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<input checked="" type="checkbox"/>	23 May 2016	23 May 2016	Consultation to DPEA	Donald Duck	Test 12B	47KB	<a href="#">Bookmark (URL Details)</a>
<input checked="" type="checkbox"/>	23 May 2016	23 May 2016	Document List	Appellant	res doc list	54KB	<a href="#">Bookmark (URL Details)</a>
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<input checked="" type="checkbox"/>	27 May 2016	23 May 2016	Documents	Authority	2nd hearing doc	132KB	<a href="#">Bookmark (URL Details)</a>
<input checked="" type="checkbox"/>	31 May 2016	23 May 2016	Pre-examination meeting note	DPEA	pem note	152KB	<a href="#">Bookmark (URL Details)</a>

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**From:** [redacted] @south-ayrshire.gov.uk>  
**Sent:** 19 April 2019 14:52  
**To:** [redacted] )  
**Cc:** [redacted]  
**Subject:** FW: PPA-370-2073 Appeal Notice of Intention - Development at [redacted]  
[redacted]  
e

Ms [redacted],

I totally concur with the letter to you from Mr [redacted]. Where has democracy, note a small “d” for it appears to be the manner by which the Scottish Govt. views this fundamental aspect of being British. Many people have given their lives in various conflicts to ensure we maintain our freedoms and Democracy and many more of us have been willing to put our lives on the line to fight for our Country and way of life. It saddens me to see the Scottish Govt. throw aside this most important aspect of being British to pander to developers who can throw money at a problem until the action they want is achieved, as now. Land Banking is big money for these people who buy up land to get outline permissions and then resell at massive profits to the detriment of local people. I would ask, if it is at all possible, for this application to be revisited and refused as we in South Ayrshire Council have done on two full Council meetings.

[redacted]  
Councillor

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**From:** [redacted] [mailto:[redacted]]  
**Sent:** 18 April 2019 09:50  
**To:** [redacted]  
**Cc:** [redacted]  
[redacted] [redacted]  
**Subject:** PPA-370-2073 Appeal Notice of Intention - Development at Brewalds Road Symington

Dear Ms [redacted],

With regards to the above Appeal Notice of Intention, we would like to record our disappointment at the findings of the reporter.

Whilst the Reporter has no doubt followed the Scottish Planning Policy and Supplementary Guidance on these matters, it is patently clear that this guidance is predisposed in favour of developers.

It is a sad day for democracy when the representations of the local people, the Community Council, the Local Council and the local MSP are all ignored in preference to the unsubstantiated claims of the developer. It should be noted that the councillors of South Ayrshire, with their knowledge of the local area, voted unanimously to deny this application. Yet one man, not from the local area, can potentially overturn the wishes of the local people and their elected representatives.

The representations of the local people appear to be dismissed as unimportant and to have little weight, whilst the claims, assumptions and conjecture of the developer are taken as accurate.

As an example, the Reporter accepts Gladman’s assertion that the development will add £5.4 million in construction income to the local economy. This would seem questionable as the majority of the construction materials will undoubtedly come from outside the local area. However “facts” such as this are accepted by the Reporter.

The Reporter claims that the LDP is in the early stages of development, however we have been told by the local council that the new LDP will be published in consultation form within the next 3 months. Therefore there can be no

justification for this predatory developer jumping the gun on this development, where other developers have waited to review the outcome of the LDP before submitting their applications.

We would also, as noted in our submission to the DPEA, advise that there has been significant build in South Ayrshire in the year 2018/19. Therefore any shortfalls in land supply and build should be assessed when those figures are available, and not be measured using historical figures.

With regards to the flooding issues, which the Reporter accepts and continues to look for solutions to be proposed. Surely the developer has had plenty of time since the initial submission in 2017 and refusal by Ayrshire Roads Alliance to come to a workable solution. On 7<sup>th</sup> February the Reporter requested alternative solutions, with no new proposals being forthcoming from the developer in their response of 20<sup>th</sup> February. In fact all that the developer has undertaken is a rehash of the original submission challenging the ARA figures, and has not taken the opportunity to suggest an alternative solution. Why is it that the developer is favoured by being given more time to come up with a solution, when they have already been given plenty of opportunity to provide a new proposal? If a development does go ahead, who will be responsible for the cost of any future flooding in existing properties. Will it be the developer, the builder, the local council or the local residents who have provided adequate warnings in advance of the likely outcome of building over this prime agricultural land.

We have been advised by the Planning Department, that it is unusual for the consulted official departments to raise objections at the preliminary planning application stage, and therefore it cannot be assumed that there will be no objections at a later stage, especially in the area of access and safety concerns with the development of this site. However the Reporter, and presumably therefore SPP and SG take no account of the real and obvious concerns regarding both construction vehicle access and ultimately increased traffic on an access road that is already dangerous.

Within the Draft Conditions, the Reporter requires a 2 metre public footway connecting to the existing provision. This would entail the residents of the new development crossing the road at the edge of the village if it is to connect with the existing footway. At the side of the road that the majority of the houses would be located there is not 2 metres available without narrowing the road, and there is no footpath to connect to. This requirement should therefore be impossible to comply with, and the Appeal should thus be dismissed in the interests of road safety.

Throughout the Notice of Intention conjecture is rife, arguments seem convoluted and the conclusions contradictory. It would appear all through the Notice of Intention that the Reporter has found that South Ayrshire Council's argument is sound, however there is a predisposed inclination to find in favour of the developer. What is the point in local democracy, if no matter what the local arguments are, the Scottish Government and its representative can drive a metaphorical bulldozer through the wishes of local people and local government. If this is an example of devolved local governance, then it is a very poor example of devolution.

We understand that this letter will have no standing within the process, however we feel that our views on this matter should be heard by your department.

Yours sincerely

[redacted]

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[redacted]

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**From:** [redacted] @hotmail.com>  
**Sent:** 18 April 2019 09:50  
**To:** [redacted] @south-ayrshire.gov.uk; [redacted] @south-ayrshire.gov.uk;  
b[redacted] v@south-ayrshire.gov.uk; [redacted] @south-ayrshire.gov.uk;  
[redacted] @parliament.scot; [redacted] @south-ayrshire.gov.uk;  
[redacted] n@south-ayrshire.gov.uk; [redacted] [ @parliament.uk  
**Subject:** PPA-370-2073 Appeal Notice of Intention - Development at [redacted]  
[redacted]

Dear Ms [redacted]

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We understand that this letter will have no standing within the process, however we feel that our views on this matter should be heard by your department.

Yours sincerely

[redacted]

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[redacted]

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**From:** [redacted] @hotmail.com>  
**Sent:** 11 April 2019 22:51  
**To:** [redacted] )  
**Subject:** PPA-370-2073 (Planning Permission Appeal)

Dear Mrs [redacted],

I believe that Planning Permission has been approved by the Planning and Environmental Appeals Division for the residential development at Brewlands Rd, Symington, KA15QX.

This development has already been refused by South Ayrshire Council on TWO separate occasions, and presumably, the local council know more about the impact of this development than 'government'.

Can I ask you what has changed that has allowed for this consent to be granted?

Regards,

[redacted]  
[redacted]

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**From:** [redacted] @btinternet.com>  
**Sent:** 10 April 2019 11:14  
**To:** [redacted]  
**Subject:** RE: PPA-370-2073 Notice Of Intention Issued

Ms [redacted]  
1

Thank you for your e mail and attached letter regarding the above.

To say that I and the vast majority of Symington residents are disappointed and somewhat angry at the decision of Scottish Ministers to grant this Appeal would be something of an understatement, taking into account that South Ayrshire Council Planning Committee have already Refused two separate applications from Gladman Developments Ltd in this regard.

I would appreciate if you could provide me with the following information: --

1. Your letter was silent on the reasons why the Appeal was granted – can you provide me with a full copy of same?
2. I attempted to read Section 75 of the Town and Country Planning Act (Scotland) Act 1997 which appears somewhat dense and vague. Can you elaborate for me, if possible in plain English, what requires to be contained in the agreement, before planning permission would be issued.
3. Is this decision final or are there any other Appeal Procedures available to residents?

There is something far wrong with our legislation that allows property development companies “three bites at the same cherry” until they get what they want. Sadly this appears to be yet another example, albeit at local level, where DEMOCRACY HAS DIED and the minority win over the MAJORITY.

That is not FAIR or JUST.

[redacted]

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**From:** [DPEA](#)  
**Sent:** 09 April 2019 10:46  
**To:** [redacted] [@btinternet.com](#)  
**Subject:** PPA-370-2073 Notice Of Intention Issued

Mr [redacted],  
e+ad1

Please find attached a document related to the case: PPA-370-2073 - Planning Permission In Principle For Prosed Residential Development With Associated Engineering Work, Access And Landscaping.

Regards,

[redacted]

[Case Publication Website](#)

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[redacted]

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**From:** [redacted] )  
**Sent:** 12 December 2019 12:14  
**To:** [redacted] @btinternet.com'  
**Subject:** RE: PPA-370-2073

Dear Mr [redacted] ,

**PLANNING PERMISSION APPEAL: LAND AT [redacted]**

Thank you for your correspondence below about the appeal against planning permission in principle for a proposed residential development with associated engineering work, access and landscaping at Land At [redacted]

As you may be aware, no final decision has been issued on this case as yet, although the reporter appointed to decide this appeal has issued a notice of intention, indicating that he intends to grant planning permission in principle. This document is available to view on the DPEA website via the following link: <http://www.dpea.scotland.gov.uk/Document.aspx?id=592062>. This explains the findings and details the matters on which the reporter's decision to issue a notice of intention was based.

Whilst I understand that it is disappointing when a particular view in an appeal does not prevail, the conclusions in the reporter's notice of intention are the outcome of a process in which all parties and objectors had the opportunity to participate. The reporter carefully balanced all arguments relevant to the case, taking account of all the information provided by the parties and an inspection of the site on 28 March 2019, before coming to his conclusions.

You will appreciate that given the final decision has not yet been issued and the appeal remains live, it would not be appropriate for me to comment further on the planning merits of this appeal.

What I can say is that the most recent correspondence on the appeal relates to a request made by the reporter to the appellant, planning authority and various interested parties for further information on the recently published 2018 South Ayrshire Housing Land Audit and the related five year effective housing land supply issue.

I trust this clarifies our position. However, you may wish to know that individuals unhappy with the decision, once it is made by the reporter may have the right to appeal to the Court of Session, Parliament House, Parliament Square, Edinburgh, EH1 1RQ. An appeal **must** be made within six weeks of the date of the appeal decision. Please note, though, that an appeal to the Court of Session can only be made on a point of law and it may be useful to seek professional advice before taking this course of action. For more information on challenging decisions made by DPEA please see <https://beta.gov.scot/publications/planning-and-environmentalappeals-complaints-policy/>.

We collect information if you take part in the planning process, use DPEA websites, send correspondence to DPEA or attend a webcast. To find out more about what information is collected, how the information is used and managed please read the DPEA's privacy notice - <https://beta.gov.scot/publications/planning-and-environmental-appeals-division-privacy-notice/>.

Finally, if you are dissatisfied with the administration service provided by this office during the appeal process and wish to discuss this further, then please contact David Henderson, the Head

of Performance and Administration, Planning & Environmental Appeals, 4 The Courtyard,  
Callendar Business Park, Falkirk, FK1 1XR or email [redacted] [@gov.scot](mailto:[redacted]@gov.scot).

Yours sincerely,

[redacted]

The Scottish Government  
Planning and Environmental Appeals Division (DPEA)  
Unit 4, The Courtyard  
Callendar Business Park  
FALKIRK  
FK1 1XR  
Tel: 0131 [redacted]  
Email: [redacted]  
Web: [www.dpea.scotland.gov.uk](http://www.dpea.scotland.gov.uk)

Working pattern – Tuesday to Friday



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From: [redacted] <[\[redacted\]@btinternet.com](mailto:[redacted]@btinternet.com)>  
Sent: 29 November 2019 16:50  
To: [redacted] <[\[redacted\]@gov.scot](mailto:[redacted]@gov.scot)>  
Subject: PPA-370-2073

Dear [redacted],  
Gladman/[redacted].

The continual correspondence regarding this proposed development is a pathetic attempt at obscuration, the salient fact is that the proposed site floods. It is always the tactic to attempt to undermine the planning process, ( in this case ), when the original applications have been refused.

In view of the recent events in Somerset 2014 and South Yorkshire 2019 it would surely be foolhardy to allow building on land that floods.

Yours sincerely,

[redacted]  
[redacted]

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[redacted]

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**From:** [redacted]  
**Sent:** 08 May 2019 20:23  
**To:** [redacted]  
**Cc:** [redacted] @south-ayrshire.gov.uk; [redacted] @south-ayrshire.gov.uk;  
[redacted] @south-ayrshire.gov.uk; [redacted] @south-ayrshire.gov.uk;  
[redacted] .msp@parliament.scot; [redacted] @south-ayrshire.gov.uk;  
[redacted] @south-ayrshire.gov.uk; [redacted] [ @parliament.scot;  
[redacted] @ayrshireroadsalliance.org;  
[redacted] @ayrshireroadsalliance.org; [redacted]  
**Subject:** PPA-370-2073 - [redacted]

-370-2073 001.pdf

Please find attached a letter from the Symington Community Council, which pertains to the subject Notice.

[redacted]  
[redacted] , Symington Community Council

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## **Symington Community Council.**

8 May 2019

Ref. PPA-370-2073 - Land at [redacted]

Dear Ms [redacted] ,

Following our Community Council meeting held on Tuesday 18<sup>th</sup> April 2019 in the Symington Village Hall, we have decided to write to you to express the views of our community and our grave concern at this disturbing outcome.

The Reporter, on behalf of the Scottish Government, has found in favour of the appellant; Gladman Developments, and as such has granted Planning Permission in Principle, subject to 28 conditions which must still be agreed.

The overwhelming view at the Community Council meeting was one of outrage. Outrage that the views of the local people, the Symington Community Council, the Local Councillors, South Ayrshire Council and our MSP can be set aside by the Reporter in favour of Gladman Developments, one of the UK's largest speculative Land Developers.

Our community has actively engaged with South Ayrshire Council over many months in order to contribute positively to the forthcoming Local Development Plan and hopefully influence the shape of our community as we go forward over the next five years. However, it appears that the Reporter's decision demonstrates that Local Development Plans are of little value and that, ultimately, decisions are strongly prejudiced in favour of developers. It is little wonder that communities such as ours feel completely disenfranchised from the planning system.

At the meeting, the validity of our supposed democratic system was questioned. What is the point in community involvement, a local Planning Department, Local Councillors and the South Ayrshire Council, if this wealth of local knowledge, which is unanimously against this development, can be overturned by one man (who, with respect, knows little about our community) ?

Gladman's marketing proudly claims its achievement of planning permission for more than 10,000 homes per year. By their own admission they 'normally only target local authorities whose planning is in relative disarray and vulnerable to quick planning application for a suitable site', and who do not have an up to date housing/land supply. Gladman state they 'are not too concerned about refusal at a local level as they win on average two thirds of sites by going through the appeal process'. By exploiting housing/land shortfall they mock other aspects of regulation, such as the presumption to be in favour of 'sustainable development' (a suitably vague clause that is open to interpretation).

The genuine concerns and issues discussed at Community Council meetings, as highlighted in our representation, and the numerous objections submitted by individuals, are given little or no merit or consideration.

It is disappointing that the Scottish Government, which prides itself on local democracy, fairness and equality for all, supports a system that encourages rampant capitalism at the cost of local communities.

Furthermore, the Notice would appear to be full of anomalies, inaccuracies, conjecture and contradictions.

There are a number of issues that remain of great concern to our community and which have not been addressed by the Notice from the Reporter, such as:-

The inevitable increase in car-generated journeys that will result from this development, and is contrary to SPP76, SPP81, SPP287.

Symington's current infrastructure and general amenities are unable to support further housing development, such as:

- limited public transport,
- nursery school provision is already at capacity,
- increased burden on medical practice.

[redacted] is a small country road and, as such, is not suitable for the number of vehicles journeys this development is likely to create, both during and after construction. Furthermore, contrary to the Reporter's assumption that 'many vehicles will use the junction to the north east of the village rather than negotiate the village centre', it is our opinion, and experience, that traffic arriving from south of the village will access the proposed development via the village centre. Additionally, traffic from the new development will access the village Co-Op by driving through the centre of the conservation village.

In many instances the Reporter appears to agree that the application does not conform to the requirements of LDP policy.

As an example, with regards to Housing Land Supply, the reporter chooses to interpret the question of location being identified in Stage 1 as unimportant and, therefore, passes the application. This seems totally at odds with the spirit of the guidance. His conclusion that Stage 2 is satisfied is even more mystifying. Developments are to be restricted to less than 49 units. Therefore, although on this ground alone Stage 2 is not satisfied, the Reporter manages to decide that Stage 2 is satisfied.

Flooding is a very serious issue with this site. This fact has been acknowledged by all local authorities. The developer has had many opportunities to suggest ways to resolve this issue, but has chosen merely to rehash and resubmit the same solution, which has been rejected twice by the local authority. The developer has ignored the Reporter's specific request for it to propose a new solution to the flooding problem, prior to compilation of the Notice. Nevertheless, the Reporter has again given the developer the opportunity to submit a new solution as part of his findings. If the developer has not come up with a solution since

the first application in 2017, why have they been granted even more time to address this issue?

Should the Planning Permission be granted, who will be liable for the cost of any subsequent flooding to local properties?

Notwithstanding the above anomalies and contradictions, of which these are a small sample, the Reporter concludes the proposed development can 'reasonably be characterised as development that could contribute to sustainable development' and, with regard to flooding, is satisfied this issue should not prevent planning permission.

We sincerely hope that Ayrshire Roads Alliance and South Ayrshire Council are not swayed by the tone of Gladman Developments in their letter to the DPEA dated 18 March 2019 and that they will continue to put the interests of the community first.

The Scottish Government's aim is to encourage Community Engagement, Community Empowerment and Community Participation in the SPP. This then is an opportunity for Ministers and Members to intervene in this decision, which flies in the face of the above, and to show that they really do intend to live up to their own aspirations and guidance.

Yours sincerely

[redacted]

[redacted] , and on behalf, of the Symington Community Council.

[redacted]

---

**From:** [redacted] >  
**Sent:** 22 May 2019 15:56  
**To:** [redacted]  
**Cc:** Minister for Local Government, Housing and Planning;  
[redacted] @parliament.scot; [redacted] @south-ayrshire.gov.uk  
**Subject:** Response from Symington Community Council to PPA-370-2073  
**Attachments:** Letter to Reporter - [redacted].doc

Dear Ms [redacted],

Please find attached Symington Community Council's response to the Reporter's Notice of Intention in favour of Gladman Developments.

We have provided a response in line with the advice we received at the Planning Democracy Conference on 11th May from the DPEA Reporter representative. We understand that the Reporter made his decision based on the information in front of him at the time. Therefore we have provided further pertinent information. Additionally we were advised that we were able to respond to the Reporters decision, and request clarity on the reasoning behind the Reporter's conclusions.

We hope that the Reporter will review and respond to our document in the positive manner in which it is submitted to him.

Regards

[redacted]  
Planning Contact  
Symington Community Council

Sent from [Mail](#) for Windows 10

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## Planning Appeal Reference – PPA-370-2073

We are aware that the Reporter is 'minded to allow this appeal and grant planning permission in principle- subject to 28 conditions.' Symington Community Council wish to submit the following relevant information to the Reporter and would also request clarity on his conclusions based on this updated information.

- 1. Scottish Planning Policy (SPP)** states that to be suitable for development, edge of settlement /greenfield sites must fulfil certain criteria- and that the development shall exceed no more than 49 units – thereby avoiding the need for significant infrastructure developments and also ensuring that it remains below the threshold of a major development. The reporter acknowledges that it may be possible to limit the development of the site to 49 units to comply with this restriction. However, because the appellant has not advocated this option, the Reporter has accepted their proposition stating 'that this would not represent an efficient use of the land'. Clearly restricting the number of units to 49 on a smaller footprint would comply with the policy, but would be a much less lucrative option for Gladman, the landowner and any future builder.  
**Can the Reporter explain why he has disregarded the Guidance in favour of the landowner and developer's financial gain?**
- 2. Flood Risk and Surface Water Drainage.** The reporter finds Gladman's proposal contrary to the LDP, yet states that the application is not in conflict with LDP policy: Flooding and Development. Surely this is contradictory? Whilst acknowledging that the site has a history of flooding issues, the Reporter has merely placed draft conditions 20 and 21 on development of the site. An alternative more enforceable option would be to cover the flood risk and surface water drainage within an S75 obligation. Given that the resolution (if any) would be external to the development site, an S75 obligation would address the issue of off-site drainage liability. This would afford greater security for downstream residents' homes, rather than leaving the matter as 2 of 28 draft conditions which no doubt Gladman or a builder would try to overrule. We know that Gladman's surface water drainage proposals have been rejected on at least two occasions by Ayrshire Roads Alliance, and in spite of the Reporter affording Gladman the opportunity to provide alternative solutions, to date nothing has been forthcoming. This suggests reluctance on Gladman's part to try to resolve the situation to the satisfaction of ARA. The fact that a PPIP application with no EIA is being seriously considered at appeal, despite significant flooding issues having been identified, we believe demonstrates a disregard for the safety of neighbouring properties.  
**Given the seriousness of this matter why did the Reporter not seek to include the management of surface water drainage as part as of the S75 obligation?**
- 3. Engagement /Democratic Principles** - The Scottish Government emphasises the importance of engaging with local communities. No consideration appears to have been given to the opinions voiced at Gladman's public engagement event held in the village. This produced a hostile response from attendees and many submissions from local residents in which they raised a number of legitimate concerns which have been ignored by the developer. Numerous objections were raised to the PPIP by the community. It was opposed by the

Community Council, refused by South Ayrshire Planning Department, unanimously rejected by South Ayrshire Councillors and was not supported by the local MSP and MP, who have both voiced their disapproval to Kevin Stewart, Scottish Minister for Planning. It is truly undemocratic when the views of local residents, Symington Community Council, South Ayrshire Council, elected Local Councillors and the elected MSP and MP are all ignored by the Reporter in favour of a predatory developer.

**Can the Reporter justify why he has overridden all local public opinion?**

4. **Village Expansion** - The Reporter's assertion in Para 29 regarding Lomond View only being a few years older than Parish Gardens is erroneous. Lomond View was built 23 years ago. The pace of build at that time was gentle, however that pace has accelerated over the last years with the expansion of Townend, Parish Gardens, Parish Meadows and Kelso Gardens all taking place within the last 5-6 years. This exponential acceleration of growth will only be exacerbated by this development. The Reporter should have understood this fact.

**Can the Reporter explain why it is acceptable to accelerate growth in one small part of South Ayrshire?**

5. **Transport** - SPP states that the planning system should support patterns of development which reduce the need to travel. This proposal is inconsistent with SPP 279 and 287 the latter states that 'planning permission should not be granted for significant travel generating uses at locations which would increase reliance on the car and where access to local facilities via public transport networks would involve walking more than 400m'. Symington has only limited public transport and is reliant on a ½ hourly bus service which becomes hourly after 7:30 pm. This bus service takes nearly 1.5 hours to reach Glasgow, and in the other direction is a slow service to Ayr. Even Gladman acknowledge on page 7 of their transport assessment that the local bus stops are outside the 400m threshold. Most residents are therefore heavily reliant on cars, taxis etc.

At a time when a Climate Emergency has been declared by The Scottish Government it is quite unbelievable that the Reporter does not mention this lack of public transport at all. Indeed, in para 51 he notes that "there are bus routes that link the village to centres of employment and other public transport facilities".

**Does the Reporter truly believe that the service outlined above will be utilised by the majority of new residents – because it certainly is not used by existing residents to any great level.**

Building 85 houses on this site will only serve to increase the number of car journeys to the large conurbations and in and around our village, resulting in busier and potentially more dangerous roads. Other transport issues are merely glossed over by the Reporter, who suggests that residents of the proposed site wishing to access the A77 would use the junction to the north east of the village; this is not based on any factual evidence and is clearly the opinion of someone with no local knowledge. Given that a key outcome of the Scottish Government's National Planning Network is that Scotland will be "a low carbon place by reducing carbon emissions and adapting to climate change" it is hard to see merit in enabling the build of 85 homes at this location.

**How does the Reporter justify ignoring the Scottish Governments commitment to reducing carbon emissions?**

In para 48, the Reporter states that "the proposal would support the delivery of necessary roads improvements".

**This is not evidenced anywhere in the appellants proposals, and therefore why does the Reporter come to this conclusion?**

6. **Financial Benefit** – In para 46 the Reporter states the financial benefit to the area from the development. These are the appellants figures lifted directly from their application, with no attempt to ascertain whether these are accurate figures. It is hard to believe that the development would add £5.6 million of construction spending to the Ayrshire economy. It is more likely that the largest part of the spending would go to large UK national companies and rather than employing an equivalent of 24 local people for 4 years, a number of those employed would not come from the local area. Similarly, the claim that the residents would spend £650,000 annually in local retail facilities is unfounded. The definition of “local” is loose, and given recent experience of local shopkeepers, certainly the money would not be spent in Symington’s shops.

**Why has the Reporter taken the Appellant’s claims at face value?**

7. **LDP Delivery** – Whilst the Reporter in Para 67 states that he does not wish to bypass any comparative site assessments within the emerging LDP, he states it is justifiable to prejudge matters as the emerging LDP is still at an early stage. It should be recorded that the existing LDP is still current until September 2019 and therefore the sites identified within that plan are those which should be considered as valid.

**Considering the current shortfall in land supply and built units, has the Reporter investigated the latest 2018/19 figures, rather than utilising the 2017/18 figures quoted in the documents submitted?**

There is currently a full Application for Planning Permission from Persimmon Homes, one of the UK’s largest housebuilders, originally lodged in August 2018, for 297 homes in Monkton, South Ayrshire, roughly 2 miles from the appellant’s site. The site is already allocated in the LDP. This will go to Committee for decision by November 2019.

**Is the Reporter aware of this Planning Application and if so, surely the Reporter should take this into account before being minded to approve this unallocated site?**

South Ayrshire Council are already in discussion with a developer for another site in Symington. This is an allocated site in the emerging LDP, to build 120 homes with direct access to the A77, and with the capability of facilitating a relief road to provide alternative access, other than Symington Conservation Main Street, to new developments including SYM1. This developer has already engaged with the community through a Community Consultation and has presented at a Community Council Meeting

**Is the Reporter aware of this fact, and if not, surely the Reporter should take this into account before being minded to approve this unallocated site?**

In para 27, the Reporter dismisses South Ayrshire’s concern that the appellant will not deliver the proposed development within the 3 year timeframe required within the SG. Given that it has taken this application over two years at PPIP stage, it should be clear that Detailed Planning Permission will face significant opposition and delays in receiving Planning Consent. It is therefore more than likely that the 3 year timeframe to deliver the proposed development will be exceeded.

**Why therefore does the Reporter believe that this proposed development will be delivered as per SG Stage 2 requirement?**

It is our understanding that South Ayrshire Planning Department will publish the new LDP within the next 3 months. It would therefore seem fitting that the Reporter should delay any decision until such times as the competing site allocations are published.

**Can the Reporter please provide clarity on why he feels that the existing LDP should be dismissed as invalid and why there is an urgent need to prejudge matters prior to the publishing of the emerging LDP?**

- 8. Public Footways** – In condition 15, the Reporter requires that a minimum width of 2 metre footway should be provided along Brewlands Road. 2 metres are not available on the south side of the road where the majority of houses lie, whereas if placed on the north side of the road those residents would have to cross Brewlands Road and Lomond Drive to join up with an existing footpath. As the crossing would have to be close to the brow of a hill, this would seem like a very dangerous proposition. This condition therefore appears to be impossible to fulfil without endangering pedestrians.

**Can the Reporter explain how he thinks such footways can be constructed given the physical constraints of a country road?**

It is also stated that this footway will only be required to be constructed prior to occupation of the **FINAL** residential unit on the development. Surely in the interests of pedestrian safety a footpath should be completed prior to the **FIRST** residential unit being completed.

**Can the Reporter explain his logic in this timeline for provision of this footpath?**

- 9. Construction Traffic** – In condition 19, the Reporter states that no construction traffic shall enter or leave the site other than in accordance with the Construction Traffic Management Plan. There was a Plan in place for the current SYM1 development which has been constantly ignored by construction traffic. We have been advised by Ayrshire Roads Alliance that these plans are not enforceable under law and therefore it is certain that construction traffic arriving from the south of the village will take the easy route to the site and will traverse the village centre past the church and school. At school start and finish times this area is heavily congested with parked cars and children crossing the road. The addition of construction traffic will further endanger both road users and pedestrians. Should the construction traffic come from the north then it will have to traverse the tight double bends at Knockendale Farm. This road is heavily used by pedestrians and cycle groups and therefore even this route would be unsafe for drivers, cyclists and pedestrians.

**If the Reporter believes that Construction Traffic Management Plans are legally binding, then can he please advise under what legislation this is covered?**

**If the Reporter knows of no binding legislation, can the Reporter guarantee the safety of villagers during the Construction Phase?**

- 10. Landscape**- The reporter's opinion is that "the urbanising effect from development of the site would only be visible from very close to the site ". The topography of the site has perhaps not been fully appreciated by the Reporter.

Clearly this development will impact on the setting of the village and will affect its character. Issues such as visibility from the A77, prominence on approach from the north on rising ground, a localised ridge in the field and critically no defensible north-eastern boundary to the village, make it inappropriate in terms of landscape impact.

Whilst the effect on views from the conservation area would not be affected, the remainder of the north and east side of the village will certainly be overlooked by this development.

**Why does the Reporter not appear to put any weight on this effect?**

We, Symington Community Council, believe that the above points are material to the decision reached by the Reporter. We would hope and expect that they would be responded to prior to any decision being reached, and taken into account when the Reporter issues his final decision on this PPIP.



Planning Contact

Symington Community Council