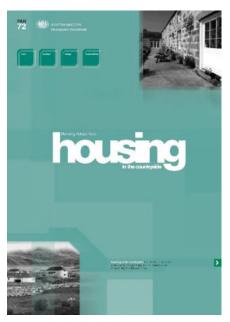
They should take account of sustainable development criteria in location and infrastructure needs.'

4.41 The Advice Note then proceeds to set out a range of criteria relating to Location and Design considerations as noted below:

Location - Landscape, Layout and Access

Landscape

Location within the landscape – Location concerns site selection within the wider landscape. Some areas are so prominent that it is accepted that any development at these locations would be detrimental to the surrounding landscape. Most new developments should try to fit into or nestle within the landscape. Skyline development should normally be avoided, as should heavily engineered platforms. This is to ensure that the building does not interrupt and conflict with the flow of the landform or appear out of scale. Even where sites are less visible they will still require a significant level of skill to assimilate buildings into the landscape. Sites which are least visible can often be suitable for more adventurous or individual designs. Occasionally, where a landmark development is considered to be appropriate, its design needs to be of the highest quality



and considered very carefully. Likewise, where there are groupings of new buildings, their location within the landscape and relationship to each other is important.



Dwelling house within application site will nestle within established group of buildings

Woodlands – Setting a building against a backdrop of trees is one of the most successful means by which new development can blend with the landscape. Where trees exist they should be retained. Care should be taken to ensure an appropriate distance between tree root systems and building foundations, so that neither is compromised. In some parts of Scotland, where there is little existing planting and limited scope for landscaping, particular care should be taken in the selection of sites and design of houses.

New planting – The purpose of new planting is not to screen or hide new development, but to help integration with the surrounding landscape. New trees and shrubs which are locally native will usually be easier to establish than non-native plants and will be more in keeping with the character of the area. Planting with locally native species has the additional benefits of creating habitats for wildlife and potentially contributing to Local Biodiversity Action Plans.

Boundary treatments – The open space associated with a house or houses should be considered as an integral part of the development, not as an afterthought, and again be treated in relation to the surrounding environment. Suburban ranch-type fences, concrete block walls and the regimented use of non-native fast-growing conifers should be avoided. Although the use of drystone walling in some areas can help the integration of new development with the landscape, the costs involved may mean that this can only be justified in exceptional circumstances. Such circumstances are most likely to arise in designated areas, e.g., National Parks, National Scenic Areas, Conservation Areas and local landscape designations'.

Layout

Topography – Sloping sites need careful consideration to allow a practical house design which does not look out of place. They can, however, give an opportunity to use the difference in levels to create an interesting and fitting building. This approach is much more appropriate than the use of platforms. In low-lying areas, flood risk needs to be addressed.

Orientation – Attention should be paid to established building lines and orientation of any buildings in the area. Overlooking should be avoided. The location and proximity to natural and built features, such as landmarks, can also influence layout.

Shelter – Layouts should try to avoid any unnecessary exposure to the elements, i.e., houses should shelter one another and generally be positioned to take account of the prevailing wind direction and to create a good microclimate.

Solar gain – Energy efficient layouts can help to maximise natural light and solar gain.

Views – *Views to and from the site should be maximised, but not at the expense of good design.*

Movement – Easily accessible links should be made for pedestrian and vehicular movement.

Access

Rural areas need design solutions and road standards which are appropriate to their character and setting. The application of urban standards and materials, such as tar

macadam and concrete kerbs have resulted in development in the countryside looking too formal and over engineered. In addition, the adoption of suburban street lighting standards is not only inappropriate and increases light pollution, but often the lamp design can look out of place in the rural context. Every effort must be made to adopt an approach which complies with safety standards and yet responds sensitively to the rural scene and local circumstances.

There is scope for innovative road design solutions, particularly in designated areas, which achieve safety without compromising a sense of place. For example, where possible, access should be from existing entrance points on existing roads, modified as appropriate to improve sightlines. It may be appropriate to develop small groups of roadside buildings, particularly where this follows a historical precedent. Provision should also be made for safe parking.

Careful consideration needs to be given to proposals for new housing where access from the trunk road is required. The Executive is committed to improving safety on trunk roads.

Design – Scale, Materials and Details

The overall aim should be to ensure that new housing is carefully located, worthy of its setting, and is the result of an imaginative, responsive and sensitive design process.

Scale – There is a sturdy quality to much of the scale and shape of Scotland's domestic rural architecture. This is derived largely from the simplicity of the form and proportion, and in the arrangement of doors and windows. Traditional Scottish style has sometimes been diluted by modern designs which do not always reflect the historic scale and proportions. There is a need for sensitive designers to tackle this, especially when buildings are sited next to traditional buildings. The main objective should be to adapt the best from the local elements and to interpret traditional shapes and sizes into a modern context. Overall, the envelope (the width, height and depth of the walls) together with the roof pitch (angle) determine a building's proportions.

Materials – The use of inappropriate or too many materials can have a negative impact. The greater the use of local materials, the more the house may reflect aspects of the local character. This will also help to contribute to sustainability.

In some parts of Scotland, stone is the traditional building material, with the diversity in colour and texture adding to local identity. It is expensive, however, and may only be required in some circumstances. One suitable alternative is a tinted harl which reflects local colour, such as red brown in East Lothian.

Slate or pantiles are often the most common traditional roofing materials. Slate is a versatile and highly effective roofing material but, like stone, it is becoming increasingly expensive. In some circumstances, manufactured alternatives may be suitable.

The economic and practical advantages of timber frame construction and timber cladding means that this is likely to remain the prevalent form of construction and design in rural areas. Forestry Commission Scotland and the Wood for Good Campaign has been promoting the idea of living and building with wood. Also innovative house designs have been produced looking at the use of timber in construction.

More use of timber cladding needs to be encouraged. Ways in which it can be made more visually appropriate is through opaque painting, which is also highly desirable in terms of durability. The use of limey white colours can help to assuage concerns about timber not fitting with the tradition of lime-washed harl masonry. Other colours may sometimes be acceptable including ochre, duck egg blue and dark green.

Kit houses in the countryside need to be well designed to reflect local circumstances.

Details - The detailed aspects of rural house design show some general characteristics, although local guidance should stress any variations. Many of the typical attributes of the Scottish rural house, such as window size and setbacks, eaves and verges, dormer design, chimney stacks and porches are shaped by an often wet and windy climate. Overall, design details often need to be assessed on individual merits but excessive detailing and ornamentation should generally be avoided.

Windows and doors — Windows and doors are often historically small and set back from the face of the wall for added protection from driving rain. Their emphasis is almost always vertical, with windows consisting of small panes. More recently, some new modern housing has favoured large windows with a horizontal orientation. This has advantages of light, solar gain and outward views from the house. Whatever the size, the use of traditional wooden frame designs, as opposed to plastic, should be encouraged.

Eaves and verges — Overhanging eaves and verges are very much part of the Scottish tradition, but their use does vary from place to place, as they are often a direct response to the micro climate. For example, they have particular benefits in areas of high rainfall.

Gables and chimneys — Chimneys are an important characteristic of traditional Scottish rural housing, normally located on gable ends and breaching the ridgeline of the roof to avoid long slender stacks exposed to the weather. However, in the context of energy efficiency, it is good practice to locate a chimney centrally, rather than on a gable.

Dormers – Dormer windows, used where the roof space is required for accommodation, should normally take the form of traditional dormers or roof lights with vertical proportions.

Porches – Porches are a common feature on most houses and a variety of styles has evolved, performing a number of useful functions such as reducing draughts. Where they are part of the overall design of a house they can make a contribution to the quality of the internal and external environment. Whether traditional or modern, they have to be in proportion to the elevation.

Energy – Considerations should be given to energy efficiency including heating systems, insulation and type of glazing.

Conservatories – These should be sensitive in design and often benefit from more heat and light if placed on a south facing elevation.'

4.42 Within the context of the Guidelines/Criteria contained within PAN 72 we would wish to cite the following considerations in support of the dwelling house proposed by our client:

- The Advice Note promotes, where possible, the development of high-quality modern designs which maintain a sense of place and support local identity.
- The application proposals involve the erection of a dwelling house on a previously developed (brownfield) gap/infill site amongst a group of existing buildings and woodland with a strong sense of place.
- The dwelling proposed is set against a wooded background and as a consequence of this and the surrounding landform it does not impact on the skyline.
- The proposed dwelling's orientation is respectful to and in keeping with the orientation of other buildings at Jelliston Farm.
- The chosen site benefits from the shelter provided by the surrounding woodland resulting in a positive microclimate.



Site benefits from wooded surrounds to provide positive microclimate

• The site and the dwelling house proposed is south facing and will benefit significantly from natural light and solar gain.

- Views to and from the site are maximised resulting in positive benefits in terms of residential amenity and a positive contribution to the quality and appearance of the landscape.
- The site benefits from existing access arrangements off the B742.
- The property is of an acceptable scale interpreting traditional shapes and sizes into a contemporary context.
- The design proposals advanced, whilst contemporary in their style, employ a range of natural materials including stone, slate and timber befitting of the locality within which they are being proposed.
- The dwelling house proposed has high levels of energy efficiency adopting a fabric first approach supplemented with renewable energy initiatives.

In light of the considerations outlined the proposal is not considered to conflict in any material regard with the provisions of PAN 72 on 'Housing in the Countryside.'

Modified Proposed Replacement South Ayrshire Local Development Plan (MPLDP2)

4.43 At a special meeting on 1 September 2020, South Ayrshire Council considered representations on the Modified Proposed Replacement South Ayrshire Local Development Plan (MPLDP2),

public submitted in response to consultation, and agreed (1) to submit the Plan, without further modification, to the Scottish Ministers for Examination: and (2) the Plan would be a material consideration in determining planning applications, with the weight accorded to it increasing as it progresses through the statutory process. As MPLDP2 now represents the Council's settled position on the Development Plan it wishes to progress to adoption, it is a material



consideration in the assessment of planning applications. However, it remains the subject of unresolved representations, which are currently being considered by the Scottish Government's Directorate of Planning and Environmental Appeals (DPEA), as part of the Examination process. In considering development proposals, the Council may now apportion significant weight to those principles or policies of MPLDP2 which are not the subject of unresolved representations, but MPLDP2 is otherwise unlikely to be the determining factor in the determination of Planning Applications, remaining subordinate in status to the adopted LDP.

4.44 As the policies and proposals in the Modified Proposed Replacement South Ayrshire Local Development Plan (MPLDP2) mirror, to a large degree, those in the extant local development plan and as they have not been referred to in the Planning Officer's reasons for refusing the application, no further comments are offered on its contents.

Consultation Responses

4.45 According to the Report of Handling on the application consultations have only taken place with the Ayrshire Roads Alliance who offered no objections to the application.

Third Party Representations

4.46 There have been no objections to the application and one letter of support – considerations to which significant consideration should be given in the determination of the application.

Planning History

- 4.47 We have outlined in Section 2 the Planning History pertaining to the application site and are of the opinion that it is of little relevance to the determination of the application to hand.
- 4.48 Having considered the application proposals against the terms of the development plan and all other material considerations we are firmly and unequivocally of the view that the application proposals are complaint with the former and that there are no material considerations existing which would support anything other than the granting of planning permission for the application as applied for.

5. Response to Reasons for Refusal

- 5.1 The planning application was refused for four reasons. Prior to addressing those reasons, it is of concern to note that the Officer appears to have determined this application without visiting the site or requesting further information in support of it prior to determination. In that context the reasons for refusal and our responses to them are outlined below.
 - (1) That the proposal is contrary to the provisions of the South Ayrshire Local Development Plan, specifically LDP Policy: Sustainable Development and LDP Policy: Rural Housing, South Ayrshire Council's Supplementary Guidance on Rural Housing, and the terms of Planning Advice Note 72, by reason that the design, layout, massing, scale, form and proportions of the dwelling house does not respect or reflect the traditional rural vernacular of rural housing in South Ayrshire.
- 5.2 Insofar as issues relating to design, layout massing, scale, and proportions are concerned, the Appointed Officer has stated the following in his report:
 - 'it is considered that the proposed development does not take cognisance of the advice as contained within the Council's SG on Rural Housing. The proposed dwelling house, with a floor area of 477m², has not been laid out in a courtyard layout as required by the SG. The width of gables, particularly the gables to each end of the main body of the dwelling house and the glazed gable proposed to the south-eastern elevation, is considered to be excessive at 9.2 metres and 12 metres respectively, and contribute to a dwelling house that does not respect of reflect the traditional rural vernacular of South Ayrshire. Traditional rural buildings in South Ayrshire are often characterised as having wide frontages and a narrow plan, which dictates the scale and proportions of the building. In this instance, the plan form is at odds with the SG, and alters the building's proportions in a manner that results in a design solution which is uncharacteristic for a rural area. Additionally, the extent of glazing proposed to the south-eastern elevation is considered to be excessive.'
- 5.3 The first reason for refusal claims that the dwelling house proposed does not respect or reflect the traditional rural vernacular of rural housing in South Ayrshire. 'Traditional Vernacular' is defined in the Glossary to the Supplementary Guidance on Rural Housing as 'a stone-built building built before 01st July 1948 which is of residential scale and form and which has a slate roof. In defence of the scheme advanced it is important to once again reiterate that the dwelling proposed is unashamedly contemporary and innovative in its design. It is not a 'traditional' building. Both the Supplementary Guidance on Rural Housing, which forms part of the Council's Local Development Plan and Planning Advice Note 72 encourage the advancement of contemporary design solutions in rural locations. It is an unreasonable expectation for a contemporary dwelling house to reflect and respect the traditional rural vernacular which is defined in the Supplementary Guidance as 'a stone-built building built before 01st July 1948 which is of residential scale and form and which has a slate roof' in every respect. Notwithstanding this, the scheme advanced, although contemporary in nature, employs a range of natural materials including natural stone, render, timber cladding and slate roofs. Within the context outlined we would wish to respond to points raised by the Appointed Officer in his Report of Handling in the following terms:

Courtyard Layout

Whilst it is acknowledged that the dwelling house proposed has a floor area greater than 200 sq. metres and has not been laid out in a courtyard format it is not accepted that the resultant design has an adverse effect on the character or appearance of the landscape. As noted previously the site is enclosed by woodland and other buildings and can only be viewed from the south. The introduction of a courtyard feature would have little or no impact on its appearance from public viewpoints. Furthermore, the dwelling house to the south west (Martnaham) has a floor area considerably greater than that of the dwelling house proposed by our client but has not been developed in a courtyard form.

Gable Widths

It is claimed that the gables of the dwelling house proposed do not respect or reflect the traditional rural vernacular of South Ayrshire. Setting aside the facts that the gables will not be readily visible to public view to the south and that the dwelling proposed adopts a contemporary rather than a traditional design approach the Supplementary Guidance is, insofar as we can establish, silent on the subject of gable widths.

Glazing

Whilst it is accepted that the Design Guidance for Traditional Rural Housing Developments requires the total area of each elevation occupied by window and door openings to be small in relation to the area of solid wall, the application proposals do not relate to the erection of a traditional house. They relate to the erection of a contemporary house in which the use of extensive glazing on the front (south facing elevation) is an integral and striking feature within the overall design resulting and benefitting in the process from enhanced levels of energy efficiency and contributing to the quality of views towards and from it.

In short, it is considered that the Appointed Officer in refusing the application on the grounds contained in the first reason for refusal, has inappropriately applied design considerations and guidance which are more appropriate and applicable to traditional vernacular properties rather than to those designed in a more contemporary and innovative format.

- (2) That the proposal is contrary to the provisions of the South Ayrshire Local Development Plan, specifically LDP Policy: Rural Housing, and to South Ayrshire Council's Supplementary Guidance on Rural Housing, by reason that the proposal does not represent development within a clearly defined and nucleated housing cluster, or the infilling of a gap site which would consolidate an existing cluster.
- 5.4 The Appointed Officer has stated the following in support of his second reason for the refusal of the application:

'Although the existing two properties to the north of the application site could potentially be considered to form a defined group, it does not automatically follow that the application site is located within a cluster as defined by the above terms, and therefore individual site-specific factors will require to be carefully considered.

At a distance of approximately 45 metres south of the nearest dwelling house (Jelliston Farm), and almost 75 metres south of the other dwelling house (Jelliston Cottage), it is considered that the application site cannot be considered to be a gap/infill site relative to these properties.'

- Then Council's Supplementary Guidance defines a 'cluster' as a 'building group consisting of 2 or more houses forming a clearly identifiable 'group' with strong visual cohesion and sense of place.' We are clearly and unequivocally of the view that the existing buildings at Jelliston Farm, which include both domestic and equestrian buildings, form a recognisable homogenous group of buildings which are surrounded and enclosed by mature woodland/landscaping providing a strong sense of visual cohesiveness and sense of place. Included within the group of buildings referred to are two dwelling houses thus meeting with the minimum requirements of the policy stipulated. The dwelling house is proposed within a gap site within the established group of buildings described and will contribute further to the sense of place and visual cohesiveness already existing. The fact that the dwelling proposed is some 45 and 75 metres from the existing dwellings in the group is irrelevant as all of the buildings clearly form part of the same very distinguishable group.
 - (3) That the proposal is contrary to the provisions of the South Ayrshire Local Development Plan, specifically LDP Policy: Rural Housing, and to South Ayrshire Council's Supplementary Guidance on Rural Housing, by reason that the proposal will create a form of ribbon development which results in a form and pattern of development which would not be characteristic of and detrimental to the rural setting and visual amenity of the locality.
- 5.6 The Appointed Officer has stated the following in support of his third reason for the refusal of the application:
 - 'the application site is considered to constitute part of a larger area of land positioned to the south of two existing properties, with the proposed development creating a form of ribbon development which would extend the existing linear form and pattern of development to the south, to the visual detriment of the landscape setting of the locality. It would also potentially open the opportunity for further ribbon.'
- 5.7 The Supplementary Guidance defines 'ribbon development' as the 'progression of development in a linear form usually along a road.' The dwelling house is not proposed along a road. It is proposed within a previously developed (brownfield) site situated between existing buildings and mature woodland. Our client has no intention of developing any further dwelling houses within the group existing and is content to enter into a legal agreement with the Council to prevent further development being proposed in the future. Any such proposal would, in any event, have to be the subject of a separate planning application and would remain under the control of the Council.
 - (4) That the proposal is contrary to the provisions of the South Ayrshire Local Development Plan, specifically LDP Policy: Rural Housing, and to South Ayrshire Council's Supplementary Guidance on Rural Housing, by reason that it has not been demonstrated that the dwelling house is essential to the operation of the equestrian business at Jelliston.
- 5.8 The dwelling house proposed has been advanced on the principle that it represents an appropriate addition to an established cluster of buildings within which there are two existing dwelling houses. It has not been suggested that the dwelling house is essential to the operation

of the equestrian business at Jelliston. However, it has been suggested that the dwelling as proposed will be used by our client in association with her occupation as a Sports Event Organiser for the promotion of high-profile sporting events throughout Scotland and including South Ayrshire.

5.9 In light of the considerations outlined above we do not accept the Planning Officer's reasons for the refusal of the application and as such it is respectfully requested that they be reviewed by the Council's Local Review Body and planning permission granted for the proposal.

6. Summary and Conclusions

- 6.1 Having considered the proposed development against the terms of both the development plan and other material considerations as required under the terms of the Town and Country Planning (Scotland) Act 1997 (as amended) we have demonstrated and are very firmly of the opinion that the application/review request should be upheld, and planning permission granted for the proposal. Our position on this appeal can be summarised as follows:
 - Jelliston Farm, within which the application site is located, lies approximately 1.6 km to the south west of Coylton and is accessed via a private road off the southern side of the B742 at a point approximately 2 km to the north east of its junction with the A713. The farm incorporates some 6.0335 hectares (14.9 acres) of land within which there are located two dwelling houses (original farmhouse and cottage); an equestrian facility incorporating stables for 18 no. horses, an outdoor riding arena and customer parking facilities; paddocks; and woodland areas.
 - The application submitted to South Ayrshire Council had sought detailed planning permission for the erection of a dwelling house designed in a contemporary style within a gap/infill site which had previously accommodated buildings associated with the historical use of the site as a pig rearing and processing unit. The said site is bordered to the east by buildings used for equestrian purposes; and to the north and west by mature woodland.
 - The application has been submitted on behalf of Mrs. Elizabeth (Liz) Smith, who, in addition to operating an equestrian business from Jelliston Farm, also owns and runs a Sports Agency, Events and Sponsorship Business within which she acts as an agent/manager to a number of high-profile organisations and individuals in the fields of golf, football, horse racing, darts, boxing and snooker. Mrs Smith intends to use the dwelling house as both a home and a place of work.
 - The application was refused by the Appointed Planning Officer for four reasons as summarised below:
 - (i) The proposal, in terms of its design does not respect or reflect the traditional rural vernacular of rural housing in South Ayrshire;
 - (ii) The application site is not located within a clearly defined and nucleated housing cluster, or the infilling of a gap site which would consolidate an existing cluster;
 - (iii) The proposal would create a form of ribbon development which results in a form and pattern of development which would not be characteristic of and detrimental to the rural setting and visual amenity of the locality; and
 - (iv) It had not been demonstrated that the dwelling house is essential to the operation of the equestrian business at Jelliston.

- The reasons for the refusal of the application are contested and the following points put forward in response to them:
 - (i) The Council's Supplementary Guidance on Rural Housing clearly states that both contemporary and traditional design solutions will be considered acceptable in the South Ayrshire Countryside. It is an unreasonable expectation for a contemporary dwelling house to reflect and respect the traditional rural vernacular which is defined in the Supplementary Guidance as 'a stone-built building built before 01st July 1948 which is of residential scale and form and which has a slate roof' in every respect. Notwithstanding this, the scheme advanced, although contemporary in nature, employs a range of natural materials including natural stone, render, timber cladding and slate roofs.
 - (ii) The application site is located within a clearly defined cluster or group of buildings comprising two dwelling houses, associated out buildings and equestrian buildings. The homogenous group of buildings referred to are contained within a strong and mature landscaped/woodland framework which provide for a strong sense of place and identity. The proposed dwelling house is positioned in a previously developed site, bordered to the east by existing buildings and to the north and west by woodland planting. The dwelling will consolidate the building group and represents an entirely natural addition to it.
 - (iii) *'Ribbon Development'* is defined in the Council's Supplementary Guidance on *'Rural Housing'* as the *'progression of development in a linear form usually along a road.'* The dwelling house proposed is not positioned on or anywhere near an existing road. It is positioned on a previously developed *'gap site'* and represents a natural addition to the existing group of buildings at Jelliston. It does not contribute to ribbon development.
 - (iv) It has not been claimed in the application submitted that the dwelling house proposed is essential to the operation of the equestrian business at Jelliston. The dwelling has been promoted on the back of the Council's Policy on Rural Housing which supports the addition of new housing to existing clusters of development within which there are at least two existing dwelling houses.
- In view of the considerations outlined it is respectfully suggested that this request to review the Planning Officer's decision be upheld and that planning permission is granted for the proposal as applied for. We reserve the right to respond to any submissions on the review request from either the Appointed Officer, Consultees or Third Parties.

Signed

Derek Scott

Date 08th October 2021



County Buildings Wellington Square Ayr KA7 1DR Tel: 01292 616 107 Email: planning.development@south-ayrshire.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE

100436157-001

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

Type of Application		
What is this application for? Please select one of the following: *		
Application for planning permission (including changes of use and surface mineral working). Application for planning permission in principle. Further application, (including renewal of planning permission, modification, variation or removal of a planning condition etc) Application for Approval of Matters specified in conditions.		
Description of Proposal		
Please describe the proposal including any change of use: * (Max 500 characters)		
NEW DWELLING HOUSE AND GARAGE		
Is this a temporary permission? [★]		
If a change of use is to be included in the proposal has it already taken place? (Answer 'No' if there is no change of use.) *		
Has the work already been started and/or completed? *		
No Started Yes - Completed		
Applicant or Agent Details		
Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)		

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Agent Details				
Please enter Agent detail	s			
Company/Organisation:	ADNR			
Ref. Number:		You must enter a Building Name or Number, or both: *		
First Name: *	Neil	Building Name:		
Last Name: *	Rodgers	Building Number:	26	
Telephone Number: *	07780666716	Address 1 (Street): *	LINDSAY AVENUE	
Extension Number:		Address 2:		
Mobile Number:		Town/City: *	Saltcoats	
Fax Number:		Country: *	Scotland	
		Postcode: *	KA21 5SQ	
Email Address: *	neil@adnr.co.uk			
Is the applicant an individual or an organisation/corporate entity? * Individual Organisation/Corporate entity				
Applicant Det				
Please enter Applicant de	etails Mrs			
Title:	IVIIS	You must enter a Building Name or Number, or both: *		
Other Title:		Building Name:	JELLISTON FARM	
First Name: *	ELISABETH	Building Number:		
Last Name: *	SMITH	Address 1 (Street): *	JELLISTON ESTATE	
Company/Organisation		Address 2:	B742	
Telephone Number: *		Town/City: *	COYLTON	
Extension Number:		Country: *	SCOTLAND	
Mobile Number:		Postcode: *	KA6 6ES	
Fax Number:				
Email Address: *				

Site Address Details			
Planning Authority:	South Ayrshire Council		
Full postal address of the	site (including postcode where availal	ble):	
Address 1:	JELLIESTON FARM		
Address 2:	COYLTON		
Address 3:			
Address 4:			
Address 5:			
Town/City/Settlement:	AYR		
Post Code:	KA6 6ES		
Please identify/describe the	ne location of the site or sites		
Northing	617748	Footing	239708
Northing		Easting	
Pre-Application	on Discussion		
Have you discussed your	proposal with the planning authority?	*	☐ Yes ☒ No
Site Area			
Please state the site area:	7784.00		
Please state the measure	ment type used:	s (ha) X Square Metres (sq.	m)
Existing Use			
_	nt or most recent use: * (Max 500 cha	aracters)	
YARD ASSOCIATED WITH FARM / EQUESTRIAN LIVERY BUSINESS			
Access and Parking			
Are you proposing a new	altered vehicle access to or from a pu	blic road? *	☐ Yes ☒ No
If Yes please describe and show on your drawings the position of any existing. Altered or new access points, highlighting the changes you propose to make. You should also show existing footpaths and note if there will be any impact on these.			

Are you proposing any change to public paths, public rights of way or affecting any public right of acces	ss? * Yes X No		
If Yes please show on your drawings the position of any affected areas highlighting the changes you propose to make, including arrangements for continuing or alternative public access.			
How many vehicle parking spaces (garaging and open parking) currently exist on the application Site?	0		
How many vehicle parking spaces (garaging and open parking) do you propose on the site (i.e. the Total of existing and any new spaces or a reduced number of spaces)? *	4		
Please show on your drawings the position of existing and proposed parking spaces and identify if thes types of vehicles (e.g. parking for disabled people, coaches, HGV vehicles, cycles spaces).	e are for the use of particular		
Water Supply and Drainage Arrangements			
Will your proposal require new or altered water supply or drainage arrangements? *	Yes □ No		
Are you proposing to connect to the public drainage network (eg. to an existing sewer)? *			
Yes – connecting to public drainage network			
No – proposing to make private drainage arrangements			
☐ Not Applicable – only arrangements for water supply required			
As you have indicated that you are proposing to make private drainage arrangements, please provide f	urther details.		
What private arrangements are you proposing? *			
☐ New/Altered septic tank.			
Treatment/Additional treatment (relates to package sewage treatment plants, or passive sewage treatment)	eatment such as a reed bed).		
Other private drainage arrangement (such as chemical toilets or composting toilets).			
Please explain your private drainage arrangements briefly here and show more details on your plans a	nd supporting information: *		
PACKAGE TREATMENT PLANT TO SERVICE THE NEW DWELLING			
	➤ Yes □ No		
Do your proposals make provision for sustainable drainage of surface water?? * (e.g. SUDS arrangements) *	Yes LI No		
Note:-			
Please include details of SUDS arrangements on your plans			
Selecting 'No' to the above question means that you could be in breach of Environmental legislation.			
Are you proposing to connect to the public water supply network? *			
X Yes			
☐ No, using a private water supply			
☐ No connection required			
If No, using a private water supply, please show on plans the supply and all works needed to provide it (on or off site).			

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Assessment of Flood Risk			
Is the site within an area of known risk of flooding? *			
If the site is within an area of known risk of flooding you may need to submit a Flood Risk Assessment before your application can be determined. You may wish to contact your Planning Authority or SEPA for advice on what information may be required.			
Do you think your proposal may increase the flood risk elsewhere? *			
Trees			
Are there any trees on or adjacent to the application site? *			
If Yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate if any are to be cut back or felled.			
Waste Storage and Collection			
Do the plans incorporate areas to store and aid the collection of waste (including recycling)? * X Yes No			
If Yes or No, please provide further details: * (Max 500 characters)			
ADJACENT TO THE GARAGE AND COLLECTION POINT AT EXISTING ACCESS ROAD JUNCTION			
Residential Units Including Conversion			
Does your proposal include new or additional houses and/or flats? *			
How many units do you propose in total? *			
Please provide full details of the number and types of units on the plans. Additional information may be provided in a supporting statement.			
All Types of Non Housing Development – Proposed New Floorspace			
Does your proposal alter or create non-residential floorspace? * ☐ Yes ☒ No			
Schedule 3 Development			
Does the proposal involve a form of development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure (Scotland) Regulations 2013 *			
If yes, your proposal will additionally have to be advertised in a newspaper circulating in the area of the development. Your planning authority will do this on your behalf but will charge you a fee. Please check the planning authority's website for advice on the additional fee and add this to your planning fee.			
If you are unsure whether your proposal involves a form of development listed in Schedule 3, please check the Help Text and Guidance notes before contacting your planning authority.			
Planning Service Employee/Elected Member Interest			
Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? *			

Certificate	es and Notices		
CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATION 2013			
One Certificate must be completed and submitted along with the application form. This is most usually Certificate A, Form 1, Certificate B, Certificate C or Certificate E.			
Are you/the applica	Are you/the applicant the sole owner of ALL the land? *		
ls any of the land բ	Is any of the land part of an agricultural holding? *		
Certificate	Required		
The following Land	Ownership Certificate is required to complete this section of the proposal:		
Certificate A			
Land O	wnership Certificate		
Certificate and Not Regulations 2013	tice under Regulation 15 of the Town and Country Planning (Development Management Prod	cedure) (Scotland)	
Certificate A			
I hereby certify tha	t –		
(1) - No person other than myself/the applicant was an owner (Any person who, in respect of any part of the land, is the owner or is the lessee under a lease thereof of which not less than 7 years remain unexpired.) of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application.			
(2) - None of the la	and to which the application relates constitutes or forms part of an agricultural holding		
Signed:	Neil Rodgers		
On behalf of:	Mrs ELISABETH SMITH		
Date:	25/06/2021		
	▼ Please tick here to certify this Certificate. *		
Checklist	 Application for Planning Permission 		
Town and Country	Planning (Scotland) Act 1997		
The Town and Co	untry Planning (Development Management Procedure) (Scotland) Regulations 2013		
Please take a few moments to complete the following checklist in order to ensure that you have provided all the necessary information in support of your application. Failure to submit sufficient information with your application may result in your application being deemed invalid. The planning authority will not start processing your application until it is valid.			
a) If this is a further application where there is a variation of conditions attached to a previous consent, have you provided a statement to			
that effect? * Yes No No Not applicable to this application			
b) If this is an application for planning permission or planning permission in principal where there is a crown interest in the land, have you provided a statement to that effect? * Yes No Not applicable to this application			
c) If this is an application for planning permission, planning permission in principle or a further application and the application is for development belonging to the categories of national or major development (other than one under Section 42 of the planning Act), have you provided a Pre-Application Consultation Report? * Yes No Not applicable to this application			

Town and Country Planning (Scotland) Act 1997		
The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013		
d) If this is an application for planning permission and the application relates to development belonging to the categories of national or major developments and you do not benefit from exemption under Regulation 13 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, have you provided a Design and Access Statement? * Yes No Not applicable to this application		
e) If this is an application for planning permission and relates to development belonging to the category of local developments (subject to regulation 13. (2) and (3) of the Development Management Procedure (Scotland) Regulations 2013) have you provided a Design Statement? * Yes No No Not applicable to this application		
f) If your application relates to installation of an antenna to be employed in an electronic communication network ICNIRP Declaration? * Yes No Not applicable to this application	rk, have you provided an	
g) If this is an application for planning permission, planning permission in principle, an application for approval conditions or an application for mineral development, have you provided any other plans or drawings as neces		
 X Site Layout Plan or Block plan. X Elevations. X Floor plans. Cross sections. X Roof plan. Master Plan/Framework Plan. Landscape plan. X Photographs and/or photomontages. Other. 		
If Other, please specify: * (Max 500 characters)		
Provide copies of the following documents if applicable:		
A copy of an Environmental Statement. * A Design Statement or Design and Access Statement. * A Flood Risk Assessment. * A Drainage Impact Assessment (including proposals for Sustainable Drainage Systems). * Drainage/SUDS layout. * A Transport Assessment or Travel Plan Contaminated Land Assessment. * Habitat Survey. * A Processing Agreement. * Other Statements (please specify). (Max 500 characters)	Yes N/A Yes N/A	

Declare – For Application to Planning Authority

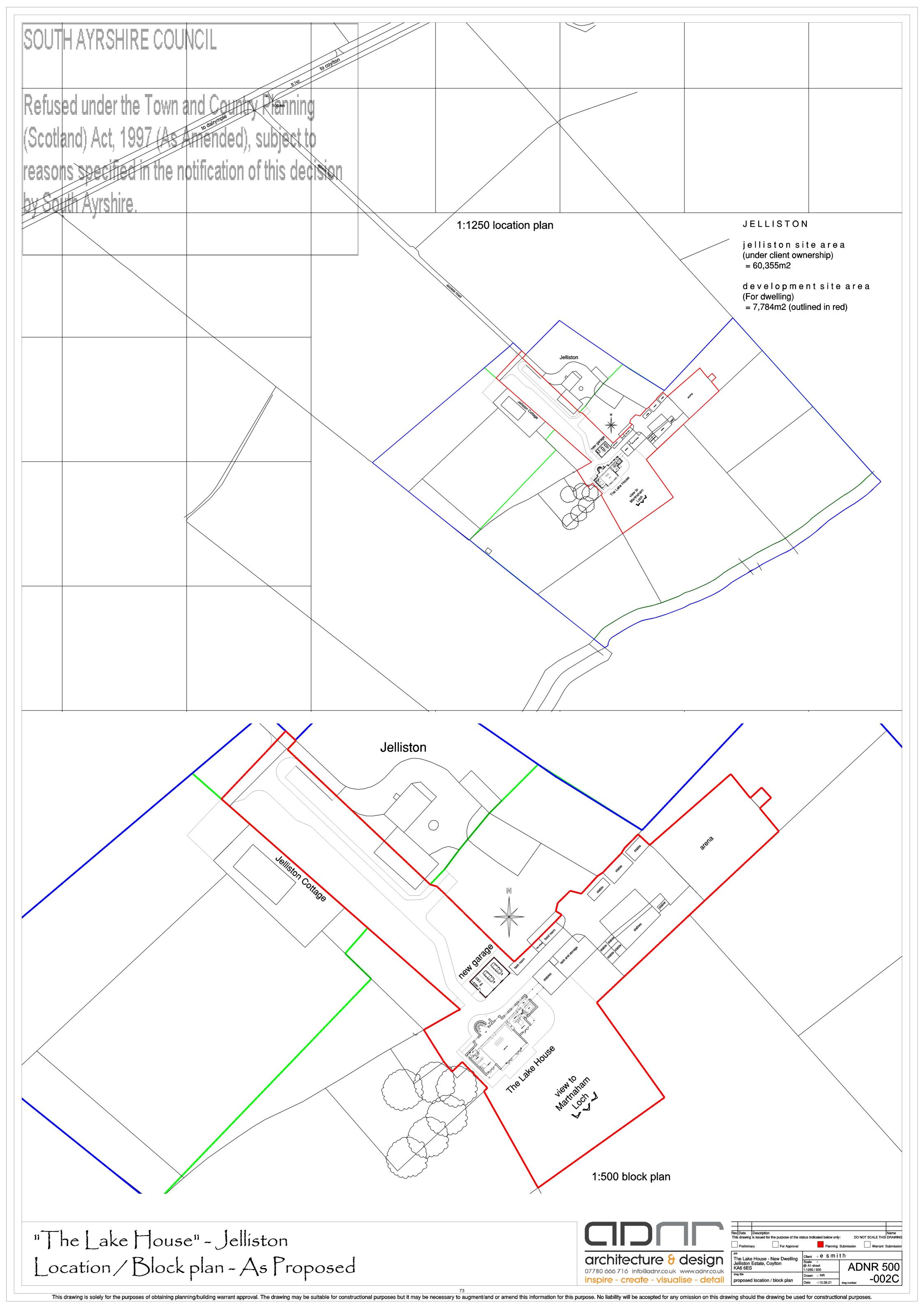
I, the applicant/agent certify that this is an application to the planning authority as described in this form. The accompanying Plans/drawings and additional information are provided as a part of this application.

Declaration Name: Mr Neil Rodgers

Declaration Date: 25/06/2021

Payment Details

Created: 25/06/2021 18:08



Design Statement - New Dwelling, Jelliston Estate - Mrs E Smith

E: info@adnr.co.uk



Site:

Jelliston sits on the outskirts of Coylton, along the B742 towards Dalrymple with an outlook and sharing a boundary with Martnaham Loch.

The proposed development is within the Jelliston Estate.

An Equestiran business, farm house and separate dwelling exist within the curtilage of the land.

This access shall be utilised for the proposed development.

Topography:

Sloping land raised up from the banks of Martnaham Loch, flanked by tree and vegetation, and open farm land.

The site enjoys an open vista to Martnaham Loch and grazing fields.



Proposals:

New dwelling, extension to the existing settlement cluster:

- 1. Utilise existing access road and formation of a new woodland path / road to the new dwelling
- 2. Formation of a new dwelling
- 3. Alterations and maintenance of the existing stables and equestrian centre
- 4. Cosmetic alterations to the existing farm house to bring in line with the aesthetics of the new proposals. Proposals not requiring planning approval.
- 5.
- 6. Adequate space shall be provided within the developed area for SUDs, drainage and septic tanks
- 7. Visitor parking has been accommodated within the plot.
- 8. Parking for the equestrian centre has also been allowed for within the existing area.



Proposals:

Increase of the settlement at Jelliston (Farmhouse and cottage) to form an additional dwelling.

Jelliston Estate encompasses approximately 6 hectares (60,355m2)

The proposals for the new dwelling utilises 7,764m2 of the land.

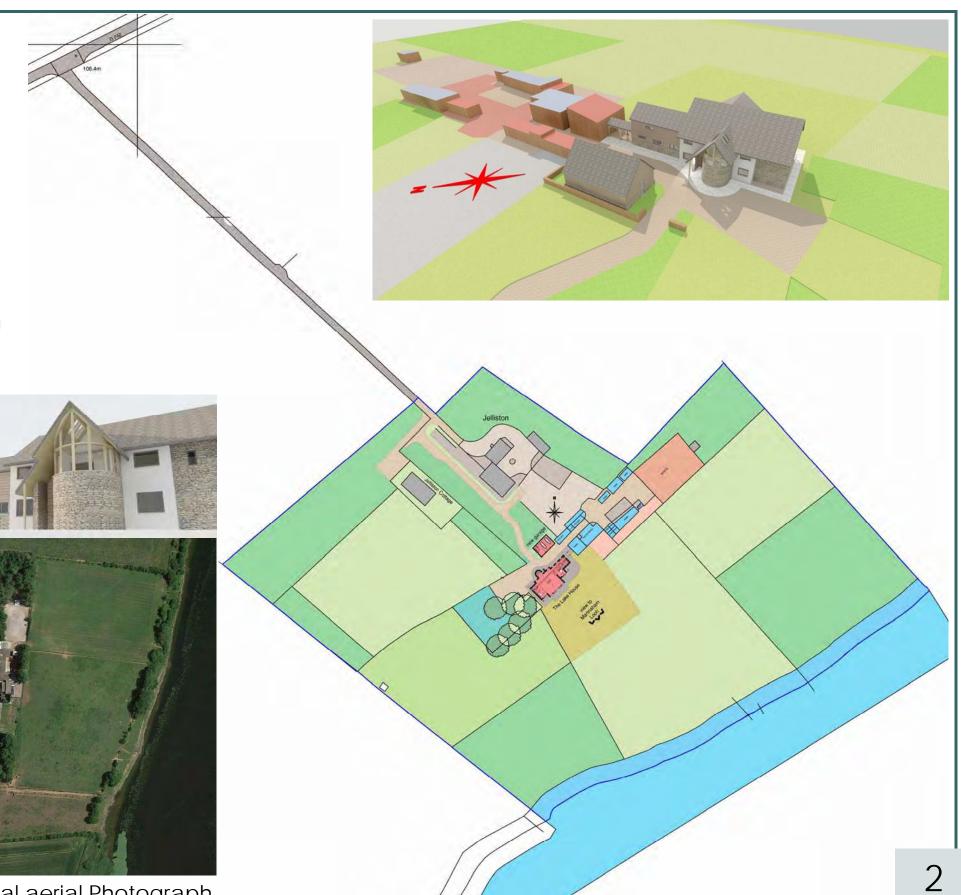
The new family dwelling shall use natural materials and renewable technology to heat and power the building.

New garage and revised access to the arena, stables and equestrian business.

The new dwelling shall maintain the established equestrian business.

Jelliston Equestrian is a highly rated livery yard with a comfortable capacity of 16 horses.

Driveways to the new dwelling shall be gravel chips from the existing tarmac farmhouse drive.



Original aerial Photograph



Example of Random Stone Wall



Vertical timber cladding example



Example of Timber Cladding & Windows



Example of roof material





Example of roughcast render

Energy Efficiency:

The dwelling shall incorporate renewable technology.

Air source / ground source heat pump heating and mechanical ventilation systems shall be individually designed to suit each home.

Rainwater harvesting and solar photo voltaic can also be incorporated to each property.

The dwelling shall be constructed to ensure that they are designed to an air tightness test of at least 5 (Pa).

Solar gain and thermal storage shall also be utilised within each dwelling.

The aim is to produce an ecologically friendly dwelling within a rural location.





Design & Materials:

The design of the dwelling shall be rural in essence with a contemporary edge.

The dwelling shall have living accommodation that can adapt to varying family needs, providing level / accessible access and spacious rooms.

The materials pallet shall comprise of the following:

- Natural stone.
- Rendered walls rural in nature, rough textured walls painted / coloured off white to reflect Ayrshire's approach to rendered walls on rural properties. Smooth render to the new buildings shall not be used.
- 3. Masonry copes to break the line of the elevation, the wall treatments shall be terminated by masonry copes.
- 4. Stone details stone panels shall be natural stone built in random courses.
- 5. Timber cladding Cedar vertical timber panels or Cedral Cladding.
- 6. Windows Grey finish double glazed units
- 7. Doors Timber doors set within a grey frame.
- 8. Roof Grey Natural slate.
- 9. Timber details Oak / Douglas Fir.

Design of the buildings shall compliment the rural location.

A number of elemental factors have also been addressed within the design of the dwelling, taking vista, orientation, sunlight and slope of the site.






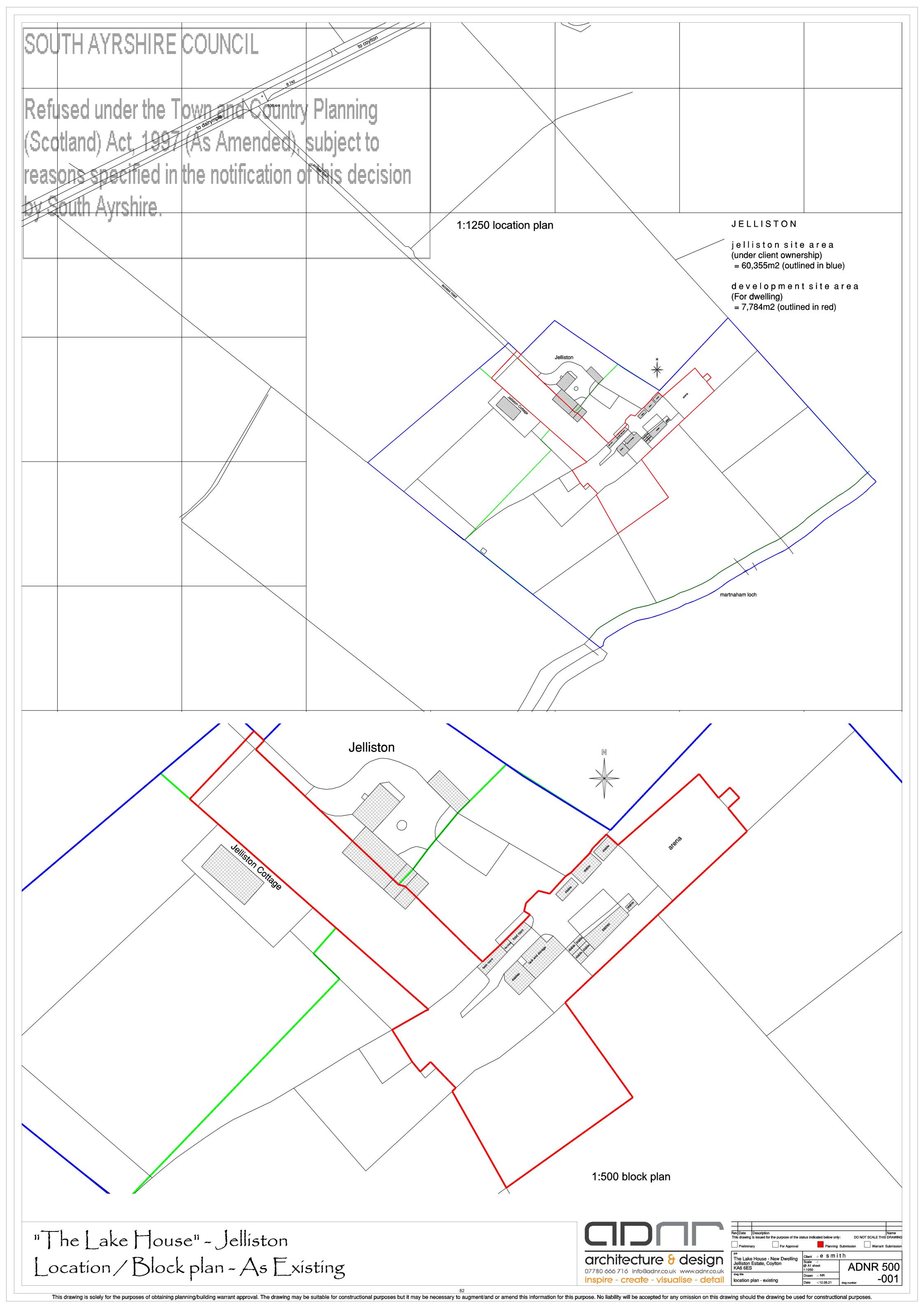


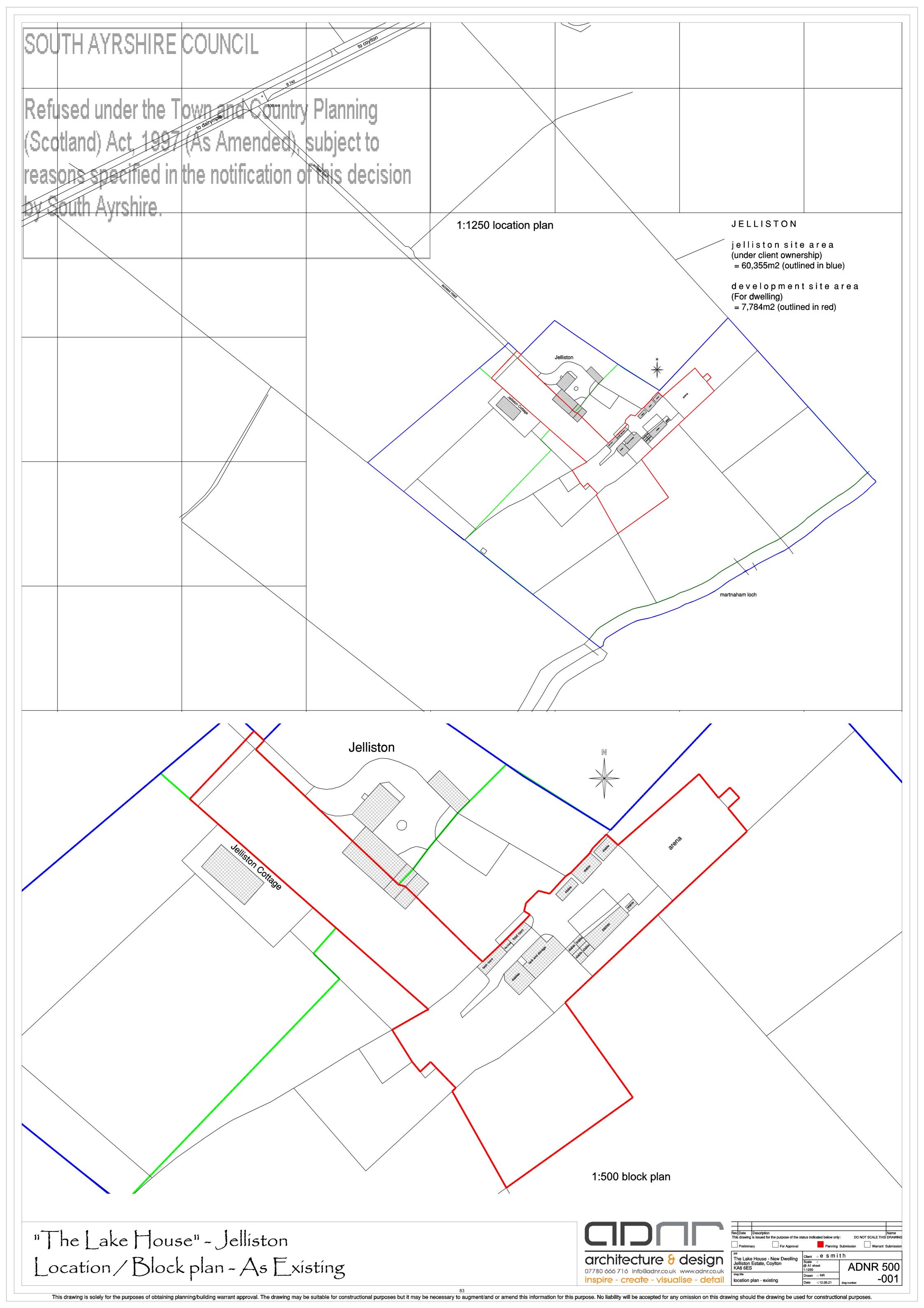


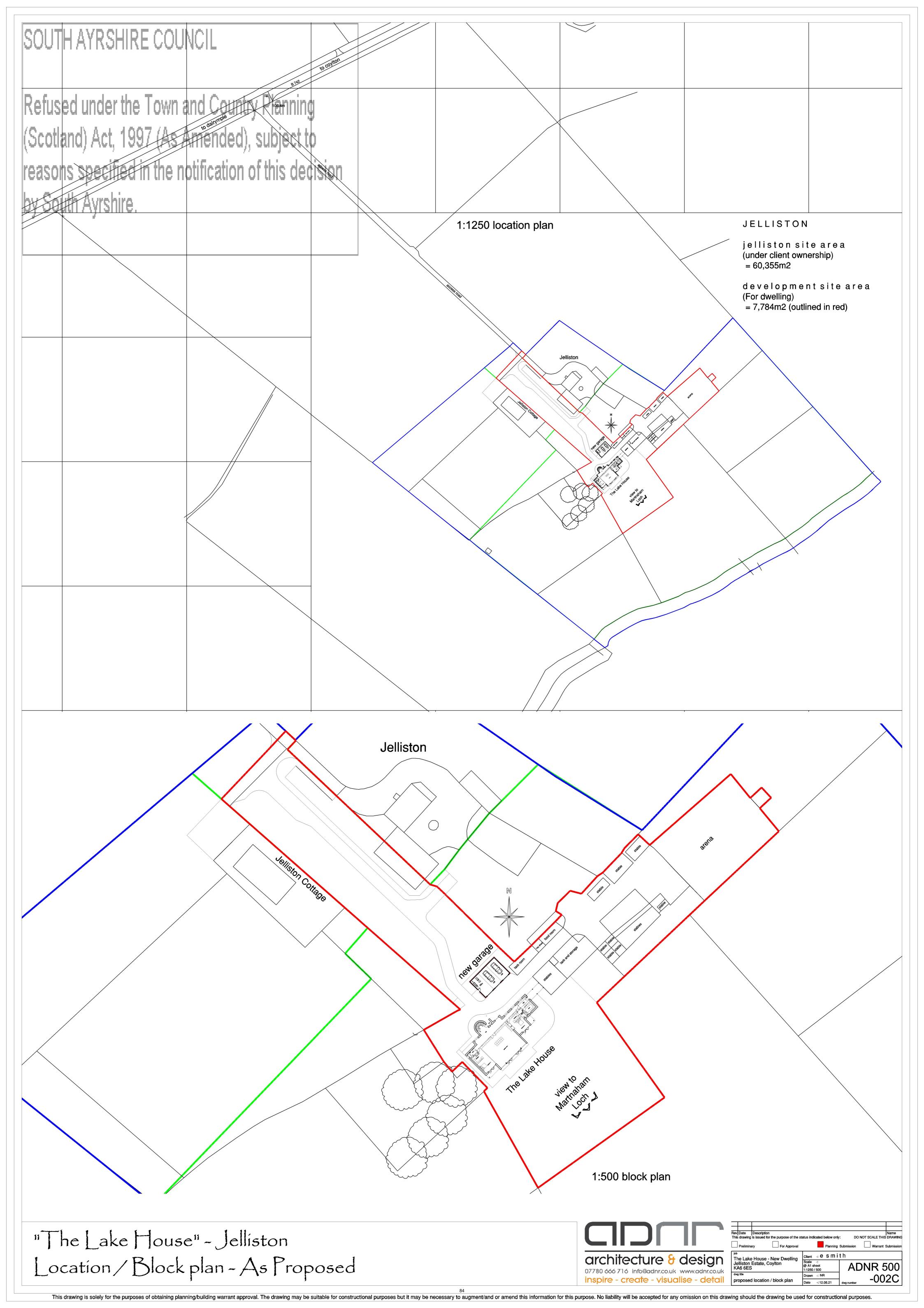















LOCAL DEVELOPMENT

REFUSAL OF APPLICATION FOR PLANNING PERMISSION (Delegated)

Ref No: 21/00705/APP

SOUTH AYRSHIRE COUNCIL

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997 as amended by the PLANNING ETC. (SCOTLAND) ACT 2006

TOWN AND COUNTRY PLANNING (GENERAL DEVELOPMENT) (SCOTLAND) ORDERS

To: Mrs Elisabeth Smith per ADNR Neil Rodgers 26 Lindsay Avenue Saltcoats KA21 5SQ

With reference to your application dated **30th June 2021** for planning permission under the above-mentioned Acts and Orders for the following development, viz:-

Erection of dwellinghouse and garage

at: Jellieston Farm B742 From Council Boundary To A70 Junction At Hillhead Coylton Ayr South Ayrshire KA6 6ES

The Council in exercise of their powers under the above-mentioned Acts and Orders hereby **refuse** planning permission for the said development.

The drawings and other documents, where relevant, which relate to this refusal can be viewed at www.south-ayrshire.gov.uk/planning/.

The reasons for the Council's decision are:

- (1) That the proposal is contrary to the provisions of the South Ayrshire Local Development Plan, specifically LDP Policy: Sustainable Development and LDP Policy: Rural Housing, South Ayrshire Council's Supplementary Guidance on Rural Housing, and the terms of Planning Advice Note 72, by reason that the design, layout, massing, scale, form and proportions of the dwellinghouse does not respect or reflect the traditional rural vernacular of rural housing in South Ayrshire.
- (2) That the proposal is contrary to the provisions of the South Ayrshire Local Development Plan, specifically LDP Policy: Rural Housing, and to South Ayrshire Council's Supplementary Guidance on Rural Housing, by reason that the proposal does not represent development within a clearly defined and nucleated housing cluster, or the infilling of a gap site which would consolidate an existing cluster.
- (3) That the proposal is contrary to the provisions of the South Ayrshire Local Development Plan, specifically LDP Policy: Rural Housing, and to South Ayrshire Council's Supplementary Guidance on Rural Housing, by reason that the proposal will create a form of ribbon development which results in a form and pattern of development which would not be characteristic of and detrimental to the rural setting and visual amenity of the locality.
- (4) That the proposal is contrary to the provisions of the South Ayrshire Local Development Plan, specifically LDP Policy: Rural Housing, and to South Ayrshire Council's Supplementary Guidance on Rural Housing, by reason that it has not been demonstrated that the dwellinghouse is essential to the operation of the equestrian business at Jellieston.

List of Plans Determined:

Drawing - Reference No (or Description): Refused 001

Drawing - Reference No (or Description): Refused 002 C

Drawing - Reference No (or Description): Refused 003 C

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

Dated: 7th September 2021

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Julie Nicol

Service Lead – Planning and Building Standards

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



On Behalf of South Ayrshire Council
Roads and Transportation Services
Observations on Planning Application

Contact: ARA.TransportationPlanningConsultations@ayrshireroadsalliance.org

ARA Case Officer: AP

Planning Case Officer: D Hearton Planning Application No: 21/00705/APP Location: Jellieston Farm B742, Coylton

Date Received: 27/07/2021 Date Returned: 10/08/2021 Recommendation: No Objection

The following response has been prepared following a review of the information made available through South Ayrshire Council's Planning portal website at the time of writing.

Expository Statement (if applicable):

Required for Major applications, or where the recommendation is for refusal or deferral.

Comments for Planning Application 21/00705/APP

Application Summary

Application Number: 21/00705/APP

Address: Jellieston Farm B742 From Council Boundary To A70 Junction At Hillhead Coylton Ayr

South Ayrshire KA6 6ES

Proposal: Erection of dwellinghouse and garage

Case Officer: Mr David Hearton

Customer Details

Name: Mrs Anne Smith

Address: Jelliston Cottage Ayr

Comment Details

Commenter Type: Letter of Support

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: I am happy to support this application fully.