

Planning and Building Standards

Service Lead – Planning and Building Standards: Craig Iles

Planning Service, County Buildings, Wellington Square, Ayr, KA7 1DR
Tel: 01292 616 107
Email: fiona.sharp@south-ayrshire.gov.uk
Our Ref: 24/00752/APP
Date: 5 June 2025



Mrs Dorothy Birks
per CASA Design Architects Ltd
Christopher Stewart
The Studio
41A Beresford Terrace
Ayr
KA7 2HD

Dear Sir/Madam,

THE TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997 (AS AMENDED)

APPLICATION REF: 24/00752/APP
SITE ADDRESS: Public Convenience North Shore Road Troon South Ayrshire
PROPOSAL: Erection of new building to form restaurant and change of use of open space to form car park

With reference to your Application for Planning Permission, I enclose a copy of the Decision Notice approving permission. This Decision Notice should be read in conjunction with our [Guidance Note for Planning Decisions](#).

The approved drawings and other documents, where relevant, can be accessed from the [Council's website](#) by using the application reference number noted above. You may find the Report of Handling (otherwise entitled 'Panel Report') of particular interest, as this sets out an assessment of the application and an explanation for the decision taken.

In order for my staff to adequately monitor development, I would draw your attention to the [Guidance Note for Planning Decisions](#), which require you to submit a Notification of Initiation of Development. I would advise you that failure to comply with submission of this Notification to the Council is a breach of Planning control. You are also required to submit to the Council a Notification of Completion of Development.

For national and major developments, or local development which is Schedule 3 development (previously known as 'bad neighbour' development), you are also required to display a Site Notice whilst development progresses at all times. Please refer to the aforementioned guidance notes for advice in relation to the above three notices and the required content of these notices.

If you require further information in respect of your permission, please contact Fiona Sharp - Supervisory Planner (Development Management) on the above contact details.

Yours faithfully,

Craig Iles
Service Lead – Planning and Building Standards

Encs.

LOCAL DEVELOPMENT

**APPLICATION FOR PLANNING PERMISSION
(Regulatory Panel)**

Ref No: 24/00752/APP

SOUTH AYRSHIRE COUNCIL

**THE TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997 (AS AMENDED)
THE TOWN AND COUNTRY PLANNING (GENERAL DEVELOPMENT) (SCOTLAND) ORDERS**

**To: Mrs Dorothy Birks
per CASA Design Architects Ltd
Christopher Stewart
The Studio
41A Beresford Terrace
Ayr
KA7 2HD**

With reference to your **Application for Planning Permission** dated **7th October 2024**, under the aforementioned Regulations, for the following development, viz:-

Erection of new building to form restaurant and change of use of open space to form car park

at: Public Convenience North Shore Road Troon South Ayrshire

South Ayrshire Council in exercise of their powers under the aforementioned Regulations hereby **approve** the Application for Planning Permission for the said development in accordance with the following conditions as relative hereto and the particulars given in the application. The approved drawings and other documents, where relevant, can be accessed from the [Council's website](#) by using the application reference number noted above and these represent the approved scheme.

You are legally required to fully comply with all the particulars as set out in the terms of this decision notice, including the particulars as listed within the 'List of Approved Plans'.

The following condition(s) and corresponding reason(s) which relates to this permission are:

NOTE: Conditions will be numbered and prefixed with a 'C'. The corresponding reason will be numbered the same as the attached condition, but prefixed with an 'R'.

- (1C) That the development hereby permitted must be begun within three years of the date of this permission.
- (1R) To be in compliance with Section 58 of The Town and Country Planning (Scotland) Act 1997 as amended by Section 32 of The Planning (Scotland) Act 2019.
- (2C) That the development hereby granted shall be implemented in accordance with the approved plan(s) as listed below and as forming part of this permission unless a variation required by a condition of the permission or a non-material variation has been agreed in writing by the Planning Authority.
- (2R) To ensure that the development is carried out in accordance with the approved plans unless otherwise agreed.
- (3C) That prior to the commencement of development, samples or a brochure of all materials to be used on external surfaces, in respect of type, colour and texture, shall be submitted for the prior written approval of the Planning Authority and thereafter shall be implemented as approved. The external materials to be utilised shall consist of flood resistant and resilient materials.
- (3R) In the interests of visual amenity.

- (4C) Surface water from the site shall be treated in accordance with the principles of the Sustainable Urban Drainage Systems (SUDS) Manual published by CIRIA in March 2007 (or as amended).
- (4R) To ensure the site is drained in an acceptably sustainable manner and the drainage infrastructure is properly maintained.
- (5C) That, the operation of the restaurant facility shall not commence, until such a time that the works to form the upgraded and extended car park as shown on the approved plans have been completed to the satisfaction of the Planning Authority, in conjunction with the Ayrshire Roads Alliance.
- (5R) For the purposes of road safety and functional operation of the local road network.
- (6C) That, prior to the commencement of development, details shall be submitted for the written approval of the Planning Authority, in conjunction with the Ayrshire Roads Alliance, of the measures to upgrade the existing car park, and in terms of how the extended car park area is to be formed, including; surface details, and the provision of replacement bollards, and the formation of parking bays. Thereafter, the car park areas and associated works shall be implemented as per the agreed specification and shall be retained in perpetuity, for the lifetime of the development.
- (6R) In the interest of road safety and to ensure an acceptable standard of construction.
- (7C) That, the operation of the restaurant facility shall not commence, until such a time that the existing footpath link running between the controlled pedestrian crossing on North Shore Road and the Promenade has been widened and/ or realigned as required to maintain a minimum 3 metre width over the entire length of the footpath. The detailed design of the footpath shall be submitted for the written approval of the Planning Authority, in conjunction with the Ayrshire Roads Alliance, prior to the commencement of works on-site.
- (7R) In the interest of road safety and to ensure an acceptable standard of construction, and to encourage sustainable means of travel.
- (8C) That before the operation of the facility commences a Travel Plan, shall be submitted for the formal prior written approval of the Council as Planning Authority (in consultation with the Ayrshire Roads Alliance as Roads Authority). The Travel Plan shall identify the measures to be implemented, the system of management, monitoring, review, reporting and the duration of the plan. It shall incorporate measures designed to encourage modes of travel other than private car.
- (8R) To encourage sustainable means of travel.
- (9C) That prior to the commencement of development, details shall be submitted of cycle parking for a minimum of 10 cycles for the written approval of the Council as Planning Authority (in consultation with the Ayrshire Roads Alliance as Roads Authority). Thereafter, the agreed cycle parking shall be implemented as per the agreed specification and shall be retained in perpetuity, for the lifetime of the development.
- (9R) To encourage sustainable means of travel.
- (10C) That off street parking provision shall be provided within the site in accordance with the submitted and approved layout plan.
- (10R) In the interest of road safety and to ensure adequate off-street parking provision. To reduce the potential for congestion and obstruction caused by off site car parking.
- (11C) That parking bays shall be a minimum 4.8 metres x 2.5 metres with minimum aisle widths of 6 metres.
- (11R) To ensure adequate off-street parking provision.

- (12C) That before any works start on site, details shall be submitted for the prior written approval of the Planning Authority, in conjunction with the Ayrshire Roads Alliance, of the servicing arrangements for vehicles, and waste management arrangements for the proposed development. Thereafter, servicing and waste management shall be carried out in accordance with the arrangements approved under the terms of this condition.
- (12R) In the interest of road safety and to ensure that there is adequate space for manoeuvring and turning, and the provision of adequate waste management facilities.
- (13C) That, prior to the commencement of works on-site, details shall be submitted of a suitable ventilation system incorporating an air dilution and/or filtration system for the written approval of the Planning Authority, in conjunction with the Council's Environmental Health Service. Thereafter, the system shall be installed and operational prior to the operation of the facility and thereafter shall be retained as approved.
- (13R) To satisfy the requirements of the Council's Environmental Health Service.
- (14C) That, prior to the commencement of works on-site, details shall be submitted of any proposed external seating area/ and or any means of enclosure to the south of the site, for the written approval of the Planning Authority. Thereafter, any external seating area and boundary treatment shall be formed as per the agreed specification.
- (14R) In the interest of visual amenity.
- (15C) That no development shall commence on-site until such a time as full details of a flood mitigation and evacuation plan for the development has been submitted for the prior written approval of the Council as planning authority. Thereafter, the flood mitigation and evacuation plan shall be adhered to at all times, and shall remain in place for the lifetime of the development.
- (15R) In the interest of flood mitigation.
- (16C) That, prior to its first operation, the development hereby permitted shall have a minimum finished floor level of 5.45 metres AOD, and shall be retained as such, for the lifetime of the development, to the satisfaction of the Council.
- (16R) To alleviate any risk of flooding to the development.
- (17C) That, prior to the commencement of development on-site, details shall be submitted for the prior written approval of the planning authority of the proposed biodiversity enhancement measures to be undertaken at the site, which shall include the planting of native species appropriate to a coastal location. Thereafter, the development shall be implemented as per the agreed specification, and retained for the lifetime of the development.
- (17R) In the interests of biodiversity.

(18C) That, prior to the commencement of development on-site, a Construction and Environmental Management Plan ("CEMP") outlining site specific details of all on-site construction works, post-construction reinstatement, drainage and mitigation, together with details of their timetabling shall be submitted to and approved in writing by the planning authority. The CEMP shall include (but shall not be limited to):

- a) a site waste management plan;
- b) a dust management plan;
- c) site specific details for management and operation of any concrete batching plant (including disposal of pH rich waste water and substances);
- d) details of measures to be taken to prevent loose or deleterious material being deposited on the local road network and site entrances;
- e) a pollution prevention and control method statement, including arrangements for the storage and management of oil, fuel and other chemicals on the site;
- f) soil storage and management;
- g) a water and drainage management plan for all groundwater, surface and waste water;
- h) details of any temporary site illumination;
- i) the method of construction of the access into the site and the creation and maintenance of associated visibility splays;
- j) details of the methods to be adopted to reduce the effects of noise occurring during the construction period;
- k) the presence or absence of any invasive non-native species (INNS) within the site, and any mitigation measures proposed;
- l) methodology for the movement of all demolition and construction traffic to and from the site including routing, hours of operation, wheel washing facilities.

The development shall be implemented thereafter in accordance with the approved CEMP unless otherwise approved in writing by the planning authority.

(18R) In the interests of amenity.

List of Approved Plans:

Plan Type	Reference	Version No.	Received Date
Drawing	546/01		07.10.2024
Drawing	546/02		07.10.2024
Drawing	546/03		07.10.2024
Drawing	546/04		07.10.2024
Drawing	546/05		07.10.2024
Drawing	546/06		07.10.2024
Drawing	546/07		07.10.2024
Drawing	546/08		07.10.2024
Drawing	546/09		07.10.2024
Supporting Information	Design Statement		07.10.2024
Supporting Information	Design Statement		07.10.2024
Supporting Information	Flood Risk Assessment		07.10.2024
Supporting Information	Travel Plan		07.10.2024
Supporting Information	Additional Planning Information		07.02.2025

Advisory Notes:

- (1) A [site notice](#) to be displayed in accordance with Section 27C (1) of The Town and Country Planning (Scotland) Act 1997 and Regulation 38 and Schedule 7 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013 (as amended) shall be completed, printed on durable material, and be displayed in a prominent place (readily visible to members of the public) at or in the vicinity of the site while the development hereby approved is in progress. This requirement is in order to ensure that members of the public are made aware of the background to the development in progress and have access to the necessary contact details.
- (2) The person who intends to carry out the development hereby approved shall, as soon as practicable after deciding on a date on which to initiate the development, complete the form entitled '[Notification of Initiation of Development](#)' and submit it to the Planning Authority before commencement of the development. For the avoidance of doubt, failure to submit the required notice would constitute a breach of Planning control under Section 123 (1) of The Town and Country Planning (Scotland) Act 1997 (as amended). This notification is required to ensure compliance with the requirements of Planning Legislation as contained in Section 27A of The Town and Country Planning (Scotland) Act 1997 (as amended).
- (3) The developer is required in carrying out the development hereby approved to submit to the Planning Authority a formal written '[Notification of Completion of Development](#)' as soon as practicable after the development has been completed. This notification shall include the reference number of the Planning permission, the site address and the date of completion. This requirement is to ensure compliance with the requirements of Planning Legislation as contained in Section 27B (1) of The Town and Country Planning (Scotland) Act 1997 (as amended).
- (4) The developer is required in carrying out the development hereby approved to submit to the Planning Authority a formal written Notification of Completion of Phases of Development as soon as practicable after completion of each phase of the development and subsequently a 'Notification of Completion of Development' as soon as practicable after the whole development has been completed. These notifications shall include the reference number of the Planning permission, the site address and the date of completion of the relevant phase. This requirement is to ensure compliance with the requirements of Planning Legislation as contained in Section 27B (1) and Section 27B (2) of The Town and Country Planning (Scotland) Act 1997 (as amended).
- (5) Food Safety - The premises require to fully comply with the Health and Safety at Work etc Act 1974 and the Food Safety Act 1990 and any Regulations and requirements therein and thereto.
- (6) Public Health - Refuse Stores - Adequate provision must be made for the storage and disposal of food waste, non-edible by-products and other refuse.
- (7) Refuse stores are to be designed and managed in such a way as to enable them to be kept clean and, where necessary, free of animals and pests.
- (8) The proposed plans do not set out clearly where any cooking facilities, hand wash sinks or raw and ready to eat preparation areas would be. Further information about the type and the location of these installations within the kitchen is needed.
- (9) That the application site delineated in red on the submitted plans is not indicative of the planning unit associated with the proposed restaurant facility. For the avoidance of doubt, the planning unit associated with the restaurant facility extends to the built footprint of the buildings only.
- (10) The Council as Roads Authority advises that any costs associated with the relocation of any street furniture will require to be borne by the applicant/developer.

Reason for Decision:

The siting and design of the development hereby approved is considered to accord with the provisions of the statutory development plan and through a combination of factors including the appropriate site layout and design, and condition. There is no significant adverse impact on the amenity of neighbouring land and buildings that would warrant a different recommendation.

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

It should be understood that this permission does not carry with it any necessary consent or approval to the proposed development under other statutory enactments.

Dated: 5th June 2025

Craig Iles

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Craig Iles
Service Lead – Planning and Building Standards

COUNTY BUILDINGS, WELLINGTON SQUARE, AYR, KA7 1DR

Note:

In addition to this approval and before proceeding with the development the applicant may require a Building Warrant under the Building (Scotland) Act 2003 as amended or a Road Opening Permit or Construction Consent under the Roads (Scotland) Act 1984 Legislation.

NOTICE TO ACCOMPANY REFUSAL OR GRANT OF PERMISSION WITH CONDITIONS

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997 (AS AMENDED)

- (1) If the applicant is aggrieved by the decision of the Planning Authority to refuse permission or for approval required by condition in respect of the proposed development, or to grant permission for approval subject to conditions, the applicant may appeal to the Scottish Ministers under Section 47 of The Town and Country Planning (Scotland) Act 1997 (as amended) within **three months** from the date of this notice.

Appeals can be submitted via the [ePlanning Scotland website](#). This is the most efficient method to submit an appeal.

Alternatively, you can submit an appeal via paper form addressed to:

The Planning and Environmental Appeals Division
Scottish Government,
Ground Floor, Hadrian House,
Callendar Business Park,
Callendar Road,
Falkirk FK1 1XR

T: 0300 244 6668 E: DPEA@gov.scot

Please note that a copy of the notice of appeal must at the same time be sent to South Ayrshire Council, Planning Service, County Buildings, Wellington Square, Ayr, KA7 1DR.

- (2) If permission to develop land is refused or granted subject to conditions, whether by the Planning Authority or by the Scottish Ministers, and 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 against the Planning Authority for compensation, where permission is refused or granted subject to conditions by the Scottish Ministers, or on a reference of the application to him. 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 Sections 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. Section 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.