North Ayrshire Council
Comhairle Siorrachd Àir a Tuath

Planning Committee

A Special Meeting of the **Planning Committee** of North Ayrshire Council will be held via Microsoft Teams on **Wednesday, 02 September 2020** at **10:00** to consider the undernoted business.

Arrangements in Terms of COVID-19
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. A recording of the meeting will be available to view at https://north-ayrshire.public-i.tv/core/portal/home

1 Declarations of Interest
Members are requested to give notice of any declarations of interest in respect of items of business on the Agenda.

2 Minutes
The accuracy of the Minutes of the Special meeting of the Committee held on 24 June 2020 and will be confirmed and the Minutes signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973 (copy enclosed).

3 Irvine
Submit reports on the following applications:

3.1 19/00930/PPM: Phase 2 Site to North Of Tarryholme Pond Irvine Ayrshire
Erection of 77 no dwellinghouses to include associated roads, footpaths, open space, landscaping and associated SuDS infrastructure (copy enclosed).

3.2 20/00572/PP: Dundonald Links Ayr Road Irvine Ayrshire KA11 5AB
Section 42 application to vary condition 14 attached to planning application N/19/00748/PPM (copy enclosed).

4 Garnock Valley
Submit reports on the following applications:

4.1 19/00903/PPM: Site To South East Of Moorpark Primary School Milton Road Kilbirnie Ayrshire
Erection of primary school to include associated access, parking, playground and sports pitch (copy enclosed).

5 Notice under Section 127 of the Town and Country Planning (Scotland) Act 1997: 27 Lomond Crescent, Beith, Ayrshire, KA15 2EA
Submit report by Executive Director (Place) to serve a Notice under Section 127 of the Town and Country Planning (Scotland) Act 1997 requiring the removal of an outbuilding at 27 Lomond Crescent, Beith, Ayrshire, KA15 2EA (copy enclosed).

6 Planning Performance Framework
Submit report by Executive Director (Place) on the 2019/20 Planning Performance Framework (copy enclosed).

7 Urgent Items
Any other items which the Chair considers to be urgent.

Planning Committee Sederunt

Tom Marshall (Chair) Timothy Billings (Vice-Chair) Robert Barr Ian Clarkson Robert Foster Christina Larsen Shaun Macaulay Ellen McMaster Ronnie McNicol Donald Reid	Chair: Apologies: Attending:

Planning Committee
24 June 2020

Virtual Meeting, 24 June 2020 - At a Meeting of the Planning Committee of North Ayrshire Council at 10.00 a.m.

Present
Tom Marshall, Timothy Billings, Robert Barr, Ian Clarkson, Robert Foster, Christina Larsen, Shaun Macauley, Ellen McMaster, Ronnie McNicol.

In Attendance
J. Miller, Chief Planning Officer (Planning), A. Craig, Senior Manager, J. Law; Solicitor (Legal Services); M. Lindsey, Customer Solutions Supervisor (ICT); M. Anderson, Senior Manager (Committee & Member Services), and E. Gray, D. McCaw, A. Little and H. Clancy, Committee Services Officers (Chief Executive's Service).

Also In Attendance
A. Hume, Senior Development Management Officer, I.Davies, Senior Development Management Officer, A Gemmell, Manager, J. Mack, Planning Officer and K. Gee, Technician (Planning).

Apologies
Donald Reid

Chair
Councillor Marshall in the Chair.

1. Declarations of Interest

There were no declarations of interest by Members in terms of Standing Order 10 and Section 5 of the Code of Conduct for Councillors.

2. Minutes

The Minutes of the meeting of the Planning Committee held on 22 January 2020 were confirmed and the Minutes signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

3.1 19/00908/PPM: Site To South And West Of 10 Crompton Way, North Newmoor, Irvine

Persimmon Homes have applied for Planning Permission for the erection of 197 dwelling houses together with associated roads, paths, open space, SuDS infrastructure and landscaping. No representations were received.

Members noted that Education had not provided a response to the consultation. In response the Chief Planning Officer (Planning) responded that Educational capacity for each residential allocation had been addressed through the Local Development Plan process.

The Chief Planning Officer (Planning) undertook to contact Education to ascertain the school allocation attributable for the site; and request that Education respond to the consultation and provide allocation and capacity advice for each future residential application.

Councillor Foster seconded by Councillor Larsen, moved to approve planning permission subject to conditions.

There being no amendment, the motion was declared carried.

Accordingly, the Committee agreed to grant the application subject to the following conditions:

1. That, prior to the commencement of any building operations, the applicant shall submit for the written approval of North Ayrshire Council as Planning Authority a detailed schedule of the proposed external finishes. Thereafter, the development shall be implemented only in accordance with such details as may be approved, unless otherwise agreed in writing with North Ayrshire Council as Planning Authority.

2. That prior to the commencement of the development hereby approved, the applicant shall submit:
   - Full details of the proposed acoustic barriers, and
   - A scheme of maintenance for the acoustic barriers for the written approval of North Ayrshire as Planning Authority. For the avoidance of doubt the barrier requires to be effective acoustically, such as a close boarded timber fence with a mass per unit of area in excess of 12kg/m2 and with no gaps at the joints, or alternatively, a continuous masonry wall. The acoustic barriers shall thereafter be erected in accordance with such details as may be approved and maintained in accordance with such as scheme as may be approved, all to the satisfaction of north Ayrshire Council as Planning Authority.

3. That prior to the commencement of the development hereby approved, the applicant shall provide details of which houses will be provided with thermal double glazing and acoustic ventilation providing sound reduction of a minimum of 30dBRw for the written approval of North Ayrshire Council as Planning Authority. The applicant shall also provide full details of the proposed thermal double glazing and acoustic ventilation for the written approval of North Ayrshire Council as Planning Authority. Thereafter, the development shall be implemented only in accordance with such details as may be approved, unless otherwise agreed in writing with North Ayrshire Council as Planning Authority.

4. That the rated noise level, as defined in BS4142, from the commercial activities must not exceed the background noise level at the curtilage of any proposed residential property by 5dB(A) or more.

5. That prior to the commencement of the development, hereby approved, the applicant shall undertake a desk study of the application site, (including the review of any previous site investigations) to assess the likelihood of contamination and assist in the design of an appropriate site investigation and

subsequent suitable quantitative risk assessment. Remediation proposals shall also be presented in relation to any significant findings.
All documentation shall be verified by a suitably qualified Environmental Consultant and submitted to the satisfaction of North Ayrshire Council as Planning Authority. Thereafter the presence of any significant unsuspected contamination, which becomes evident during the development of the site, shall be reported to North Ayrshire Council and treated in accordance with an agreed remediation scheme.
The presence of any significant unsuspected contamination that becomes evident during the development of the site shall be brought to the attention of Environmental Health. Thereafter a suitable investigation strategy as agreed with North Ayrshire Council shall be implemented and any necessary remediation works carried out prior to any further development taking place on the site, all to the satisfaction of North Ayrshire Council as Planning Authority.
On completion of the proposed works written verification, detailing what was done by way of any remediation, shall also be submitted, all to the satisfaction of North Ayrshire Council as Planning Authority.

6. That prior to the commencement of the development the applicant shall assess if a Detailed Air Quality Assessment is required to ensure that the development will not impact ambient air quality at any sensitive receptors and submit the findings to North Ayrshire Council. If required, a Detailed Air Quality Assessment will be submitted to the satisfaction of North Ayrshire Council.

7. That prior to the commencement of the development hereby approved, full details of the drainage arrangements including:
- post development overland flow paths, attenuation measures and overflow devices,
- porous paving or linear filter trenches adjacent to car areas/driveways,
- a maintenance schedule for the proposed drainage assets,
- a land drainage strategy shall be provided for the written approval of North Ayrshire Council as Planning Authority. The development shall then progress in accordance with such details as may be approved.

8. That, prior to the commencement of the development hereby approved, a scheme of further intrusive site investigations for mine entries and adits shall be undertaken by appropriately qualified persons, the scope of which shall be adequate to fully assess the ground conditions below the site and inform any required remedial works. Thereafter, the applicant or their representative shall prepare and submit a report of findings arising from the intrusive site investigations for the approval of North Ayrshire Council as Planning Authority. Any remediation works which are approved shall then be carried out prior to the commencement of the development.

9. No development shall take place within the development site as outlined in red on the approved plan until the developer has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted by the applicant, agreed by North Ayrshire Council as Planning Authority. Thereafter the developer shall ensure that the programme of archaeological works is fully implemented and that all

recording and recovery of archaeological resources within the development site is undertaken to the satisfaction of the Planning Authority in agreement with the West of Scotland Archaeology Service.

10. That immediately prior to the commencement of the development hereby approved, a pre-construction badger survey shall be undertaken in order to determine whether any new setts have been established on the site and submitted for the approval of North Ayrshire Council as Planning Authority. If any setts are discovered, the development shall not progress until a scheme of mitigation has been approved and undertaken, all to the satisfaction of North Ayrshire Council as Planning Authority.

11. That prior to the commencement of the development hereby approved, the applicant shall submit full details of the proposed boundary treatments for the written approval of North Ayrshire as Planning Authority. The development shall then progress in accordance with such details as may be approved to the satisfaction of north Ayrshire Council as Planning Authority.

12. That no development shall take place until there has been submitted to and approved by North Ayrshire Council as Planning Authority a scheme of landscaping, which shall include details of species, planting densities, soil treatment and aftercare and shall include indications of all existing trees and hedgerows on the land and details of any to be retained together with measures for their protection in the course of the development.

13. That all planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting season and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which, within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless North Ayrshire Council as Planning Authority gives written consent to any variation.

14. That during construction, a 30m buffer shall be established around the four trees identified in the Phase One Habitat Survey (EDI_1952) as being within 30m of the site and having potential for bat roosts. If this cannot be achieved a further tree climbing assessment shall be carried out and If any roosts are discovered, the development shall not progress until a scheme of mitigation has been approved and undertaken, all to the satisfaction of North Ayrshire Council as Planning Authority.

4.1 20/00106/PPM: West Byrehill Industrial Estate, Byrehill Place, Kilwinning

Dawn Homes Limited have applied for planning permission for a residential development comprising 76 terraced and semi-detached dwelling houses with associated infrastructure and landscaping. No representations were received.

In response to a query by Members, the Chief Planning Officer (Planning) suggested the inclusion of a further condition in relation to the policy position on carbon emissions.

Members noted that Education had not provided a response to the consultation. In response the Chief Planning Officer (Planning) responded that Educational capacity for each residential allocation had been addressed through the Local Development Plan process.

The Chief Planning Officer (Planning) undertook to contact Education to ascertain the school allocation attributable for the site; and request that Education respond to the consultation and provide allocation and capacity advice for each future residential application.

Councillor Foster seconded by Councillor Billings, moved to approve planning permission subject to the conditions set out in the report and the additional condition referred to above.

There being no amendment, the motion was declared carried, Councillor Barr dissenting.

Accordingly, the Committee agreed to grant the application subject to the following conditions:

1. That prior to the commencement of the development hereby approved, the applicant shall submit the following for the written approval of North Ayrshire as Planning Authority:
   - Full details of the wall vent and glazing systems for houses where noise reduction measures are recommended in the submitted noise impact assessment by Bureau Veritas (March 2020);
   - Full details of the proposed acoustic fencing for the boundary of the site with the transport depot, and
   - A scheme of maintenance for the acoustic fencing,
   For the avoidance of doubt, the materials used for constructing the acoustic fencing shall require a mass per unit of area in excess of 12kg/m2, with no gaps at the joints between timber boards. The acoustic fencing shall be erected in accordance with such details before any of the associated houses are occupied and thereafter retained permanently in accordance with the scheme of maintenance as may be approved, all to the satisfaction of north Ayrshire Council as Planning Authority.

2. That, prior to the commencement of any building operations, the applicant shall submit for the written approval of North Ayrshire Council as Planning Authority a finalised schedule of the proposed external finishes to be used, including

driveway and path surfaces. Thereafter, the development shall be implemented only in accordance with such details as may be approved, unless otherwise agreed in writing with North Ayrshire Council as Planning Authority.

3. That prior to the commencement of the development the applicant shall assess if a Detailed Air Quality Assessment is required to ensure that the development will not impact ambient air quality at any sensitive receptors and submit the findings to North Ayrshire Council. If required, a Detailed Air Quality Assessment will be submitted to the satisfaction of North Ayrshire Council.

4. That prior to the commencement of the development hereby approved, the recommendations contained in the submitted Ecological Assessment (January 2020), including further survey work and the preparation of a biodiversity action plan shall be undertaken for implementation by the applicant during the course of the development under the supervision of the ecological consultant, all to the satisfaction of North Ayrshire Council as Planning Authority.

5. That the plot boundary treatments as illustrated on the approved plans shall be erected prior to the occupation of each house within the developnent to the satisfaction of North Ayrshire Council as Planning Authority.

6. That no development shall take place until there has been submitted to and approved by North Ayrshire Council as Planning Authority a scheme of landscaping, which shall include details of species, planting densities, soil treatment and aftercare, taking account of the required biodiversity action plan. Thereafter, all planting, seeding or turfing comprised in the details as may be approved shall be carried out in the first planting season and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner. Any trees or plants which, within a period of five years from their planting die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless North Ayrshire Council as Planning Authority gives written consent to any variation.

7. That the presence of any significant unsuspected contamination that becomes evident during the development of the site shall be brought to the attention of Environmental Health. Thereafter a suitable investigation strategy as agreed with North Ayrshire Council shall be implemented and any necessary remediation works carried out prior to any further development taking place on the site, all to the satisfaction of North Ayrshire Council as Planning Authority.

8. That, prior to the commencement of the development hereby approved, details of the heat and power systems for the houses, which shall include low or zero carbon technologies to demonstrate that at least 10% of the current carbon emissions reduction set by Scottish Building Standards will be met, shall be submitted for the written approval of North Ayrshire Council as Planning Authority. Thereafter, the development shall be implemented in accordance with such details as may be approved unless otherwise agreed in writing with North Ayrshire Council as Planning Authority.

4.2 20/00323/PPM: West Byrehill Industrial Estate, Byrehill Place, Kilwinning

Ashtenne Industrial Fund LLP have applied for a Section 42 planning application to remove/vary conditions 1 (j) and 2 of planning permission 13/00038/PPPM (for residential development and a neighbourhood centre). No representations were received.

Councillor Foster seconded by Councillor Marshall, moved to approve the application subject to conditions.

There being no amendment, the motion was declared carried.

Accordingly, the Committee agreed to grant the application subject to the following conditions:

1. Prior to the commencement of any development on site, a further application(s) for the approval of the matters specified in this condition shall be submitted to and approved by North Ayrshire Council as Planning Authority. These matters are as follows:
   a) a design and access statement taking into account the relevant North Ayrshire supplementary design guidance;
   b) details of the layout of the development, including roads, footways, shared paths, cycle routes, open spaces, parking and infrastructure;
   c) the siting, design and external appearance of all buildings and any other structures, including dimensioned plans and elevations together with the details of external materials;
   d) a suitably detailed flood risk assessment inclusive of measures to reduce the risk of flooding within the site and the surrounding area;
   e) the means of drainage and surface water strategy and methodology for sewage disposal, including Sustainable Urban Drainage Systems (SuDS), all set out in a comprehensive Drainage Assessment, including maintenance. SuDS shall be self-certified by a suitably qualified person;
   f) the means of access to the site, including appropriate provision for walking, cycling and public transport;
   g) the design and location of all boundary treatments including walls and fences;
   h) details of landscaping and associated maintenance proposals, including details of existing trees, hedgerows and other planting to be retained and tree protection measures together with detailed proposals for all new planting and its aftercare; and
   i) a phasing plan for the development, the details of which may subsequently be varied through written agreement with North Ayrshire Council as Planning Authority.

2. The application(s) for approval of these further matters must be made to the Council as Planning Authority before whichever is the latest of the following:
   (a) expiry of 5 years from when this permission in principle was granted
   (b) expiry of 6 months from date when an earlier application for approval was refused, and
   (c) expiry of 6 months from date on which an appeal against the refusal was dismissed. Approval of the further specified matters can be made for -

(i) different matters, and
(ii) different parts of the development at different times.
Only one application for approval of matters specified in conditions can be made after 5 years from the grant of this planning permission in principle.

3. The proposed development shall be designed in accordance with the principles of the Scottish Government's "Designing Streets" and Designing Places" policy documents and any replacements thereof and North Ayrshire Council's Neighbourhood Design Guidance to the satisfaction of North Ayrshire Council as Planning Authority.

4. That prior to the commencement of the development, hereby approved, the applicant shall submit for the written approval of North Ayrshire Council as Planning Authority, a Strategy for Open Space which shall include proposals for (i) the provision of open space and play provision, in accordance with the North Ayrshire Council policy "Provision and Maintenance of Landscaping, Open Space and Play Areas in New Housing Developments" and any replacements thereof, together with proposals for the management and maintenance of open space.

5. That the further application(s) required under the terms of Condition 1 above shall include submission of a strategic assessment of how new buildings shall reduce their CO2 emissions to a level above or in line with the building standards through appropriately designed: on-site low or zero carbon generating technologies (LZCGTs); and/or passive/operational energy efficiency measures. The specific implementation/detail documentation shall be submitted at the time of submission for Building Warrant, all to the satisfaction of North Ayrshire Council as Planning Authority.

6. That the recommendations within the Ecology Assessment Survey submitted in support of the application, shall be reviewed and implemented to the satisfaction of North Ayrshire Council as Planning Authority. Details shall be submitted demonstrating of the undertaking and/or programming of these recommendations. In addition, details of a scheme for the removal of non-native species from the site, shall be submitted for the approval in writing of North Ayrshire Council as Planning Authority. Thereafter any such scheme, which may be approved, shall be implemented to the satisfaction of North Ayrshire Council as Planning Authority

7. That prior to the commencement of the development, hereby approved, the applicant shall undertake a desk study of the application site, (including the review of any previous site investigations) to assess the likelihood of contamination and assist in the design of an appropriate site investigation and subsequent suitable quantitative risk assessment as advocated in BS10175: 2011. Remediation proposals shall also be presented in relation to any significant findings. All documentation shall be verified by a suitably qualified Environmental Consultant and submitted to North Ayrshire Council as Planning Authority. Any required remediation measures shall be undertaken, prior to the commencement of the development to the satisfaction of North Ayrshire Council as Planning Authority. Thereafter the presence of any significant unsuspected contamination,

which becomes evident during the development of the site, shall be reported to North Ayrshire Council and treated in accordance with an agreed remediation scheme. On completion of the proposed works written verification, detailing what was done by way of any remediation, shall also be submitted to the North Ayrshire Council as Planning Authority.

8. The development hereby approved shall commence in phases, and in accordance with the following transport requirements, unless otherwise agreed in writing by North Ayrshire Council as Planning Authority and in consultation with Transport Scotland. For the avoidance of doubt, not more than 180 houses constructed on the site shall be occupied until either:
(i) An updated transport assessment has been submitted to and approved by the planning authority, in consultation with Transport Scotland, confirming that additional development can be accommodated within the capacity of the trunk road network; OR
(ii) An updated transport assessment has been submitted to and approved by the planning authority, in consultation with Transport Scotland, confirming that additional development can be accommodated within the capacity of the trunk road network in the event of the implementation of appropriate measures identified within the approved transport assessment; OR
(iii) The modifications to the A78(T)/A738(T) Pennyburn Roundabout, generally as indicated in SIAS drawing number 75064-1 titled 'Pennyburn Roundabout Signalisation - Revision 1', and the modifications to the A738(T)/Pennyburn Road mini-roundabout and the A738(T) Whitehirst Road signalised to form a roundabout junction generally as indicated in SIAS drawing number 75064-5 titled Whitehirst Park Road have been implemented; OR (iv) North Ayrshire Council as Planning Authority Planning Authority or any other party has concluded an appropriate legal agreement or agreements for the funding and implementation of the works to mitigate the development.

9. That there shall be no means of direct access onto the A78 trunk road either pedestrian or vehicular.

10. That prior to the commencement of the development, details of a barrier along the boundary of the site with the A738 trunk road and with the A78 trunk road, shall be submitted for the approval in writing of North Ayrshire Council as Planning Authority. Thereafter the details, as may be approved, shall be provided and maintained by the developer or subsequent owner of the land to the satisfaction of North Ayrshire Council as Planning Authority.

5.1 20/00296/MDPO: Ardrossan Harbour, Montgomerie Street, Ardrossan

Clydeport Properties Limited have applied for a discharge of section 75 agreement relating to planning permission 01/00753/OPP. No representations were received.

Councillor McMaster seconded by Councillor Foster, moved to approve the discharge of section 75 agreement.

There being no amendment, the motion was declared carried.

Accordingly, the Committee agreed to grant the application.

6.1 20/00222/PP: Site To South East Of 41 Tarbert Avenue, West Kilbride

Mr Robert MacMillian has applied to remove condition 7 of planning permission in principle 18/00393/PPPM. 2 objections were received and summarised in the report.

The Chief Planning Officer (Planning) referred to a typographical error within section 1 of the report, clarifying that the application related to West Kilbride and not to Largs.

Councillor Marshall seconded by Councillor Foster, moved to approve the application subject to conditions.

There being no amendment, the motion was declared carried.

Accordingly, the Committee agreed to grant the application subject to the following conditions:

1. That prior to the submission of the first application for the approval of matters specified in conditions (MSC), a programme of archaeological works in accordance with a written scheme of investigation, the results of which shall inform the layout of the detailed masterplan required by Condition 3, shall be submitted for the approval of North Ayrshire Council as Planning Authority. Thereafter, the developer shall ensure that the approved programme of archaeological works is fully implemented and that all recording and recovery of archaeological resources within the development site is undertaken to the satisfaction of North Ayrshire Council as Planning Authority.

2. That prior to the submission of the first application for the approval of matters specified in conditions (MSC), a water and drainage assessment shall be submitted for the approval of North Ayrshire Council as Planning Authority which actions all relevant recommendations of the Flood Risk Assessment. The water and drainage assessment shall demonstrate that:
   (i) the development will not be at high medium of low likelihood of flooding or will increase the likelihood of flooding elsewhere;
   (ii) run-off to the site from adjacent steeply sloping ground shall be intercepted and appropriately attenuated and treated before discharging to the water environment or to a suitable piped system;

(iii) in the event that surface water will discharge to the existing culvert at the site's Western edge, there would no notable negative impact in terms of flood risk and water quality; and,
(iv) full details of the parties responsible for the maintenance of all drainage assets are provided in a suitably detailed plan and that all associated maintenance operations are identified on an accompanying schedule;
The water and drainage assessment shall detail a scheme to treat the surface water arising from the site in accordance with the principles and practices contained in CIRIA's SuDS Manual (C753) (published 11th November 2015), the results of which shall inform the layout of the detailed masterplan required by Condition 3. Thereafter, the scheme as may be approved shall be implemented during the course of development and maintained thereafter to the satisfaction of North Ayrshire Council as Planning Authority.

3. Prior to the commencement of development on site, a further application(s) for the approval of the matters specified in this condition (MSC) must be submitted to and approved by North Ayrshire Council as Planning Authority. These matters are as follows:
(a) the layout of the site, including all roads, footways, shared paths, car parking areas, and open spaces;
(b) the siting, design and external appearance of all building(s) and any other structures, including plans and elevations showing their dimensions and type and colour of external materials;
(c) a detailed flood risk assessment, including cross-sections of existing and proposed ground levels, details of under-building and finished floor levels in relation to a fixed datum, preferably ordnance datum, and detailing how flood issues are addressed.
(d) the means of drainage and surface water strategy and methodology for sewage disposal, including Sustainable Urban Drainage Systems (SUDS), all set out in a comprehensive Drainage Assessment, including maintenance. Such SUDS shall be self-certified by a suitably qualified person;
(e) the means of access to the site including an updated Transport Strategy;
(f) the design and location of all boundary treatments including walls and fences;
(g) the landscaping and associated maintenance proposals for the site, including details of existing trees, hedgerows and other planting to be retained and tree protection measures together with proposals for new planting specifying number, size and species of all trees and shrubs and a woodland management implementation programme;
(h) details of the phasing of development (covering all relevant aspects of development detailed in (a) above);
(i) a design and access statement with the design issues addressed in the formulation of the proposals, set out in line with the relevant supplementary design guidance approved by North Ayrshire Council.
The layout of the site shall take into account archaeological investigations, the detailed SuDS scheme, water and drainage assessments required by conditions 1 and 2 respectively, and shall take into account the principles of the Scottish Government's 'Designing Streets' and 'Designing Places' policy documents to the satisfaction of North Ayrshire Council as Planning Authority.

4. That the presence of any significant unsuspected contamination that becomes evident during the development of the site shall be brought to the attention of Environmental Health. Thereafter a suitable investigation strategy as agreed with North Ayrshire Council shall be implemented and any necessary remediation works carried out prior to any further development taking place on the site, all to the satisfaction of North Ayrshire Council as Planning Authority.

5. That prior to the commencement of the development hereby approved, the developer shall submit a Construction Management Strategy Plan for the written approval of North Ayrshire Council as Planning Authority to include details of routing arrangements for construction traffic. For the avoidance of doubt, the Strategy shall be designed to reduce potential adverse impacts on road safety and to minimise potential disruption and congestion for road users, pedestrians and local residents. Thereafter, the development shall progress in accordance with the Construction Management Strategy Plan as may be approved unless North Ayrshire Council as Planning Authority gives written consent to any variation.

6. The applicant must demonstrate that the increased road traffic, generated as a result of this development, shall not have a detrimental effect on local air quality or result in an increase in concentrations of atmospheric pollutants such that statutory Air Quality Objectives would be exceeded at any location of relevant public exposure.

7. Development Plan Scheme

Submitted report by Executive Director (Place) on the indicative timetable and participation strategy for preparing the next Local Development Plan (LDP3).

Members asked questions and were provided with further information in relation to:

- the feasibility of the proposed evidence report submission date of August 2022 given the anticipated timing of the local government elections; and
- inclusion of the Locality Partnerships in the consultation.

Councillor McMaster seconded by Councillor Foster, moved to approve the Development Plan Scheme.
There being no amendment, the motion was declared carried.

Accordingly, the Committee agreed to approve the Development Plan Scheme.

8. Update on Notice under Section 179 of the Town and Country Planning (Scotland) Act 1997: former Seafield School, Eglinton Road, Ardrossan

Submitted report by Executive Director (Place) on the progress with compliance with a Notice issued under Section 179 of the Town and Country Planning Act 1997

The Chief Planning Officer (Planning) advised the Committee that at the meeting of 4 September 2019, the Planning Committee granted authority for the issue of a Notice under Section 179 of the Town and Country Planning (Scotland) Act 1997, as amended, in relation to the former Seafield School, Eglinton Road, Ardrossan.

The Notice was issued on 24 September 2019 and took effect on the 24 October 2019 as an appeal against the Notice was not made. The compliance period for the Notice expired on the 5 December 2019. The requirements of the Notice have not been met.

Members asked questions and were provided with further information in relation to:

- previous meetings with the applicant to resolve the situation;
- materials used for boarding the property windows;
- the notice for the site being in place for as long as is required; and
- building standards survey advising the building is structurally safe.

Councillor Larsen seconded by Councillor Marshall, moved to note the report.

There being no amendment, the motion was declared carried.

The meeting ended at 11.50 a.m.

NORTH AYRSHIRE COUNCIL

Planning Committee

Locality	Irvine
Reference	19/00930/PPM
Application Registered	9th January 2020
Decision Due	9th May 2020
Ward	Irvine South

Recommendation	Approved subject to Conditions
Location	Phase 2 Site to North Of Tarryholme Pond Irvine Ayrshire
Applicant	Irvine Housing Association
Proposal	Erection of 77 no dwellinghouses to include associated roads, footpaths, open space, landscaping and associated SuDS infrastructure

1. Description

Planning Permission is sought for a major residential development on a 3.93ha site in the Tarryholme area of Irvine. The proposal is phase two of the Tarryholme residential development; phase one has recently been completed and lies immediately to the west of the site. The site is bounded to the northwest by a woodland strip adjacent to St Andrews Way (the Tarryholme distributor road). To the northeast of the site is a wooded wetland habitat adjacent to the Warrix Interchange and directly to the east is the A78 Irvine Bypass. To the south of the site is the Tarryholme pond and surrounding open space. The site itself is largely flat and has been cleared of vegetation in conjunction with phase one of the Tarryholme development.

It is proposed to erect 77 dwellings on the site comprising a mixture of semi-detached and terraced house types. A total of 11 house types have been included, ranging from 2 bedrooms to 4 bedrooms and incorporating wheelchair accessible, amenity and general needs accommodation. The houses range from one to two storeys in height and all feature gabled roof designs. Finishing materials are to be a mix of grey or red concrete roof tiles, red or buff facing brick, white render, black uPVC rainwater goods and white uPVC windows, fascias, soffits and bargeboards. Some of the house types have car ports.

The proposed development includes all associated access roads, footpaths, open spaces, public utilities and infrastructure and a sustainable drainage system (SuDS) in the form of a large detention basin in the southeast corner of the site.

The proposed street layout utilises three access points from the phase one development to the west. Each of these access points would lead to a self-contained cul-de-sac or loop road housing clusters. For the northern and central sections, the buildings are based around courtyard style arrangements. For the southern section a loop road layout has been proposed. A pedestrian path links these three sections along the eastern edge of the site. Beyond the path is a public open space/flood plain area. One hundred and ten in curtilage parking spaces and twenty-four visitor spaces have been provided equating to 174% provision.

In the adopted Local Development Plan the site lies within a General Urban Area allocation. The relevant policies of the Local Development Plan (LDP), adopted November 2019, are as follows:

- Strategic Policy 1: Spatial Strategy - the Towns and Villages Objective;
- Strategic Policy 2: Placemaking;
- Policy 1: New Homes and Maintaining an Effective Housing Land Supply;
- Policy 22: Water Environment Quality;
- Policy 23: Flood Risk Management;
- Policy 27: Sustainable Transport and Active Travel;
- Policy 29: Energy Infrastructure Development; and
- Policy 31: Future Proofing for Heat Networks.

Pre-application planning advice was initially sought for the development of the entire site (Phases 1 and 2) in September 2016 (16/00913/PREAPP). Planning Permission for phase one of Tarryholme was granted in January 2018 (17/01096/PPM) and the 87 houses of this phase have been completed. Design improvements were obtained by the Case Officer to ensure that a second road access into the development site was secured as part of Phase 1 of the development.

The applicant submitted a Proposal of Application Notice for phase two in August 2019. A pre-application meeting took place in Cunninghame House on the 3rd September 2019 between the applicants, their agents, NAC Planning and NAC Active Travel and Transportation. Following this meeting written pre-application advice was provided by NAC Planning (19/00613/PREAPM) which questioned the suitability of the proposed road layout comprising of three unconnected sections and suggested that the internal road layout would benefit from a north/south connection. The development layout which has been submitted was not significantly amended as a result of these discussions although a footpath was added to the east of the site creating a pedestrian link between the three sections. At the pre-application stage it was also suggested that the applicant look into the possibility of a northern pedestrian link onto St Andrews Way. This suggestion was ultimately discounted by the applicant due to there being no footway on the southern side of St Andrews Way where the proposed footpath would connect, and that they do not consider that this would serve a pedestrian desire line.

The proposal was screened in September 2019 in order to determine whether an Environmental Impact Assessment (EIA) was required (19/00592/EIA). An EIA was not

required. The application is subject to a processing agreement. It was not possible to meet the target date on the processing agreement due to an objection from SEPA which was not withdrawn until July 2020.

The following supporting information has been submitted with the application:

Design and Access Statement: The document appraises the site in terms of landscape, linkages, and the wider settlement character. It then goes onto outline the principles behind the proposed design of the site, drawing on the above characteristics. It sets out the details of the layout and proposed house types with information on each type. The document summarises the qualities of a successful place, taking account of national planning policies on Designing Places and Designing Streets.

Supporting Planning Statement: Following comments from the case about the site layout, the applicant submitted a further support document which provides more detail regarding the design of the site layout and attempts to justify it against the relevant Planning policies.

Ground Investigation Report: Dated September 2017, this report was an initial ground investigation for the entire Tarryholme site and does not relate specially to phase two. Issues which were considered to be invasive plants, geology, mining and contamination.

Pre-application Consultation Report: The PAC report notes the publicity measures undertaken and a public event was held on 2nd of October 2019 at the Riverside Lodge Hotel. The report notes there were two attendees at the event. One comment feedback sheet was received which noted a support for the proposed development The PAC report outlines the applicant's response to the matters which were raised. The PAC report also notes the pre-application meeting with North Ayrshire Council Planning on the 3rd of September 2019 as noted above and details the applicants' response to the issues raised during this meeting.

Preliminary Ecological Appraisal: A total of ten habitats were found in the application site. An invasive non-native species, Himalayan Balsam, was found to be present on site. No evidence of bats or Great Crested Newts was found. No evidence of otters was found on site; however, otters are known to be present in the River Irvine and Annick Water and may make use of the ponds adjacent to the development site. One active badger sett was found 20m to the east of the site. A number of mitigation measures are suggested by the report.

Coal Authority Report/ Coal Mining Risk Assessment: Four mine shafts have been located and consolidated as parts of earlier civil engineering works. The risk assessment does not identify any additional coal mining risks.

Transport Statement: The report concludes that the site has reasonable access to sustainable transport networks with a bus stop being located 700m to the northwest on Annick Road and Irvine Railway Station being located 1,800m away. A footpath to the west of the site entrance to Phase One Tarryholme crosses the Annick Water and leads to Irvine Town Centre. The Traffic Impact Assessment produced for Phase One took into account the potential for Phase two and recommended a banned right turn at the St Andrews Way/A71 junction, which has now been implemented. Following these works it was concluded that the local road network would continue to operate satisfactorily with the addition of both phases one and two.

Drainage Statement (DA): Originally the applicant submitted the DA for the entire Tarryholme site conducted in October 2017. Following requests from NAC Flooding the applicant submitted an updated DA relating specifically to the phase two site dated July 2020. Foul water connections will transport waste water to a pumping station to the south of the site via an existing foul water sewer. Surface water will be collected, treated and attenuated before being discharged into the existing surface sewers. A SuDs detention basin is to be located in the southeast corner of the site.

Flood Risk Assessment (FRA): The applicant did not originally submit a FRA despite being advised that it would be required at the pre-application stage. A FRA was submitted following SEPA's objection to the application. The Annick Water is located approximately 200m to the northeast of the site and the River Irvine is located approximately 350m to the south. The confluence of these two rivers is located approximately 600m to the southwest of the site. "Burn 1" drains the site and is located immediately to the east of the site; it discharges into the Annick Water. The majority of the site lies outwith the 1 in 200-year functional fluvial floodplain. Finished floor levels will require to be approximately 9.1m above ordinance datum (AOD).

Relevant Development Plan Policies

SP1 - Towns and Villages Objective
Towns and Villages Objective

Our towns and villages are where most of our homes, jobs, community facilities, shops and services are located. We want to continue to support our communities, businesses and protect our natural environment by directing new development to our towns and villages as shown in the Spatial Strategy. Within urban areas (within the settlement boundary), the LDP identifies town centre locations, employment locations and areas of open space. Most of the remaining area within settlements is shown as General Urban Area. Within the General Urban Area, proposals for residential development will accord with the development plan in principle, and applications will be assessed against the policies of the LDP. New non-residential proposals will be assessed against policies of this LDP that relate to the proposal.

In principle, we will support development proposals within our towns and villages that:

a) Support the social and economic functions of our town centres by adopting a town centre first principle that directs major new development and investment to town centre locations as a priority including supporting town centre living.
b) Provide the right new homes in the right places by working alongside the Local Housing Strategy to deliver choice and variety in the housing stock, protecting land for housing development to ensure we address housing need and demand within North Ayrshire and by supporting innovative approaches to improving the volume and speed of housing delivery.
c) Generate new employment opportunities by identifying a flexible range of business, commercial and industrial areas to meet market demands including those that would support key sector development at Hunterston and i3, Irvine.
d) Recognise the value of our built and natural environment by embedding placemaking into our decision-making.

e) Prioritise the re-use of brownfield land over greenfield land by supporting a range of strategic developments that will deliver:
o regeneration of vacant and derelict land through its sustainable and productive re-use, particularly at Ardrossan North Shore, harbour and marina areas, Montgomerie Park (Irvine) and Lochshore (Kilbirnie).
o regeneration and conservation benefits, including securing the productive re-use of Stoneyholm Mill (Kilbirnie) and supporting the Millport Conservation Area Regeneration Scheme.
f) Support the delivery of regional partnerships such as the Ayrshire Growth Deal in unlocking the economic potential of the Ayrshire region.

Strategic Policy 2
Placemaking
Our Placemaking policy will ensure we are meeting LOIP priorities to make North Ayrshire safer and healthier by ensuring that all development contributes to making quality places. The policy also safeguards, and where possible enhances environmental quality through the avoidance of unacceptable adverse environmental or amenity impacts. We expect that all applications for planning permission meet the six qualities of successful places, contained in this policy. This is in addition to establishing the principle of development in accordance with Strategic Policy 1: Spatial Strategy. These detailed criteria are generally not repeated in the detailed policies section of the LDP. They will apply, as appropriate, to all developments.

Six qualities of a successful place

Distinctive
The proposal draws upon the positive characteristics of the surrounding area including landscapes, topography, ecology, skylines, spaces and scales, street and building forms, and materials to create places with a sense of identity.

Welcoming
The proposal considers the future users of the site and helps people to find their way around, for example, by accentuating existing landmarks to create or improve views (including sea views), locating a distinctive work of art in a notable place or making the most of gateway features to and from the development. It should also ensure that appropriate signage and lighting is used to improve safety and illuminate attractive buildings.
Safe and Pleasant
The proposal creates attractive places by providing a sense of security, including by encouraging activity, considering crime rates, providing a clear distinction between private and public space, creating active frontages and considering the benefits of natural surveillance for streets, paths and open spaces.
The proposal creates a pleasant, positive sense of place by promoting visual quality, encouraging social and economic interaction and activity, and by considering the place before vehicle movement.
The proposal respects the amenity of existing and future users in terms of noise, privacy, sunlight/daylight, smells, vibrations, glare, traffic generation, and parking. The proposal sufficiently investigates and responds to any issues of ground instability.

Adaptable
The proposal considers future users of the site and ensures that the design is adaptable to their needs. This includes consideration of future changes of use that may involve a mix of

densities, tenures, and typologies to ensure that future diverse but compatible uses can be integrated including the provision of versatile multi-functional greenspace.

Resource Efficient
The proposal maximises the efficient use of resources. This can be achieved by re-using or sharing existing resources and by minimising their future depletion. This includes consideration of technological and natural means such as flood drainage systems, heat networks, solar gain, renewable energy and waste recycling as well as use of green and blue networks.

Easy to Move Around and Beyond
The proposal considers the connectedness of the site for people before the movement of motor vehicles, by prioritising sustainable and active travel choices, such as walking, cycling and public transport and ensuring layouts reflect likely desire lines, through routes and future expansions.

Detailed Policy 1 -New Homes/Land Supply
Policy 1:

New Homes and Maintaining an Effective Housing Land Supply

In principle we will support and promote residential development of the 51 effective housing supply sites shown in Schedules 2a and 2b. We will protect them by resisting alternative development, including significant reductions in capacity which would undermine our ability to confirm an ongoing 5-year land supply.
In principle, we will also support and promote residential development
of our 27 long-term housing sites shown in schedule 3. In particular, but not limited to, where they would contribute to our ongoing 5-year effective land supply.
Notwithstanding the above, we will support ancillary development for a range of accommodating and integrated uses including locally important community, leisure, and other employment uses like shops, banks, cafes, workshops, garages, and small offices within these sites where they would not negatively impact upon our ability to maintain an effective 5 year housing land supply.
We will monitor the delivery of new homes in North Ayrshire through a housing land audit to ensure the maintenance of an effective five-year supply of land for housing. Where we identify and confirm a shortfall we will consider innovative approaches to enable development in the first instance. We will only support new housing proposals where they would help us achieve the vision, for example by aligning with the principles of the spatial strategy and being compliant with other aspects of the plan particularly by way of impact on committed infrastructure and the environment.

Detailed Policy 22 - Water Envir Quality
Policy 22:

Water Environment Quality

Proposals for additional cemetery provision to meet identified needs within our locality areas of Irvine, Kilwinning, Arran, North Coast, Three Towns and Garnock Valley will be supported where unacceptable environmental and amenity impacts are avoided. Groundwater assessments may be required to support proposals with mitigation measures identified and agreed where necessary.

We will support development that helps achieve the objectives of the Water Framework Directive and the River Basin Management Plan for Scotland. Generally, development which would lead to the deterioration of the water environment will be resisted unless it would deliver significant social, environmental or economic benefits.

Development will be required to ensure no unacceptable adverse impact on the water environment by:
a) Protecting and enhancing the ecological status and riparian habitat, natural heritage, landscape values and physical characteristics of water bodies (including biodiversity and geodiversity);
b) Protecting and enhancing existing flood plains; protecting opportunities for public access to and recreation and enjoyment on and around lochs, rivers, burns, wetlands and the coastal marine area; and
c) Having regard to any designated Bathing Waters. Where engineering works are required in or near water bodies, there will be a presumption in favour of soft engineering techniques and against the culverting of watercourses, unless there is no suitable alternative. Proposals for culverting of watercourses for land gain
may only be justified if the applicant can demonstrate that:

- No other practical option exists that would allow the watercourse to remain open; and
- The proposed development is of over- riding public interest.

We support connection to public sewerage systems in the first instance but recognise that wastewater solutions must be affordable and delivered at the most appropriate scale and that in many cases septic tank systems can be the most sensible solution for a household or small community (this also might be bespoke for our island communities). We will consider the cumulative impact of such solutions and support a preference for community solutions.

Development should ensure that appropriately sized buffer strips are maintained between the built and water environments.

Indicative Width of watercourse (top of bank)	Indicative Width of buffer strip (either side)
Less than 1m	6m
1-5m	6-12m
15-15m	12-20m
15m+	20m+

Detailed Policy 23-Flood Risk Management
Policy 23:

Flood Risk Management

We will support development that demonstrates accordance with the Flood Risk Framework as defined in Scottish Planning Policy and shown in schedule 7, relevant flood risk management strategies and local flood risk management plans. We will also support schemes to manage flood risk, for instance through natural flood management, managed coastal realignment, wetland or green infrastructure creation.
Generally, development should avoid locations of flood risk and should not lead to a significant increase in the flood risk elsewhere. Land raising and elevated buildings will only

be supported in exceptional circumstances, where it is shown to have a neutral or better impact on flood risk outside the raised area.

Development proposals should:
o Clearly set out measures to protect against, and manage, flood risk.
o Include sustainable urban drainage systems (SuDS) where surface water is proposed to be discharged to the water environment, in accordance with the Water Environment (Controlled Activities) (Scotland) Regulations 2011 as amended.
o Include provision of temporary/construction phase SuDS.
o include appropriate long-term maintenance arrangements.
o Be supported by an appropriate flood risk assessment where at risk of flooding from any source in medium to high risk areas and for developments in low to medium risk areas identified in the risk framework (schedule 7).
o Take account of SEPA's flood risk and land use vulnerability guidance (2018) and any relevant updates to, or replacements of this guidance.

Detailed Policy 27
Sustainable Transport and Active Travel

We will support development that:
contributes to an integrated transport network that supports long term sustainability
o reduces inequality by improving the accessibility and connectivity of employment opportunities and local amenities
o provides safe and convenient sustainable transport options and supports modal shift to sustainable transport and active travel.
o reduces the need to travel or appropriately mitigates adverse impacts of significant traffic generation, road safety and air quality, including taking into account the cumulative impact.
o takes a design-led, collaborative approach to street design to provide safe and convenient opportunities for integrated sustainable travel in the following order of priority: pedestrians, people on cycles, people using collective transport (buses, trains etc.) and people using private transport.
o considers the potential requirements of other infrastructure providers, including designing for the potential development of district heat networks by for example incorporating access points into the transport network to allow for future pipe development or creating channels underneath the road/infrastructure to enable pipe development with minimal disruption to the networks.
o enables the integration of transport modes and facilitates movement of freight by rail or water (in preference to road). This would include, for example, the provision of infrastructure necessary to support positive change in transport technologies, such as charging points for electric vehicles and the safeguarding of disused railway lines with the reasonable prospect of being used as rail, tram, bus rapid transit or active travel routes.
o considers the impact on, and seeks to reduce risk to level crossings, including those located within Ardrossan, Stevenston and Gailes.

Proposals are expected to include an indication of how new infrastructure or services are to be delivered and phased, and how and by whom any developer contributions will be made.

We will take account of:

o the implications of development proposals on traffic, patterns of travel and road safety.
o Significant traffic generating uses should be sited at locations that are well served by public transport, subject to parking restraint policies, and supported by measures to promote the availability of high-quality public transport services. Where this is not achievable, we may seek the provision of subsidised services until a sustainable service is achievable.
o the potential vehicle speeds and level of infrastructure provided for the expected numbers of trips by all modes.
o the relationship between land use and transport and particularly the capacity of the existing transport network, environmental and operational constraints, and proposed or committed transport projects.
o committed and proposed projects for the enhancement of North Ayrshire's transport infrastructure, including improved park and ride provision.
o specific locational needs of rural communities. We recognise that in rural areas we need to be realistic about the likely viability of public transport services and innovative solutions such as demand-responsive public transport and small scale park and ride facilities at nodes on rural bus corridors will be considered.
o The Council's adopted Local Transport Strategy, Core Paths Plan, Town Centre Parking Strategy and parking requirements.
o The need to mitigate and adapt to climate change with regard to the Climate Change (Scotland) Act 2009.
o The provision of new and improved links to existing and proposed active travel routes which are integrated with the wider strategic network, including the National Walking and Cycling Network, core paths and the Ayrshire Coastal Path.
Developments likely to generate significant additional journeys will be required to be accompanied by a Transport Assessment, Air Quality Assessment and a Travel Plan. A Transport Statement will be required for smaller scale developments that will not have a major impact on the transport network, but are still likely to have an impact at a local level on the immediate transport network.

National Development:

The National Walking and Cycling Network (NWCN) was designated as a national development within the National Planning Framework (NPF3). This is an ambitious project which aims to grow Scotland's
network of paths from 6,000 to 8,000 km by 2035. Key routes in North Ayrshire which will contribute to this network are detailed below. These are being developed in partnership with Sustrans and Scottish Natural Heritage as lead organisations for the delivery of the NWCN.

These include the development of an off-road alignment for:
o National Cycle Network (NCN) Route 73 (North) between Brodick and Corrie on the Isle of Arran
o NCN Route 753 between Skelmorlie and Ardrossan
o While not explicitly referenced in NPF3, support will be given to development of an off-road alignment for NCN Route 7 between Kilwinning and Kilbirnie.

Detailed Policy 29 - Energy Infrastructu
Policy 29:

Energy Infrastructure Development

We will support development proposals for energy infrastructure development, including wind, solar, tidal, cropping and other renewable sources, where they will contribute positively to our transition to a low carbon economy and have no unacceptable adverse environmental impacts, taking into consideration (including cumulatively) the following:

Environmental
- Communities and individual dwellings - including visual impact, residential amenity, noise and shadow flicker;
- Water quality;
- Landscape - including avoiding unacceptable adverse impacts on our landscape designations;
- Effects on the natural heritage - including birds;
- Carbon rich soils including peat;
- Impacts on the historic environment - including scheduled monuments, listed buildings and their settings.

Community
- Establishing the use of the site for energy infrastructure development;
- providing a net economic impact - including socio-economic benefits such as employment, associated business and supply chain opportunities;
- Scale of contribution to renewable energy generation targets;
- Public access - including impact on long distance walking and cycling routes and scenic routes identified in the National Planning Framework;
- Impacts on tourism and recreation;
- Specific locational opportunities for energy storage/generation.

Public Safety
- Greenhouse gas emissions;
- Aviation and defence interests and seismological recording;
- Telecommunications and broadcasting installations - particularly ensuring that transmission links are not compromised; radio telemetry interference and below ground assets;
- Road traffic and adjacent trunk roads;
- Effects on hydrology, the water environment and flood risk including drinking water quality and quantity (to both the public and private water supplies);
- Decommissioning of developments - including ancillary infrastructure, and site restoration and aftercare.

Proposals should include redundancy plans which will demonstrate how apparatus will be timeously removed as reasonably soon as the approved scheme ceases operation. There may be a requirement for financial bonds to ensure that decommissioning can be achieved. Taking into consideration the above, proposals for wind turbine developments should accord with the Spatial Framework (as mapped) and consider the current Landscape Capacity Study for Wind Farm Development in North Ayrshire. This study will be used as a point of reference for assessing all wind energy proposals including definitions of what small to large scale entails.

Buildings: Low and Zero Carbon Generating Technology
Proposals for all new buildings will be required to demonstrate that at least 10% of the current carbon emissions reduction set by Scottish Building Standards will be met through

the installation and operation of low and zero-carbon generating technologies. A statement will be required to be submitted demonstrating compliance with this requirement. The percentage will increase at the next review of the local development plan.

This requirement will not apply to:
1. Alterations and extensions to buildings
2. Change of use or conversion of buildings
3. Ancillary buildings that stand alone and cover an area less than 50 square metres
4. Buildings which will not be heated or cooled, other than by heating provided solely for frost protection.
5. Buildings which have an intended life of less than two years.

Detailed Policy 31 - Future Proofing for
Policy 31:

Future Proofing for Heat Networks

We will support proposals for the creation or enhancement of district heat networks in as many locations as possible in North Ayrshire (even where they are initially reliant on carbon-based fuels if there is potential to convert them to run on renewable or low carbon sources of heat in the future).
We will seek to identify and safeguard existing and future heat network generation and distribution infrastructure, including piperuns and pipework within, and to the curtilage of, new developments.

Proposals for development that constitute a significant heat source or substantial development* which would not result in the creation or enhancement of district heat networks should include:

i) provision for on-site heat recovery and re-use infrastructure; or
ii) a heat network generation and distribution infrastructure plan (a district heating plan), taking into account the potential to connect to future heat demand sites; or
iii) demonstrable evidence that district heating or other forms of renewable generation storage have been explored but are not feasible for technical (proximity, geography, safety etc) or economic reasons.

* 'Substantial' developments consist of urban extensions, large regeneration areas or large development sites subject to master planning or large mixed use developments and major sites (50 residential units and above). There is, however, an element of judgment that will need to be applied here and it might be that some other locations offer significant potential for heat networks due to their local context, support from the local authority, and 'buy in' from developers.

2. Consultations and Representations

The standard neighbour notification was undertaken, and the application was advertised in the local press. No letters of representation were received.

Consultations:

Irvine Community Council: No comments.

North Ayrshire Council (NAC) Flooding: No objections. Recommend that a V-notch be cut into the proposed detention basin to channel the flow onto Tarryholme pond in an event the basin capacity exceeding the 1 in 200 years design flow.

Response: Noted, this recommendation could be ensured via condition.

Scottish Environment Protection Agency: Initially objected to the proposal in January 2020 on the grounds that it may put buildings and people at flood risk. SEPA required a FRA to be submitted using the flood extent from the River Irvine Flood Study and that details be provided on how the finished floor levels have been set. This information was provided in the FRA submitted in June 2020 and SEPA subsequently withdrew the objection.

Response: Noted.

NAC Active Travel and Transportation: Defer making a decision, due to lack of information. There are lengths of streets where speeds greater than 20mph. No flow diagram or street hierarchy plans have been submitted. There is excessive infrastructure and appears to be unnecessary culs-de-sac.

Response: The applicant could resolve the issue of speeds exceeding 20mph through additional horizontal deflection or traffic calming. Likewise, the excessive infrastructure could be removed relatively easily. NAC Active Travel and Transportation has confirmed that these issues can be dealt with at the Roads Construction Consent phase. The issue regarding the lack of a clear street hierarchy and unnecessary culs-de-sac would require a more significant revision of the site layout which the applicant does not support.

Scottish Water: No objections.

Response: Noted.

NAC Education: The site is located in the catchment of located in the catchment for Glebe and St Mark's Primary Schools (Greenwood and St Matthew's Academies). Glebe Primary is currently operating with an occupancy of 80% and St. Mark's with 74%. Therefore, the primary schools in the surrounding area have the capacity to deal with the proposed development. An additional 75 proposed units have already been taken into account when calculating the occupancy of Glebe Primary.

Response: Noted.

NAC Environmental Health: No objections subject to conditions covering air quality, contamination and construction.

Response: Conditions could address the air quality and contamination issues; however, the construction issues are covered by other legislation and do not require planning conditions.

The Coal Authority: Initially objected to the proposal due to the site being in a high-risk area and having two mine shafts located within the site and another located adjacent to the northwest boundary. The information provided in the Coal Mining Risk Assessment was not considered to adequality address these issues. The applicant was able to submit additional information which the Coal Authority considered to be satisfactory and therefore withdrew the objection.

Response: Noted.

West of Scotland Archaeology Service: The site is already too disturbed due to groundworks associated with previous phases to hold much potential for archaeological remains.

Response: Noted.

3. Analysis

In accordance with statute, planning applications require to be determined in accordance with the provisions of the Local Development Plan unless material considerations indicate otherwise.

Strategic Policy 1 (Towns and Villages Objective) of the LDP states that within the General Urban Area, proposals for residential development will accord with the LDP in principle, and applications will be assessed against the policies of the LDP. Policy 1 states that residential development will be supported in principle on housing sites. Tarryholme Phase Two is identified in the LDP as a housing site with an indicative capacity of 109 houses. The proposal is for 77 houses which is significantly less than the indicative capacity. This reduction is a result of part of the site being undevelopable due to potential flood risk. Flood risk and mining constraints were identified as a potential development constraints by Irvine Development Corporation when carrying out the initial studies into the suitability of the site for residential development. The site has been allocated for housing in successive Local Plans and therefore the principle of the development is acceptable in terms of Strategic Policy 1 and Policy 1. The details of the application remain to be assessed in terms of the other relevant policies of the LDP.

Turing firstly to Strategic Policy 2: Placemaking, this policy states that all development proposals are expected to meet the six qualities of successful places which are as follows:

- distinctive,
- safe and pleasant,
- resource efficient,
- welcoming,
- adaptable,
- easy to move around and beyond.

The Council has also produced 'Neighbourhood Design Guidance' which further elaborates on how new residential developments are expected to be designed in order to meet the qualities of successful places. The other relevant document relating to development layout is the Scottish Government's 'Designing Streets'.

Despite NAC Planning highlighting to the applicant that the layout required revision at pre-application stage, the layout which was submitted remained unchanged with the exception of the inclusion of a footpath link along the eastern edge of the site. The applicant has declined several subsequent requests by NAC Planning to revise the layout. The applicant's justification for the proposed layout is contained within the Design and Access Statement and further correspondence from the agent expanding on the points made in this document. The justification provided for a cul-de-sac development layout and what the Design Statement calls 'core and cluster accommodation' or what the Planning Support Statement calls 'homezones' is that this layout promotes a quiet, calm and defensible environment which is suited to intended residents of the development which includes vulnerable groups such as veterans or people with disabilities.

The tenure of a proposed development is not a material planning consideration and there are no planning restrictions that would ensure that the proposed houses were only let to vulnerable groups. Furthermore, it is not considered that any evidence has been provided to substantiate the claim that the proposed cul-de-sac layout would be any more defensible than an interconnected street layout as used for phase one and as suggested by Planning. The proposed layout would make the site difficult to move around internally, and the only linkage between the three sections is a footpath to the east of the houses. The lack of internal linkages would discourage pedestrian travel and promote car use as it would increase walking distances. The proposed layout would not be in-keeping with the layout established in phase one of Tarryholme and there would be a clear distinction between the two parts of the development, despite the use of the same house types in both phases.

The advice of Designing Streets relating to culs-de-sac can be summarised as culs-de-sac should only be utilised where no alternative street layouts are possible. In this instance, alternative street layouts would be possible on the site and the justification provided for the cul-de-sac layout is considered to be inadequate.

The proposed mix of two storey and single storey dwellings is considered to be satisfactory in terms of external appearance and would provide a variety of housing sizes and cater for a range of needs. The appearance of the house types and the palette of finishing materials would be in-keeping with phase one which is considered an appropriate approach. The site has been designed in order to ensure that the houses do not have their privacy or access to daylight affected through overlooking or overshadowing from other properties. It is considered appropriate to attach a condition which would require further details with regards to the external finishes to ensure the final choice of materials is appropriate for the locality and contains enough variety to provide visual intertest.

All of the proposed houses would have a private back garden which would be delineated by 1.8m high timber fencing. The gardens would be separated from each other by 1.5m high timber fencing. Front gardens would be open in character and would in most instances feature in-curtilage parking spaces; in some instances, the driveways would be longer and would be located to the sides of the houses. The site would feature a large area of open space to the east located on the functional floodplain. This area would be separated from the housing by a regraded slope of approximately 0.5m in height. Further details regarding this slope are required and could be ensured via condition. In addition, there would be smaller green areas surrounding the SuDs basin and the Scottish Water pumping station in the southeast and southwest corners of the site respectively. There are currently insufficient details regarding landscaping, although further details could be ensured via condition.

Whilst is has been assessed that the proposed house designs accord with the principles of placemaking, it would have been preferable for the culs-de-sac within the layout to be amended to form an inter-connecting street block. Nonetheless, the applicant's reasons for the inclusion of a cul-de-sac street are noted. On balance, there are many other positive aspects within the overall development which would result in the creation of a successful place in terms of the Six Qualities set out in Strategic Policy 2.

Policy 22 of the LDP states that development will be required to ensure no unacceptable adverse impact on the water environment. Development should ensure that appropriately sized buffer strips are maintained between the built and water environments. Related to this issue is Policy 23, which deals with flood risk management.

The site is located close to two major rivers; the River Irvine and the Annick Water, and the confluence thereof also lies close to the site. Furthermore, the unnamed 'Burn 1' is located immediately to the east of the site and drains the main Tarryholme pond into the Annick Water. North Ayrshire Council undertook a study into flood risk in the lower River Irvine Valley and this suggests that the eastern portion of the site adjacent to Burn 1 would be at risk of a 1 in 200-year flood event plus 44% uptake for Climate Change. The area of the site most at risk of flooding would not be developed and would be left as open space. Following the guidance of NAC Flooding, the finished floor levels of the houses in the proposed development would be raised a minimum for the 1 in 200-year plus climate change plus a 0.5m freeboard level. This equates to 9.1m AOD.

In terms of drainage, the foul water would be discharged via an existing foul water drain which crosses the site into the pumping station in the southwest corner of the site. Surface water will be collected and attenuated in the proposed SuDs detention basin the southeast corner of the site before being discharged into the public surface water sewer. The proposed flooding and drainage arrangements are considered to be acceptable and the proposal accords with Policies 22 and 23.

Policy 27 relates to sustainable transport and active travel. The site has relatively good pedestrian access with footpaths providing direct access to Irvine Town Centre approximately 1km away via Milgarholme Park. The town centre is where the nearest shops and the nearest railway station are located. The nearest bus stop is located on Annick Road some 700m to the northwest of the site. There is only a single point of vehicular access into the Tarryholme area. This access was upgraded to be a 'no right turn' access as part of phase one which was to facilitate the free flow of traffic out of Tarryholme. Car parking spaces are to be provided totalling 174% provision, which is considered acceptable given the suburban location. The proposed internal site layout, as discussed previously, promotes car use over active travel and fails to establish a clear hierarchy of streets. However, given the peripheral location of the site, and the lack of further development opportunities nearby, it is considered that the internal layout would have a minimal impact on the surrounding travel network and would not have a significant negative impact on the sustainability of the local travel network. On balance, it is considered that the proposal accords with Policy 27.

Policy 29 requires that proposals for all new buildings demonstrate at least 10% of the current carbon emissions reduction set by building standards will be met through the installation of low or zero carbon generating technologies (LZCGTs). The proposal would achieve a LZCGT abatement of 20.25% through the use of solar photovoltaic panels and a Flue Gas Heat Recovery Systems (FGHRS) within each dwelling. The proposal therefore accords with Policy 29.

Policy 31 relates to future proofing for heat networks. During the early project stages, the feasibility of a district heat network was considered using Linear Heat Density calculation which divides the projected annual heat demand by the length of the heat network required. This calculation indicated that a district heat network would not have been viable for the proposed development. This economic justification for not adopting a district heating system is accepted and the proposal accords with Policy 31.

The proposed development accords with all of the relevant policies with the exception of the internal layout in terms of Strategic Policy 2: Placemaking. On balance, as noted above, as there are many other positive aspects within the overall development which would result in the creation of a successful place in terms of the Six Qualities of a successful place. The proposed development would provide 77 new homes which accord with the majority of the relevant policies, and it is therefore recommended that Planning Permission be granted subject to conditions.

4. Full Recommendation

Approved subject to Conditions

Reasons for Decision

Condition

1. That, prior to the commencement of any building operations, the applicant shall submit for the written approval of North Ayrshire Council as Planning Authority a detailed schedule of the proposed external finishes. Thereafter, the development shall be implemented only in accordance with such details as may be approved, unless otherwise agreed in writing with North Ayrshire Council as Planning Authority.

Reason

In order to ensure that the external finishes are appropriate.

Condition

2. That no development shall take place until there has been submitted to and approved by North Ayrshire Council as Planning Authority a scheme of landscaping, which shall include details of species, planting densities, soil treatment and aftercare and shall include indications of all existing trees and hedgerows on the land and details of any to be retained together with measures for their protection in the course of the development.

Reason

In order to ensure that the site is appropriately landscaped.

Condition

3. That all planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting season and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which, within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless North Ayrshire Council as Planning Authority gives written consent to any variation.

Reason

In order to ensure that the approved landscaping is carried out and maintained.

Condition

4. That prior to the commencement of the development hereby approved, the applicant shall submit full details of the localised regrading for the written approval of North Ayrshire Council as Planning Authority. For the avoidance of doubt, these details shall contain section drawings of the slope at appropriate intervals throughout its length, details of its construction and details of its finish. The development shall then progress in accordance with such details as may be approved.

Reason

In order to ensure that the appearance of the slope is acceptable, in the interest of amenity.

Condition

5. That the ecological mitigation measures set forth on pages 22-23 of the "Tarryholme (Phase 2), Irvine Preliminary Ecological Appraisal" (document no. 8882) prepared by McTaggart Construction and issued on the 24th of October 2019, shall be fully implemented prior to and maintained during the construction of the development hereby approved, to the satisfaction of North Ayrshire Council as Planning Authority.

Reason

In order to ensure that the development does not adversely affect protected animals or habitats.

Condition

6. That prior to the first occupation of the development hereby approved, a V-notch shall be cut into the detention basin to channel the flow into the large pond to the south of the basin in the event of the basin capacity exceeding the 1 in 200 years design flow, to the satisfaction of North Ayrshire Council as Planning Authority.

Reason

To prevent flooding in the event of the basin capacity exceeding the 1 in 200 years design flow.

Condition

7. That prior to the commencement of the development hereby approved, the applicant shall assess if a Detailed Air Quality Assessment is required to ensure that the development will not impact ambient air quality at any sensitive receptors and submit the findings to North Ayrshire Council. If required, a Detailed Air Quality Assessment will be submitted to the satisfaction of North Ayrshire Council prior to the commencement of the development.

Reason

In order to ensure that the air quality is acceptable; in the interest of amenity.

Condition

8. That the presence of any significant unsuspected contamination that becomes evident during the development of the site shall be brought to the attention of North Ayrshire Council Environmental Health. Thereafter a suitable investigation strategy as agreed with

North Ayrshire Council shall be implemented and any necessary remediation works carried out prior to any further development taking place on the site, all to the satisfaction of North Ayrshire Council as Planning Authority.

Reason

In order to ensure that the site is not contaminated; in the interest of amenity.

Russell McCutcheon
Executive Director (Place)

For further information please contact Mr John Mack on 01294 324794.

Appendix 1 – Location Plan

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NORTH AYRSHIRE COUNCIL

2nd September 2020

Planning Committee

Locality	Irvine
Reference	20/00572/PP
Application Registered	29th July 2020
Decision Due	29th September 2020
Ward	Irvine South

Recommendation	Approved subject to Conditions
Location	Dundonald Links Ayr Road Irvine Ayrshire KA11 5AB
Applicant	Darwin Leisure Development Properties (Guernsey) Ltd
Proposal	Section 42 application to vary condition 14 attached to planning application N/19/00748/PPM

1. Description

Planning permission is sought to vary Condition No. 14 of a Planning Permission (ref. 19/00748/PPM) for a replacement clubhouse and holiday accommodation development at Dundonald Links, Irvine as granted by the Planning Committee, subject to conditions, on 4th December 2019.

Condition No. 14 currently reads as follows:

That no holiday lodges shall be occupied until the replacement clubhouse, hereby approved, is completed and operational to the satisfaction of North Ayrshire Council as Planning Authority.

Reason: To restrict the development to the terms of its justification/special need.

Following delays caused by the COVID-19 lockdown restrictions, works to commence the development commenced on 6th July 2020 after the discharge of various planning conditions.

The supporting information which has been submitted with this application indicates that the construction of the clubhouse will take 63 weeks with an estimated completion date during September 2021, with the first phase of holiday accommodation likely to be completed by June 2021. The reason given for the difference is that the clubhouse is a larger, bespoke structure that requires to be built using traditional construction methods, whereas the holiday accommodation is modular and can be prefabricated off-site then erected on foundation pads. The existing clubhouse, which is a modular building dating from the early 2000s, would be retained and used for providing visitor facilities until the completion and opening of the new clubhouse in September 2021, after which it would be dismantled and removed from the site.

The initial phase of works currently taking place relates to groundworks, drainage and access/parking infrastructure which will be followed by the building operations. The applicant has reaffirmed the commitment to the delivery of the clubhouse as soon as possible and has confirmed that works are underway in relation to its construction.

Consequently, an amendment is sought to the wording of Condition No.14 as follows:

That no holiday lodges shall be occupied until the replacement clubhouse structure, hereby approved, is completed to the satisfaction of North Ayrshire Council as Planning Authority and thereafter the clubhouse must be operational within 6 months of the overnight accommodation being first brought into use.

Reason: To restrict the development to the terms of its justification/special need.

The site of the development is located to the south of Irvine and is accessed from Ayr Road between the Three Stanes Roundabout and the Meadowhead Roundabout. In terms of the adopted Local Development Plan, Dundonald Links and the surrounding area is allocated for leisure and open space.

The Scottish Government's Planning Circular 4/1998 sets out their policy on the use of planning conditions.

2. Consultations and Representations

The application was subject to statutory neighbour notification procedures and advertised in a local newspaper on 5th August 2020. No representations were received. No consultations required to be undertaken.

3. Analysis

As noted above, the implementation of the Planning Permission (ref. 19/00748/PPM) commenced on 6th July 2020 following the discharge of the pre-commencement conditions. The determination for this application would be based on whether the development would be acceptable with the proposed amendment to Condition No. 14.

Planning Circular 4/1998 states that planning conditions should only be imposed where they meet six tests, namely that they are necessary; relevant to planning; relevant to the development to be permitted; enforceable; precise; and reasonable in all other respects.

Condition No. 14 sought to ensure the delivery of the new clubhouse as an integral part of the first phase of the development. Since its initial development almost 20 years ago, Dundonald Links has been served by a single storey modular clubhouse building. This building was always envisaged as being a temporary structure, with several planning permissions having been granted in the past for its replacement with a high quality, bespoke facility to serve the club and to support tournaments and championships. For various reasons, the replacement clubhouse development did not take place. Dundonald Links has successfully hosted various championships in recent years, and it has been recognised that a new clubhouse would be essential for attracting major events in the future.

During 2019, the applicant purchased the golf course with the aim of attracting tourists to the course as well as providing a new clubhouse with restaurant facilities for the use of members, guests and the general public. Planning permission was granted for the development in December 2019.

The commitment of the applicant to the delivery of the new clubhouse as part of the first phase of new holiday accommodation is welcomed, since it would accord with the planning permission granted in 2019. A number of construction jobs are currently being sustained through the phase of works now taking place. The clubhouse development, once complete, would support local job creation and provide a high quality, purpose-built facility for guests, visitors and members alike.

Given the economic impact of Covid-19 pandemic, the use of the first phase of holiday lodges as soon as they are ready for occupation (estimated from June 2021 onwards) can be supported, ahead of the completion of the new clubhouse. The letting of the holiday accommodation as soon as it is ready would provide an income stream necessary to support new employment at the site. Job creation has always been a key objective of supporting development at Dundonald Links.

The supporting information confirms that the work to build the clubhouse structure would be well underway by the time the first phase of holiday lodges are ready for occupation in the summer of 2021. Whilst the first groups of guests during Summer 2021 would not be able to make use of the new facilities, the existing clubhouse would continue to offer catering and changing facilities for golf related tourism.

The proposed wording of the amendment would ensure that the new clubhouse would be operational within 6 months of the overnight accommodation first being brought into use. Whilst is it not currently anticipated that there would be a gap of 6 months, with 3 months being the current estimate, it is considered reasonable to afford a longer period in the event of any further delays during the construction programme.

As such, it is considered that the proposed changes to Condition No. 14 would accord with the development plan policy for the area, the previously approved planning permission and the six tests for planning conditions as set out above.

As there are not any material considerations to the contrary, it is recommended that planning permission is granted for the proposed amendment to Condition No. 14. The other conditions attached to the planning permission would continue to have effect. Since construction works to implement planning permission 19/00748/PPM are now underway, with all conditions discharged, it is not necessary to re-attach the other conditions to any

further decision notice. However, one further condition, requiring the submission of a timescale for the closure and removal of the existing clubhouse, is considered necessary in the interests of ensuring the progression of the first phase of development towards the eventual completion of the approved works on the site.

4. Full Recommendation

Approved subject to Conditions

Reasons for Decision

Condition

1. That no holiday lodges shall be occupied until the replacement clubhouse structure, hereby approved, is completed to the satisfaction of North Ayrshire Council as Planning Authority and thereafter the clubhouse must be operational within 6 months of the overnight accommodation being first brought into use.

Reason

To restrict the development to the terms of its justification/special need.

Condition

2. That, upon the completion of the first phase of holiday lodges, a timescale for the closure and removal of the existing clubhouse shall be submitted for the written approval of North Ayrshire Council as Planning Authority.

Reason

To maintain control over the development in the interest of amenity.

Russell McCutcheon
Executive Director (Place)

For further information please contact Mr A Hume Planning Officer on 01294 324318.

Appendix 1 – Location Plan

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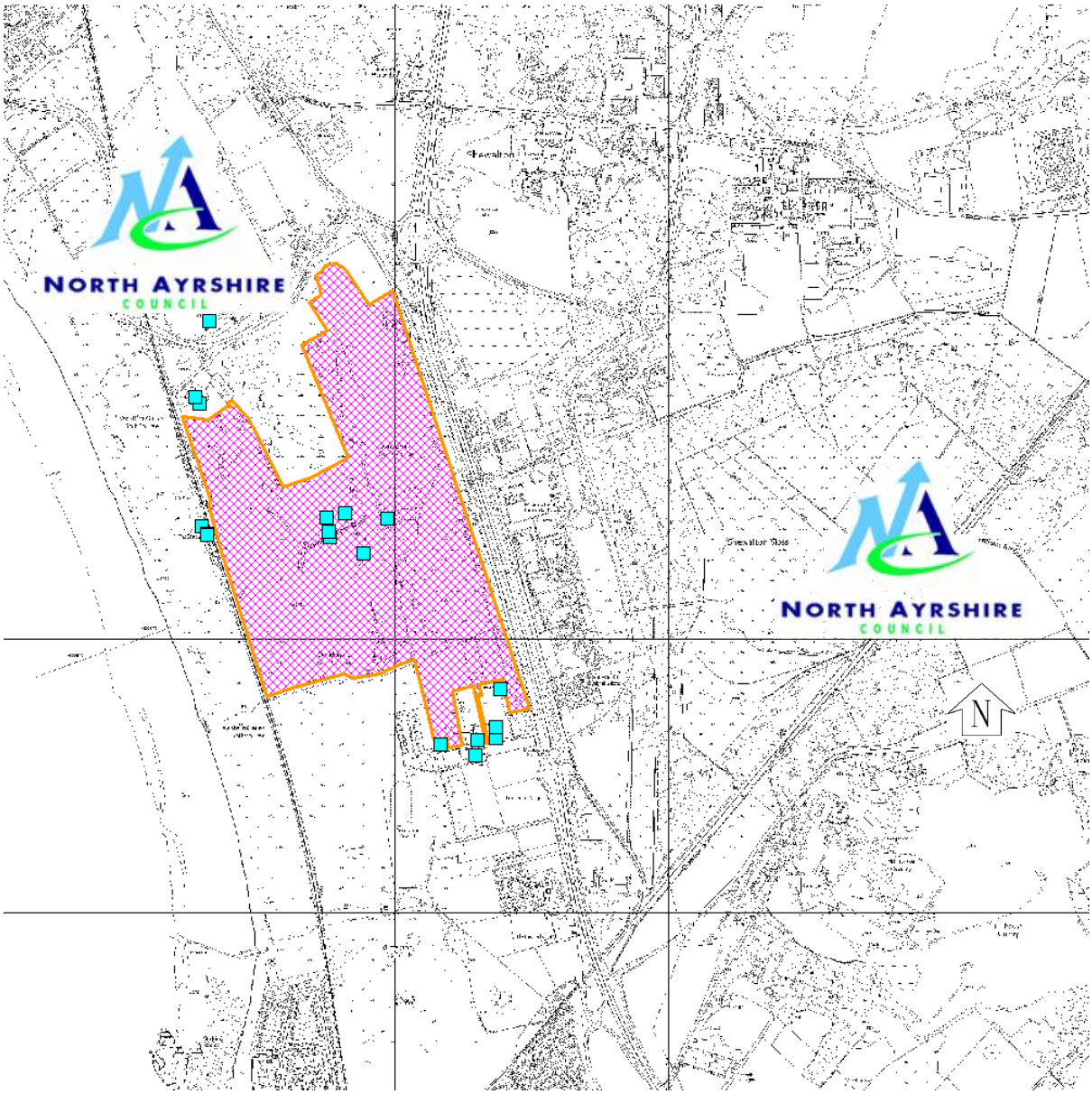

NORTH AYRSHIRE COUNCIL

2nd September 2020

Planning Committee

Locality	Garnock Valley
Reference	19/00903/PPM
Application Registered	4th December 2019
Decision Due	4th April 2020
Ward	Kilbirnie And Beith

Recommendation Approved subject to Conditions

Location Site To South East Of Moorpark Primary School Milton Road Kilbirnie Ayrshire

Applicant North Ayrshire Council

Proposal Erection of primary school to include associated access, parking, playground and sports pitch

1. Description

Planning permission is sought to erect a replacement primary school with pre-school facilities on land formerly occupied by Garnock Academy at School Road, Kilbirnie. The application site would take up approximately half of the former secondary school site, providing a school building together with associated parking facilities, road and footpath connections, playground areas and two outdoor sports pitches. One of the pitches would have an artificial playing surface, with the larger of the two having a grass surface. The site boundary would be fenced from the surrounding area, as at present.

The remainder of the former Garnock Academy site, as well as the site of the existing Moorpark Primary School (to the north) would be retained for future housing development and is outwith the scope of this application.

The design of the proposed school would take the form of a two-storey circular hub or core with three main single storey classroom wings radiating from it. There would be 12 classrooms in total, as well as three general purpose rooms. In addition, two smaller projecting wings (also single storey) would adjoin the hub to provide accommodation for the nursery area, the admin office and main reception area. Between each wing would be secure outdoor play areas for use by the children in the adjoining classrooms. Covered learning areas would be provided within each of the secure outdoor spaces. Within the

circular hub would be the dining hall, gym hall, stage and all associated facilities. The building has been designed to cater for 231 pupils and 30 pre-school children.

Externally, the circular hub would be finished with aluminium shingle cladding at first floor level. Otherwise, the school would be finished using a light coloured facing brick throughout, with grey coloured aluminium pitched roofs, single ply membrane for flat roofs and aluminium/timber windows (grey metal frames outside, timber inside).

The car park would provide spaces for both staff and visitors and would include drop-off and pick-up areas with a turning circle. Access would be taken from a new junction to be formed on School Road. The original Garnock Academy exit road would be stopped up with the current Moorpark Primary School access (outwith the application site) retained.

A footpath link would be provided across the north of the site leading to the existing path and footbridge which crosses over the Pundeavon Burn. The footbridge and path connect the Milton Road area of the town to the current Moorpark Primary School. Pedestrian access would also be available from School Road, as at present, providing access to the Largs Road area and southwards towards the town centre.

The existing gates at the southeast of the site, leading from Townhead, would be removed and infilled with fencing. (Note: these gates were used as a pedestrian and secondary vehicular access to Garnock Academy, not the current Moorpark Primary School. There is presently no pedestrian or vehicle link from Townhead to Moorpark Primary School).

Extensive landscaping works are proposed throughout the site, including new tree planting to replace a number of trees which require to be felled within the boundary of the site.

In addition to the submitted plans and drawings, the application is supported by the following documents and reports:

Pre-application consultation (PAC) report
The PAC report summarises the background to the project and pre-application consultation. It highlights that a public consultation event was held by the applicant on 28th August 2019. It notes that advance publicity included a notice in a local newspaper and the distribution of 200 leaflets to residential properties and businesses near the site. 33 people attended, including representatives of the school community, local residents, councillors and community councillors. Representatives of the applicant and design team attended both events to answer questions raised by members of the public. A total of 6 responses were submitted in relation to the proposal, mostly providing positive feedback. There were some concerns received in respect of increased traffic and on-street parking, as well as a request made for the removal of boundary trees. The PAC report has given consideration to each of the issues raised.

Design and access statement
The statement outlines the various elements contained in the proposal and explains how the design team sought to address the project. Emphasis has been placed on ensuring that the proposed school would meet the Council's educational objectives by creating an inspirational and memorable learning environment.

Planning supporting statement

The report summaries the background to the project, including the reasons this particular site was chosen from a short list of 5. It describes the site and explains the rationale for the siting and design of the school and the associated access, parking and open space. The statement also provides an assessment of the proposal against the previous and current LDP, giving significant weight to Placemaking Principles as set out in Strategic Policy 2.

Protected species survey for Pundeavon Burn Corridor and Extended phase 1 habitat survey
Both reports list the European Protected Species that were investigated during a survey undertaken on 19th September 2019. The species considered included bats, otters, badgers, water voles, potential breeding birds as well as plant species. The survey found no evidence of any of the above protected species although the report highlights that there are trees with potential bat roost features alongside the Pundeavon Burn corridor (which is outwith the site boundary). This also applies to trees within the site. A separate bat survey was therefore undertaken. Within both reports, recommendations were made in relation to measures which should be adopted during land engineering and construction operations to safeguard any protected species which may be using the site for foraging or commuting purposes.

Bat survey
A bat survey was undertaken during November 2019, which found that there was bat roost potential in a number of trees within the site and also in a small utility building nearby. However, no evidence of roosting bats was found. Recommendations were made in relation to the potential presence of bat roosts. The report includes a bat protection plan for implementation during the development.

Flood risk assessment
A revised flood risk assessment was requested by SEPA, which has led to a lengthy delay in the processing of this application. Scottish Planning Policy is based on the principle that "the planning system should prevent development which would have a significant probability of being affected by flooding or would increase the probability of flooding elsewhere." The site does not have a history of flooding. The review of potential flooding at the site concluded that the only potentially significant flood risk would be from the adjacent watercourse, the Pundeavon Burn. The building would need to be protected against 1 in 1000-year flood events with the remainder of the site a 1 in 200 year level of protection. Flood risk from the burn would be limited to the overtopping of the existing footbridge which is located northeast of the site (as at present). The development is not, however, reliant on access from the footbridge and could also be reached from School Road which is not at risk of flooding from the burn. Playing fields within the site could be subject to flooding and a freeboard level of 600mm should be applied when setting the finished floor level of the building (55m AOD). This level has been applied in the site layout drawings. The playing fields should be designed to cope with occasional inundation and flow across them.

Drainage and SuDS Strategy Report
All foul water from the school building would be drained to the public sewer. Rainfall (surface water and roof water) drainage would be drained under gravity separately from foul water, attenuated and discharged to the Pundeavon Burn. The drains would have a 30% allowance for climate change (i.e. taking account of the potential for increased rainfall). During a 1 in 200-year flood event, surface water flood storage would be stored below the ground in crate systems (e.g. stormcell), then discharged to the Pundeavon Burn. For the

safety of school children, there would be no above ground SuDS detention basins within the development.

Noise assessment
The noise assessment considers baseline conditions, construction noise and noise during the operation of the school once completed. Baseline noise levels were predominately from traffic on the surrounding roads. Noise generated by construction activities would take account of the relevant British Standards. In terms of the completed development, the report notes that proposed air conditioning units would be a potential source of noise. These units would only operate during the daytime period (seasonally). The only other source of potential noise would be from the playground and sports pitches during school hours. It is not intended that the school's outdoor facilities would be available for public use outside of school hours.

Transport statement
The transport statement considers the location of the site, the school catchment area, staffing levels, routes to school and public transport provision in the area. It notes that the site would be marginally closer to the resident catchment population that the existing site for Moorpark Primary School. The existing path link to Milton Road, via the footbridge, would be retained with a new connection formed into the school. The new access onto School Road would be more direct in comparison with the existing arrangements. An existing access onto Townhead, which formerly served Garnock Academy, would be permanently closed off. The statement concludes with various recommendations relating to the level of parking provision, footpath connections and cycle parking.

The application site is located within a general urban area of Kilbirnie in terms of the adopted Local Development Plan. The following LDP policies are relevant to the proposal:

Strategic Policy 1 - Towns and villages objective
Strategic Policy 2 - Placemaking
Policy 14 - Green and blue infrastructure
Policy 20 - Outdoor sports facilities
Policy 23 - Flood Risk Management
Policy 27 - Sustainable transport and active travel
Policy 29 -Energy Infrastructure Development
Policy 31 - Future proofing for heat networks

Strategic Policy 1 - Towns and Villages Objective

Our towns and villages are where most of our homes, jobs, community facilities, shops and services are located. We want to continue to support our communities, businesses and protect our natural environment by directing new development to our towns and villages as shown in the Spatial Strategy. Within urban areas (within the settlement boundary), the LDP identifies town centre locations, employment locations and areas of open space. Most of the remaining area within settlements is shown as General Urban Area. Within the General Urban Area, proposals for residential development will accord with the development plan in principle, and applications will be assessed against the policies of the LDP. New non-residential proposals will be assessed against policies of this LDP that relate to the proposal.

In principle, we will support development proposals within our towns and villages that:

a) Support the social and economic functions of our town centres by adopting a town centre first principle that directs major new development and investment to town centre locations as a priority including supporting town centre living.
b) Provide the right new homes in the right places by working alongside the Local Housing Strategy to deliver choice and variety in the housing stock, protecting land for housing development to ensure we address housing need and demand within North Ayrshire and by supporting innovative approaches to improving the volume and speed of housing delivery.
c) Generate new employment opportunities by identifying a flexible range of business, commercial and industrial areas to meet market demands including those that would support key sector development at Hunterston and i3, Irvine.
d) Recognise the value of our built and natural environment by embedding placemaking into our decision-making.

e) Prioritise the re-use of brownfield land over greenfield land by supporting a range of strategic developments that will deliver:
o regeneration of vacant and derelict land through its sustainable and productive re-use, particularly at Ardrossan North Shore, harbour and marina areas, Montgomerie Park (Irvine) and Lochshore (Kilbirnie).
o regeneration and conservation benefits, including securing the productive re-use of Stoneyholm Mill (Kilbirnie) and supporting the Millport Conservation Area Regeneration Scheme.
f) Support the delivery of regional partnerships such as the Ayrshire Growth Deal in unlocking the economic potential of the Ayrshire region.

Strategic Policy 2 - Placemaking

Our Placemaking policy will ensure we are meeting LOIP priorities to make North Ayrshire safer and healthier by ensuring that all development contributes to making quality places. The policy also safeguards, and where possible enhances environmental quality through the avoidance of unacceptable adverse environmental or amenity impacts. We expect that all applications for planning permission meet the six qualities of successful places, contained in this policy. This is in addition to establishing the principle of development in accordance with Strategic Policy 1: Spatial Strategy. These detailed criteria are generally not repeated in the detailed policies section of the LDP. They will apply, as appropriate, to all developments.

Six qualities of a successful place

Distinctive
The proposal draws upon the positive characteristics of the surrounding area including landscapes, topography, ecology, skylines, spaces and scales, street and building forms, and materials to create places with a sense of identity.

Welcoming
The proposal considers the future users of the site and helps people to find their way around, for example, by accentuating existing landmarks to create or improve views (including sea views), locating a distinctive work of art in a notable place or making the most of gateway features to and from the development. It should also ensure that appropriate signage and lighting is used to improve safety and illuminate attractive buildings.
Safe and Pleasant
The proposal creates attractive places by providing a sense of security, including by encouraging activity, considering crime rates, providing a clear distinction between private and public space, creating active frontages and considering the benefits of natural surveillance for streets, paths and open spaces.
The proposal creates a pleasant, positive sense of place by promoting visual quality, encouraging social and economic interaction and activity, and by considering the place before vehicle movement.
The proposal respects the amenity of existing and future users in terms of noise, privacy, sunlight/daylight, smells, vibrations, glare, traffic generation, and parking. The proposal sufficiently investigates and responds to any issues of ground instability.

Adaptable
The proposal considers future users of the site and ensures that the design is adaptable to their needs. This includes consideration of future changes of use that may involve a mix of densities, tenures, and typologies to ensure that future diverse but compatible uses can be integrated including the provision of versatile multi-functional greenspace.

Resource Efficient
The proposal maximises the efficient use of resources. This can be achieved by re-using or sharing existing resources and by minimising their future depletion. This includes consideration of technological and natural means such as flood drainage systems, heat networks, solar gain, renewable energy and waste recycling as well as use of green and blue networks.

Easy to Move Around and Beyond
The proposal considers the connectedness of the site for people before the movement of motor vehicles, by prioritising sustainable and active travel choices, such as walking, cycling and public transport and ensuring layouts reflect likely desire lines, through routes and future expansions.

Detailed Policy 14 - Green & Blue Infrastructure

All proposals should seek to protect, create, enhance and/or enlarge our natural features and habitats which make up our green and blue infrastructure (including open space), ensuring no unacceptable adverse environmental impacts occur.
Green and blue infrastructure should be multi-functional, accessible and integral to its local circumstances. For example, Sustainable Urban Drainage Systems (SuDS) have the

potential to play a key role in the delivery of meaningful blue and green infrastructure, providing amenity and improving biodiversity as well as providing a sustainable flood risk solution. We will require details of the proposed arrangements for the long-term management and maintenance of green infrastructure, and associated water features, to form a key part of any proposal.
Our Open Space Strategy (2016-2026) highlights the need for an audit which identifies valued and functional green and blue infrastructure or open space capable of being brought into use to meet local needs. We will support the temporary use of unused or underused land as green infrastructure including where it consists of advanced structure planting to create landscape frameworks for future development. Support will be given to proposals which seek to enhance biodiversity from new development where possible, including the restoration of degraded habitats and the avoidance of further fragmentation or isolation of habitats. We will also support proposals that are in accordance with the vision and outcomes of the Central Scotland Green Network as well as those of the Garnock Connections Project.

Detailed Policy 20 - Outdoor Sports Facilities

Development involving the loss of outdoor sports facilities will only be supported in the following exceptional circumstances:
o it is ancillary to the principal use of the site as outdoor sports facility, or;
o it involves only a minor part of the outdoor sports facility and would not affect its use and potential for sport and training, or;
o the outdoor sports facility which would be lost would be replaced either by a new facility of comparable or greater benefit for sport in a location that is convenient for users, or by the upgrading of an existing outdoor sports facility to provide a facility of better quality on the same site or at another location that is convenient for users and maintains or improves the overall playing capacity in the area, or;
o there is a clear excess of provision to meet current and anticipated demand in the area (quantity), and that the site would be developed without detriment to the overall quality of provision as informed by a relevant strategy and in consultation with sportscotland*
*In the absence of an up to date Pitches and Facilities Strategy, it is unlikely that development proposals would be able to satisfy the fourth bullet point, until a relevant Strategy is in place and/or in consultation with sportscotland.

Detailed Policy 23 - Flood Risk Management

We will support development that demonstrates accordance with the Flood Risk Framework as defined in Scottish Planning Policy and shown in schedule 7, relevant flood risk management strategies and local flood risk management plans. We will also support schemes to manage flood risk, for instance through natural flood management, managed coastal realignment, wetland or green infrastructure creation.
Generally, development should avoid locations of flood risk and should not lead to a significant increase in the flood risk elsewhere. Land raising and elevated buildings will only be supported in exceptional circumstances, where it is shown to have a neutral or better impact on flood risk outside the raised area.

Development proposals should:
o Clearly set out measures to protect against, and manage, flood risk.

o Include sustainable urban drainage systems (SuDS) where surface water is proposed to be discharged to the water environment, in accordance with the Water Environment (Controlled Activities) (Scotland) Regulations 2011 as amended.
o Include provision of temporary/construction phase SuDS.
o include appropriate long-term maintenance arrangements.
o Be supported by an appropriate flood risk assessment where at risk of flooding from any source in medium to high risk areas and for developments in low to medium risk areas identified in the risk framework (schedule 7).
o Take account of SEPA's flood risk and land use vulnerability guidance (2018) and any relevant updates to, or replacements of this guidance.

Detailed Policy 27 - Sustainable Transport and Active Travel

We will support development that:
contributes to an integrated transport network that supports long term sustainability
o reduces inequality by improving the accessibility and connectivity of employment opportunities and local amenities
o provides safe and convenient sustainable transport options and supports modal shift to sustainable transport and active travel.
o reduces the need to travel or appropriately mitigates adverse impacts of significant traffic generation, road safety and air quality, including taking into account the cumulative impact.
o takes a design-led, collaborative approach to street design to provide safe and convenient opportunities for integrated sustainable travel in the following order of priority: pedestrians, people on cycles, people using collective transport (buses, trains etc.) and people using private transport.
o considers the potential requirements of other infrastructure providers, including designing for the potential development of district heat networks by for example incorporating access points into the transport network to allow for future pipe development or creating channels underneath the road/infrastructure to enable pipe development with minimal disruption to the networks.
o enables the integration of transport modes and facilitates movement of freight by rail or water (in preference to road). This would include, for example, the provision of infrastructure necessary to support positive change in transport technologies, such as charging points for electric vehicles and the safeguarding of disused railway lines with the reasonable prospect of being used as rail, tram, bus rapid transit or active travel routes.
o considers the impact on, and seeks to reduce risk to level crossings, including those located within Ardrossan, Stevenston and Gailes.

Proposals are expected to include an indication of how new infrastructure or services are to be delivered and phased, and how and by whom any developer contributions will be made.

We will take account of:
o the implications of development proposals on traffic, patterns of travel and road safety.
o Significant traffic generating uses should be sited at locations that are well served by public transport, subject to parking restraint policies, and supported by measures to promote the availability of high-quality public transport services. Where this is not

achievable, we may seek the provision of subsidised services until a sustainable service is achievable.

- the potential vehicle speeds and level of infrastructure provided for the expected numbers of trips by all modes.
- the relationship between land use and transport and particularly the capacity of the existing transport network, environmental and operational constraints, and proposed or committed transport projects.
- committed and proposed projects for the enhancement of North Ayrshire's transport infrastructure, including improved park and ride provision.
- specific locational needs of rural communities. We recognise that in rural areas we need to be realistic about the likely viability of public transport services and innovative solutions such as demand-responsive public transport and small scale park and ride facilities at nodes on rural bus corridors will be considered.
- The Council's adopted Local Transport Strategy, Core Paths Plan, Town Centre Parking Strategy and parking requirements.
- The need to mitigate and adapt to climate change with regard to the Climate Change (Scotland) Act 2009.
- The provision of new and improved links to existing and proposed active travel routes which are integrated with the wider strategic network, including the National Walking and Cycling Network, core paths and the Ayrshire Coastal Path.

Developments likely to generate significant additional journeys will be required to be accompanied by a Transport Assessment, Air Quality Assessment and a Travel Plan. A Transport Statement will be required for smaller scale developments that will not have a major impact on the transport network, but are still likely to have an impact at a local level on the immediate transport network.

National Development:

The National Walking and Cycling Network (NWCN) was designated as a national development within the National Planning Framework (NPF3). This is an ambitious project which aims to grow Scotland's
network of paths from 6,000 to 8,000 km by 2035. Key routes in North Ayrshire which will contribute to this network are detailed below. These are being developed in partnership with Sustrans and Scottish Natural Heritage as lead organisations for the delivery of the NWCN.

These include the development of an off-road alignment for:

- National Cycle Network (NCN) Route 73 (North) between Brodick and Corrie on the Isle of Arran
- NCN Route 753 between Skelmorlie and Ardrossan
- While not explicitly referenced in NPF3, support will be given to development of an off-road alignment for NCN Route 7 between Kilwinning and Kilbirnie.

Detailed Policy 29 - Energy Infrastructure

We will support development proposals for energy infrastructure development, including wind, solar, tidal, cropping and other renewable sources, where they will contribute positively to our transition to a low carbon economy and have no unacceptable adverse environmental impacts, taking into consideration (including cumulatively) the following:

Environmental

- Communities and individual dwellings - including visual impact, residential amenity, noise and shadow flicker;
- Water quality;
- Landscape - including avoiding unacceptable adverse impacts on our landscape designations;
- Effects on the natural heritage - including birds;
- Carbon rich soils including peat;
- Impacts on the historic environment - including scheduled monuments, listed buildings and their settings.

Community
- Establishing the use of the site for energy infrastructure development;
- providing a net economic impact - including socio-economic benefits such as employment, associated business and supply chain opportunities;
- Scale of contribution to renewable energy generation targets;
- Public access - including impact on long distance walking and cycling routes and scenic routes identified in the National Planning Framework;
- Impacts on tourism and recreation;
- Specific locational opportunities for energy storage/generation.

Public Safety
- Greenhouse gas emissions;
- Aviation and defence interests and seismological recording;
- Telecommunications and broadcasting installations - particularly ensuring that transmission links are not compromised; radio telemetry interference and below ground assets;
- Road traffic and adjacent trunk roads;
- Effects on hydrology, the water environment and flood risk including drinking water quality and quantity (to both the public and private water supplies);
- Decommissioning of developments - including ancillary infrastructure, and site restoration and aftercare.

Proposals should include redundancy plans which will demonstrate how apparatus will be timeously removed as reasonably soon as the approved scheme ceases operation. There may be a requirement for financial bonds to ensure that decommissioning can be achieved. Taking into consideration the above, proposals for wind turbine developments should accord with the Spatial Framework (as mapped) and consider the current Landscape Capacity Study for Wind Farm Development in North Ayrshire. This study will be used as a point of reference for assessing all wind energy proposals including definitions of what small to large scale entails.

Buildings: Low and Zero Carbon Generating Technology
Proposals for all new buildings will be required to demonstrate that at least 10% of the current carbon emissions reduction set by Scottish Building Standards will be met through the installation and operation of low and zero-carbon generating technologies. A statement will be required to be submitted demonstrating compliance with this requirement. The percentage will increase at the next review of the local development plan.

This requirement will not apply to:
1. Alterations and extensions to buildings
2. Change of use or conversion of buildings

3. Ancillary buildings that stand alone and cover an area less than 50 square metres
4. Buildings which will not be heated or cooled, other than by heating provided solely for frost protection.
5. Buildings which have an intended life of less than two years.

Detailed Policy 31 - Future Proofing for Heat Networks

We will support proposals for the creation or enhancement of district heat networks in as many locations as possible in North Ayrshire (even where they are initially reliant on carbon-based fuels if there is potential to convert them to run on renewable or low carbon sources of heat in the future).
We will seek to identify and safeguard existing and future heat network generation and distribution infrastructure, including piperuns and pipework within, and to the curtilage of, new developments.

Proposals for development that constitute a significant heat source or substantial development* which would not result in the creation or enhancement of district heat networks should include:

i) provision for on-site heat recovery and re-use infrastructure; or
ii) a heat network generation and distribution infrastructure plan (a district heating plan), taking into account the potential to connect to future heat demand sites; or
iii) demonstrable evidence that district heating or other forms of renewable generation storage have been explored but are not feasible for technical (proximity, geography, safety etc) or economic reasons.

* 'Substantial' developments consist of urban extensions, large regeneration areas or large development sites subject to master planning or large mixed-use developments and major sites (50 residential units and above). There is, however, an element of judgment that will need to be applied here and it might be that some other locations offer significant potential for heat networks due to their local context, support from the local authority, and 'buy in' from developers.

2. Consultations and Representations

The application was subject to the statutory neighbour notification procedures, which included an advertisement in a local newspaper on 11th December 2019. No representations were received.

Consultations

NAC Active Travel & Transportation - a number of points were raised in the consultation response dating from December 2019, all of which were technical points. These have all been addressed and are now satisfactory.

Response: Noted.

NAC Environmental Health - no objections subject to conditions regarding significant unsuspected contamination and a range of other environmental protection matters.

Response: A condition could be attached regarding any significant unsuspected contamination, if found on the site. The other matters fall outwith the remit of the planning application and would require to be addressed during construction by the contractor. The specific matters raised have been sent directly to the applicant's agent for them to note. A condition requiring the preparation of a site waste management plan could be attached, which would apply to the completed development.

NAC Flooding Officer - no objections subject to confirmation of several technical details relating to floor levels, overland flows, land drainage and SuDS.

Response: This consultation response was provided during the early part of January 2020. Due to the additional flood risk and drainage information requested by SEPA in the first two consultation responses (late January 2020 and mid-April 2020), these matters have now been provided and satisfactorily resolved.

SEPA - objected to the application on two separate occasions since additional flood risk and drainage information was considered to be necessary. Following consideration of the additional information submitted on behalf of the applicant in June 2020, SEPA withdrew the objection on 9th July 2020.

Response: Noted. The submitted drainage and flood risk information has informed the site levels and design of the proposed school, parking areas and access routes.

NAC Arboriculture Officer and **Kilbirnie Community Council** - no comments.

3. Analysis

In accordance with statute, planning applications require to be determined in accordance with the provisions of the development plan unless material considerations indicate otherwise. As noted above, there are six relevant development plan policies, the first of which is Strategic Policy 1 - Towns and Villages Objective. This strategic policy states that the Council will support development proposals within our towns and villages that prioritise the re-use of brownfield land over greenfield land and will embed placemaking into our decision making. The site for the proposed school would re-use land formerly occupied by Garnock Academy. It has been disused for over three and a half years since the pupils transferred to the Garnock Community Campus in Glengarnock. Placemaking is at the heart of the proposal, and the design has evolved through careful consideration of both the site and the educational requirements of the school community. The proposal therefore accords with Strategic Policy 1, in principle.

The assessment of the proposal against Strategic Policy 2 - Placemaking will take place after consideration of the detailed topic based policies.

Policy 14 addresses the topic of green and blue infrastructure and is concerned with habitats and open space (green infrastructure) and the water environment (blue infrastructure). It requires proposed developments to protect, create, enhance and/or enlarge these assets. In this proposal, the green infrastructure includes the provision of a

large area of open space to serve the new primary school. Many of the existing trees within the site would be retained, with additional landscaping provided for amenity, habitat and educational benefits. A condition would require a revised scheme to be prepared, following the implementation of tree protection works on site, to ensure the inclusion of trees T25 and T26 within the development. Pedestrian connections would be included within the proposal to enhance the green infrastructure, reduce reliance on motorised travel and encourage more use of the outdoor spaces within the development. In terms of the blue infrastructure, the development would not include any above ground SuDs water features as this is not considered appropriate within a primary school for safety reasons. However, the site is adjacent to the Pundeavon Burn which has its own natural woodland either side of the watercourse.

The proposed development would not encroach onto this area nor cause any adverse impacts on either the watercourse or the associated riparian woodland. As noted above, a bat survey has been undertaken to establish if any of the trees within the site boundary are used by bats for roosting. The survey, undertaken in September 2019, established that bat roost potential was present in a number of trees within the application site and adjacent to it, as well as a small utility building nearby. A habitat survey for the overall site was subsequently undertaken. Conditions could be attached to ensure that the recommendations of the various wildlife and habitat surveys are implemented during the course of the development, including a further bat survey inclusive of a protection plan, and that the proposed landscaping works are fully implemented. The future maintenance of all green spaces within the site would be the responsibility of the Council. In summary, the proposal accords with Policy 14.

Policy 20 is chiefly concerned about the loss of outdoor sports facilities to new development. The development would include substantial areas of open space that would be significantly improved in comparison with the current situation. For example, the red blaes pitch at the southern end of the site would be replaced with a modern all-weather playing surface. A new grass pitch would be provided to the north of the school building, replacing an area of brownfield land. Beyond, areas of hardstanding would be retained as open space within the school boundary with enhanced pedestrian access in the form of a new footpath. In addition, the footprint of the proposed school would be smaller than that of the former Garnock Academy buildings, resulting in a net increase in open space at the site once the playground and sports pitches are taken into account. In summary, the proposal accords with Policy 20.

Policy 23 relates to Flood Risk Management. As noted above, the application has been supported by a flood risk assessment in addition to a further report on drainage and SuDS. This particular issue has caused significant delay to the processing of the application due to a series of objections from SEPA in the six-month period between January and June 2020. A final version of the flood risk assessment, following further modelling work at the request of SEPA, was received on 25th June 2020, which was subject to consultation with SEPA resulting in the removal pf the objection on 9th July 2020. Given the robust and detailed consideration of flood risk, it is concluded that the proposed development is not at risk of flooding. In summary, the proposal accords with Policy 23.

Policy 27 addresses sustainable transport and active travel. The existing catchment area for Moorpark Primary School would be unchanged by the proposed development, since the school would only be relocated a short distance from its present location to the north of the application site. Existing footpath networks would be retained with a new access formed from School Road and new footpath across the north of the site to link with the footbridge to

Milton Road. The access onto Townhead (which served Garnock Academy only) would be stopped up for security reasons. It is considered that the site is well located for the catchment area, covering the northern part of Kilbirnie as well as the rural area beyond, and that provision has been made for the promotion of sustainable transport and active travel in the form of covered scooter and bike stands within the proposed development, which would cater for up to 38 cycles (or scooters). In terms of road access, there would be no change to the present arrangements, with all vehicular traffic routed to the site via School Road, north of the A760. The level of parking provision within the site would be adequate for the 36 staff and drop-off and pick-up arrangements would also be put in place. A turning facility would enable drop-offs and pick-ups to take place without vehicles having to enter the main parking area. In summary, the proposal is acceptable in terms of Policy 27.

Policy 29 (Energy Infrastructure Development) is relevant to the proposal since it involves the erection of a new building. In addition, Policy 31 requires that proposed developments are 'future proofed' for heat networks. Both policies are considered together, below.

Policy 29 seeks to ensure that new buildings include low or zero carbon technologies to demonstrate that at least 10% of the current carbon emissions reduction set by Scottish Building Standards will be met. Policy 31 is aimed at decarbonising the type of energy used for heating buildings and that consideration is given to district heat networks during the planning process. In this instance, the proposed school would initially be heated using a high efficiency gas boiler system, delivering both hot water and space heating. Over time, it is intended to develop a district heating network for both the school and the adjacent housing development which is being planned by the Council for the neighbouring land. The applicant is working towards this aim and has confirmed that a low or zero carbon district heating system would be developed in tandem with the new housing on the neighbouring vacant land in the years ahead. In order to meet the requirements of Policy 29, a condition could be attached in respect of low or zero carbon technologies which could be included within the school from the outset, such as solar PV panels for electricity generation, and therefore would meet the requirements of Policy 29. In view of the wider plans for the surrounding area, it is considered that the information provided about future district heating networks, this would meet the requirements of Policy 31.

Turning to Strategic Policy 2 (Placemaking), all six qualities of a successful place are relevant to this proposal. A comment on each follows below:

Distinctive
The design of the school building has been carefully considered to meet the requirements of the school. Its built form and external finishes would result in a modern school which would sit comfortably in its landscape setting, with a backdrop of woodland on the banks of the Pundeavon Burn. The building would be unique within Kilbirnie and is considered an excellent response to the site.

Safe and Pleasant
The entire site would be landscaped with as many mature and established trees retained wherever possible. There would be numerous opportunities for outdoor learning created by the numerous features that have been embedded into the design. The building itself would benefit from significant levels of natural light which would also enhance the learning experiences for the pupils and contribute to wellbeing.

Resource Efficient

As discussed above, a condition could be attached with regard to Policy 29 and consideration is being given to district heating for the area in the longer term.

Welcoming
The siting of the school has been carefully considered and the building would be approached from a tree lined avenue leading from School Road. It is considered that the setting and design of the school would be welcoming and create a positive environment for a primary school.

Adaptable
Whilst the proposed school is designed primarily for educational use, it would provide various internal and external high-quality spaces that could be used by the wider community for learning, community and leisure purposes if so required.

Easy to move around and beyond
As discussed above, the site is on the land previously occupied by Garnock Academy and is adjacent to the existing Moorpark Primary School. As such, the site is well located for the catchment area and can easily be reached on foot, bicycle or scooter from the surrounding area as well as being accessible by car. The catchment area for Moorpark is such that school transport is not provided by the Council, with the exception of children resident in the rural area beyond the town who are provided with a taxi service. Given that most pupils live within walking or cycling distance, facilities for securely storing bikes and scooters would be provided as part of the development. These measures would support and encourage active travel to and from school. Since the proposal is for the relocation of the existing primary school on the adjacent site, which pupils would transfer from, the proposed development would not result in any significant change to the previously established school travel and transport patterns within this part of Kilbirnie. In these circumstances, there is no justification for a planning condition in respect of a travel plan. In summary, the proposal is acceptable in terms of Strategic Policy 2 (Placemaking).

There are no other material considerations. In conclusion, the proposed replacement primary school for Moorpark would offer significant benefits to the school and wider Kilbirnie community. It is therefore recommended that planning permission is granted, subject to the undernoted conditions.

4. Full Recommendation

Approved subject to Conditions

Reasons for Decision

Condition

1. That the development hereby approved shall be implemented in accordance with the recommendations contained in the supporting documentation submitted with the planning application unless otherwise agreed in terms of the conditions to the consent, all to the satisfaction of North Ayrshire Council as Planning Authority.

Reason

In the interest of the proper planning of the area.

Condition

2. That, prior to the commencement of the development hereby approved, details of the heat and power systems for the school, which shall include low or zero carbon technologies to demonstrate that at least 10% of the current carbon emissions reduction set by Scottish Building Standards will be met, shall be submitted for the written approval of North Ayrshire Council as Planning Authority. Thereafter, the development shall be implemented in accordance with such details as may be approved unless otherwise agreed in writing with North Ayrshire Council as Planning Authority.

Reason

In the interests of environmental protection in accordance with Policy 29 of the adopted Local Development Plan.

Condition

3. That, prior to the commencement of site clearance works, a further bat survey shall be undertaken. The findings of the survey together with details of measures to protect any bats and any bat habitats that are found within the site shall be submitted for the written approval of North Ayrshire Council as Planning Authority. Thereafter, the development shall be implemented only in accordance with such details as may be approved.

Reason

In the interests of nature conservation.

Condition

4. That, prior to the commencement of site clearance works, all trees to be retained (including T25 and T26) shall be enclosed with protective fencing in accordance with BS 5837:2012 (Trees in relation to design, demolition and construction. Recommendations). The tree protection measures shall require to be inspected by the Planning Authority before the commencement of site clearance works. Thereafter, unless otherwise agreed, the tree protection measures as approved shall be retained in a satisfactory condition throughout the duration of the land engineering and building works required to implement the development to the satisfaction of North Ayrshire Council as Planning Authority.

Reason

In the interests of nature conservation and amenity.

Condition

5. That, notwithstanding the scheme of landscaping hereby approved, a revised scheme shall be prepared following the implementation of tree protection works on site to ensure the inclusion of trees T25 and T26 within the development. The revised scheme shall be submitted for the written approval of North Ayrshire Council as Planning Authority prior to the implementation of any landscaping works on the site. Thereafter, the revised scheme of landscaping as may be approved shall be implemented to the satisfaction of North Ayrshire Council not later than the first planting and seeding season following the opening of the school for education purposes. Unless otherwise agreed, any trees, plants or areas of seeding which subsequently fails shall be replaced with others of a similar size and species until successfully established.

Reason

In the interest of the amenity of the area.

Condition

6. That, prior to the commencement of any building operations, the applicant shall submit for the written approval of North Ayrshire Council as Planning Authority a detailed schedule of the proposed external finishes to be used on the school building. Thereafter, the development shall be implemented only in accordance with such details as may be approved, unless otherwise agreed in writing with North Ayrshire Council as Planning Authority.

Reason

In the interest of the amenity of the area.

Condition

7. That the presence of any significant unsuspected contamination that becomes evident during the development of the site shall be brought to the attention of Environmental Health. Thereafter a suitable investigation strategy as agreed with North Ayrshire Council shall be implemented and any necessary remediation works carried out prior to any further development taking place on the site, all to the satisfaction of North Ayrshire Council as Planning Authority.

Reason

In the interests of environmental protection.

Condition

8. That, within 12 months of the date of approval, the applicant shall submit for the written approval of North Ayrshire Council as Planning Authority a biodiversity action plan, which shall include details of bat hibernacula, bird boxes, wildflowers and other measures to promote/safeguard biodiversity and nature conservation. Thereafter, the action plan as may be approved shall be implemented prior to the school becoming operational to the satisfaction of North Ayrshire Council as Planning Authority.

Reason

In the interests of nature conservation and amenity.

Condition

9. That, within 12 months of the date of approval, the applicant shall submit for the written approval of North Ayrshire Council as Planning Authority details of all external lighting and signposting within the site. Thereafter, the external lighting and signposting scheme as may be approved shall be implemented prior to the campus becoming operational to the satisfaction of North Ayrshire Council as Planning Authority.

Reason

In the interests of ensuring that an appropriate balance between amenity and public safety is achieved.

Condition

10. That prior to the development becoming operational, the applicant shall submit for the written approval of North Ayrshire Council as Planning Authority details of a Site Waste Management Plan (SWMP). Thereafter, the SWMP as may be approved shall be implemented upon the campus becoming operational to the satisfaction of North Ayrshire

Council as Planning Authority and reviewed at 5 yearly intervals thereafter, unless otherwise agreed in writing with North Ayrshire Council as Planning Authority.

Reason

In the interests of environmental protection.

Russell McCutcheon
Executive Director (Place)

For further information please contact Mr A Hume Planning Officer on 01294 324318.

Appendix 1 – Location Plan

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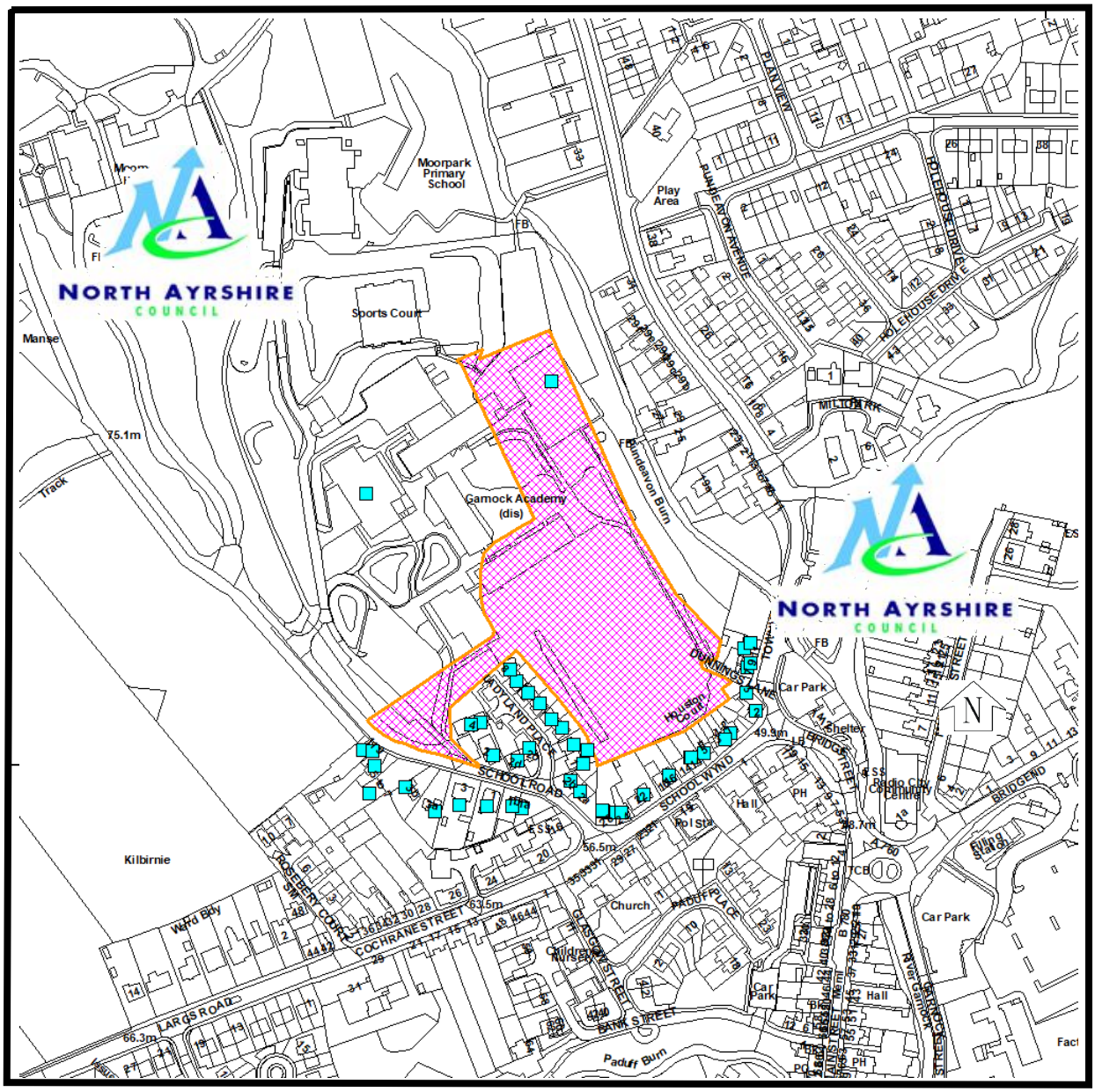

NORTH AYRSHIRE COUNCIL

2 September 2020

Planning Committee

Title:	**Notice under Section 127 of the Town and Country Planning (Scotland) Act 1997: 27 Lomond Crescent, Beith, Ayrshire, KA15 2EA**
Purpose:	To seek authority to serve a Notice under Section 127 of the Town and Country Planning (Scotland) Act 1997 requiring the removal of an outbuilding at 27 Lomond Crescent, Beith, Ayrshire, KA15 2EA
Recommendation:	Agree to serve a Notice under Section 127 of the Town and Country Planning (Scotland) Act 1997 requiring the removal of an outbuilding at 27 Lomond Crescent, Beith, Ayrshire, KA15 2EA

1. Executive Summary

1.1 The Council has received eight complaints from members of the public about a large outbuilding having been erected at 27 Lomond Crescent, Beith. A Planning Contravention Notice (PCN) was served on the owner of the site on 17th July 2020. Although a formal response has not been received, the owner has made contact with Planning Services by telephone. Following investigation, it has been established that the outbuilding does not constitute permitted development and does not benefit from planning permission. The outbuilding is therefore unauthorised.

1.2 It is considered that due to the industrial design, scale and position of the structure, the development is harmful to the residential and visual amenity of the area.

1.3 It is considered an Enforcement Notice should be served requiring the removal of the outbuilding at 27 Lomond Crescent, Beith.

2. Background

2.1 An outbuilding has been erected within the rear garden of 27 Lomond Crescent, Beith. The outbuilding is industrial in scale and appearance and has a steel portal frame gable roof design. The outbuilding is within 1 metre of the rear and west side boundaries of the curtilage of the dwellinghouse. It exceeds 2.5 metres in height within 1 metre of the rear and west side boundaries, measuring 3.4m to the roof ridge. The works commenced in July 2020. The site was inspected by Planning Officers on 3rd August 2020.

2.2 The outbuilding is not permitted development. Planning permission has not been granted and the development is therefore unauthorised. The owner of the land has been advised that the works are unauthorised.

2.3 A Planning Contravention Notice (PCN) was issued on 17th July 2020. A PCN is a formal questionnaire used to find out information about development. No formal response to the PCN has been received. However, the owner has stated that the outbuilding is for personal storage use and intends to complete the construction of the outbuilding. It is understood that, within the concrete base of the outbuilding, an inspection pit has been formed. It has been alleged by the complainants that the garage would be used for car repairs, potentially on a commercial basis. Regardless of any use of the building, the owner has been advised that a planning application to retain the works is unlikely to be considered favourably given its industrial scale and appearance and location within a residential area.

2.4 The site is located within an area identified as general urban area in the Adopted Local Development Plan (LDP). The site consists of a single storey semi-detached dwellinghouse with garden ground to the rear. The site is bounded by Lomond Crescent to the north, numbers 25 and 29 Lomond Crescent to the east and west and numbers 40, 42, and 44 Thorntree Avenue to the south. The site boundary treatments consist of an approx. 1.8m high timber fence to the rear and east side boundaries and approx. 1m high wall to the west side boundary. There is a small existing timber shed within the rear garden.

2.5 Strategic Policy 2 (Placemaking) of the LDP aims to safeguard and where possible enhance environmental quality through the avoidance of unacceptable adverse environmental or amenity impacts. This policy encourages proposals to create a pleasant, positive sense of place by promoting visual quality. It is not considered that the works comply with Strategic Policy 2 (Placemaking) and is therefore contrary to the LDP.

2.6 The development has been undertaken within the last 4 years without the necessary planning permission. The development harms the visual amenity of the area. As such, the outbuilding is considered to be contrary to the LDP.

2.7 Given the above, it is recommended that authority for the service of a Notice under Section 127 of the Town and Country Planning (Scotland) Act 1997, as amended, (an “Enforcement Notice”) be approved. An Enforcement Notice would require the removal of the outbuilding and the restoration of the land. The Enforcement Notice would take effect not less than 35 days from the date on which it is served, unless an appeal is lodged before it takes effect. The Enforcement Notice would require to be in full compliance within 6 weeks of the date that it takes effect. There is a right of appeal against an Enforcement Notice, but not on the grounds that planning permission ought to be granted.

3. Proposals

3.1 In in the interest of the amenity and residential character of the area, it is recommended that Committee approve the service of a Notice under Section 127 of the Town and Country Planning (Scotland) Act 1997 to require the removal of the outbuilding.

4. Implications/Socio-economic Duty

Financial

4.1 The Council can take direct action against non-compliance with an enforcement notice and seek any costs incurred from the land owner or lessee.

Human Resources

4.2 None.

Legal

4.3 The proposed Enforcement Notice is in accordance with Statutory Regulations. Non-compliance with such a Notice is an offence and the Council, as Planning Authority, could report such an offence to the Procurator Fiscal.

Equality/Socio-economic

4.4 None.

Environmental and Sustainability

4.5 The Council Plan seeks to make North Ayrshire a welcoming and attractive environment where our residents are proud to live and work.

Key Priorities

4.6 The proposed Enforcement Notice supports the Council Plan priority – "Vibrant, welcoming and attractive places."

Community Benefits

4.7 None.

5. Consultation

5.1 N/A

Russell McCutcheon
Executive Director Place

For further information please contact **Joseph Thompson, Planning Assistant,** on **01294 324313**.

Background Papers
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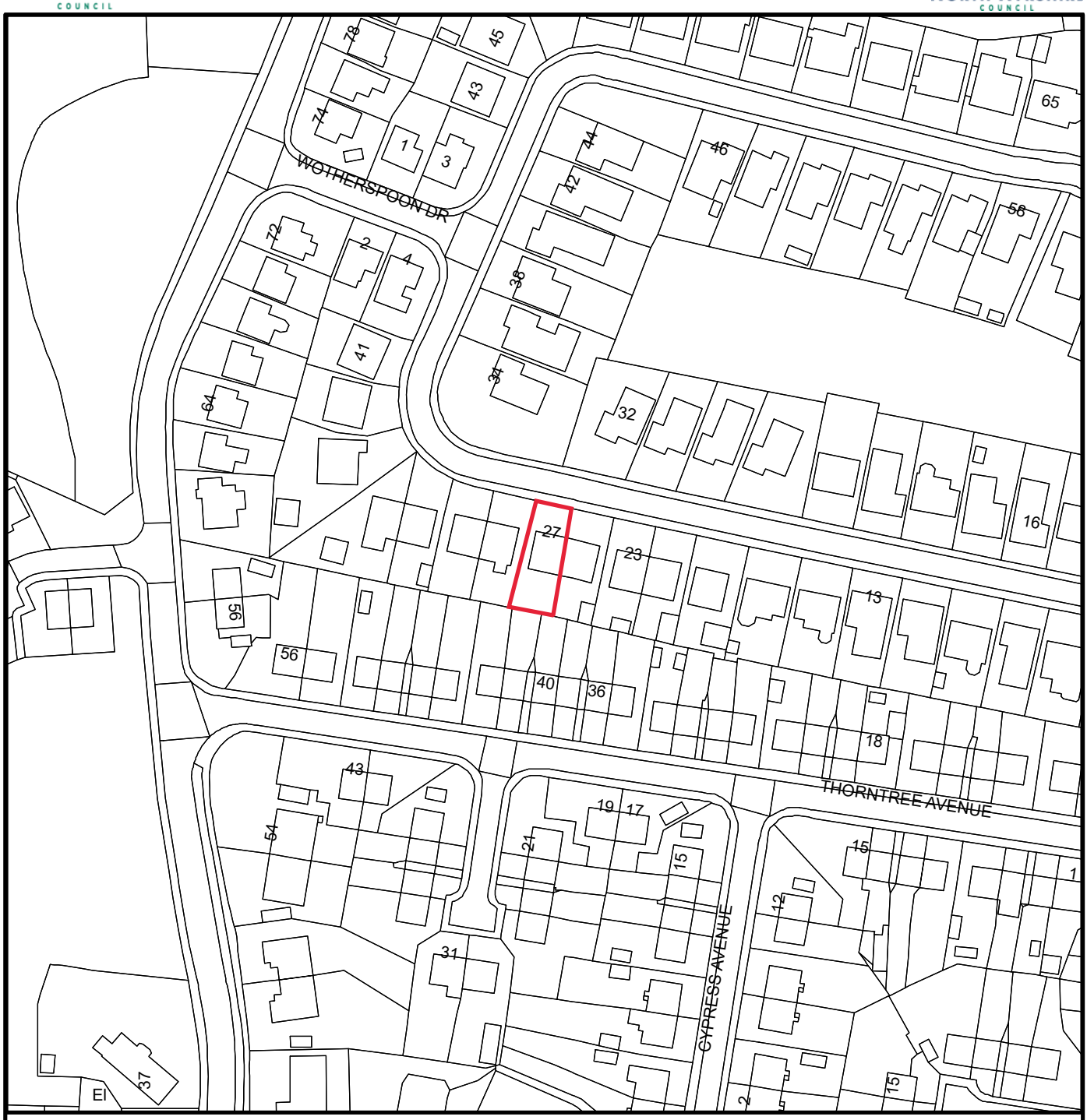
27 Lomond Crescent, Beith



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NORTH AYRSHIRE COUNCIL

2 September 2020

Planning Committee

Title:	**Planning Performance Framework**
Purpose:	To present the 2019/20 Planning Performance Framework report.
Recommendation:	It is recommended that Planning Committee notes the content of the latest Planning Performance Framework report (Appendix 1) and its submission to Scottish Government.

1. Executive Summary

1.1 The performance of the Planning Service is outlined in an annual report prepared under the well-established Planning Performance Framework (PPF) and submitted to the Scottish Government in July each year. PPF captures key elements of a planning service's performance and reports on a range of qualitative and quantitative indicators.

1.2 Our latest PPF Report, the ninth to be prepared, covers the period April 2019 to March 2020 and was submitted to the Scottish Government's Chief Planner ahead of the 31 July deadline. PPF9 reports on the feedback from Scottish Government on last year's PPF; outlines case studies that demonstrate we are a high-quality planning service (Part 1); provides a performance update in relation to key development management, development planning, planning enforcement and development land indicators (Part 2); and considers our service improvement actions (Part 3).

2. Background

2.1 The Planning Performance Framework (PPF) was introduced in 2012, developed by Heads of Planning Scotland in response to the Scottish Government's planning reform agenda. PPF captures key elements of a high-performing planning service, giving a balanced measurement of the overall quality of the service while contributing towards driving continuous improvement. PPFs also report on a set of agreed performance markers on which the Scottish Government provide feedback

2.2 The Scottish Government's feedback on last year's Planning Performance Framework report (2018/19) is summarised on page 3 of the 2019/20 report. In February 2020, the Minister for Local Government and Housing provided feedback based around the 15 performance markers. Using a 'traffic light' scoring system, the Planning Service was rated green against 12 of the 13 performance markers applicable during the monitoring year. A delay in adopting the Local Development Plan, partly out with our control, meant the LDP was not replaced within the required 5-year timescale, leading to one amber

rating. Nevertheless, the feedback represents a continuation in strong overall markings over that last four years, with no red ratings over this period.

2.2 Successes of the Planning Service over the past 12 months, highlighted within the PPF, include recognition at the Scottish Awards for Quality in Planning in December 2019 and at the 2020 RTPI Excellence in Planning Awards for a Development Brief prototype; becoming the first authority in Scotland to adopt a Simplified Planning Zone (SPZ) aimed at stimulating development of a prime housing site and adoption of the Local Development Plan in November 2019.

2.4 Part 2 of the PPF8 is focused around National Headline Indicators – quantitative indicators which examine all aspects of the planning process, providing data on areas such as planning decision making timescales, the progress of the Local Development Plan, and the level of the housing land supply – and Official Statistics, which together provide an accurate and reliable account of performance over time. An update in respect to the performance markers is also provided.

2.5 Highlights include a further improvement in determination timescales for local development (non-householder) planning applications. During 2019/20 the Planning Service determined 221 local applications in an average of 5.4 weeks (down from 5.9 weeks). Average timescales for determining householder applications remained at 4.3 week and, in these two categories, our performance is the best among all Scottish planning authorities.

2.6 Part 3 of the PPF reports on the delivery of service improvement actions committed in the previous year and planned service improvements for 2019/20. The focus of the Planning Service continues to be driving improved performance; positioning the Service to promote placemaking; promoting the plan-led system and the achievements of the Service, while meeting statutory requirements. Of significant importance this year will be supporting economic recovery and renewal in response to the COVID-19 crisis by contributing to a cross Council approach to economic development centred on placemaking and Community Wealth Building.

3. Proposals

3.1 Due to the disruption cause by COVID-19, it was not possible to report and seek approval for the report ahead of its submission to Scottish Government at the end of July. Committee is therefore recommended to simply to note the PPF.

4. Implications/Socio-economic Duty

Financial

4.1 None.

Human Resources

4.2 None.

Legal

4.3 None.

Equality/Socio-economic

4.4 None.

Environmental and Sustainability

4.5 None.

Key Priorities

4.6 The Planning Performance Framework report contributes to increasing the levels of accountability and transparency within the planning service; promoting the role of the service and continual improvement. The service supports many of the key priorities of the Council, including around the environment, housing, the economy and health and well-being.

Community Wealth Building

4.7 None.

5. Consultation

5.1 None.

RUSSELL McCUTCHEON
Executive Director (Place)

For further information please contact **Alistair Gemmell, Strategic Planning Manager,** on **01294 324021**.

Background Papers
Appendix 1 – Planning Performance Framework – 2019/20 Report (July 2020)

July 2020

Planning Performance Framework
2019/20 Report

North Ayrshire Council
Comhairle Siorrachd Air a Tuath

Highlights

Scottish Awards for Quality in Planning winners for our Development Brief Prototype

Determination times for planning applications remain among the fastest in Scotland

Adopted new Local Development Plan, leading to an increase in effective housing land supply through new consents

Adopted first Simplified Planning Zone aimed at stimulating development on a major housing site

Introducing…

North Ayrshire Council Planning Service

It has been another successful 12 months for the team which continues to provide an efficient, effective and innovative service that delivers measurably leading performance amongst planning authorities in Scotland.

Our determination timescales for planning applications remain among the fastest, significantly quicker than the national average. 2019/20 saw a further improvement in timescales for local applications.

In November 2019, the North Ayrshire Local Development Plan was adopted, the authority's second LDP. The Service's joined-up approach saw planning permission granted for two new housing sites and around 390 dwellings in December, five days after the adoption of the plan and contributing to our aim through LDP2 to stimulate a sluggish housing market.

The team's work in preparing a Development Brief Prototype was acknowledged at the 2019 Scottish Awards for Quality in Planning (SAQP) and the RTPI Awards for Planning Excellence 2020 (see **A1**). The techniques developed as part of the prototype have also informed a Simplified Planning Zone established in Irvine, again to promote housebuilding in North Ayrshire (**A2**).

The end of this reporting period – March 2020 – coincided with an unprecedented health emergency, COVID-19, which will have long lasting implications for all aspects of our lives. In the short-term, the team has quickly adapted to allow the service to continue; in the medium to long-term we are preparing to support our recovery, including through the Ayrshire Growth Deal and implementation of the Council's ground-breaking Community Wealth Building Strategy.

Planning Performance Framework

This is the Planning Performance Framework Report for North Ayrshire Council's Planning Service for the period April 2019 to March 2020.

The planning performance framework was introduced by planning authorities in 2012. Developed by Heads of Planning Scotland and supported by the Scottish Government the framework captures key elements of a high-performing planning service, such as:

- speed of decision-making;
- certainty of timescales, process and advice;
- delivery of good quality development;
- an overall 'open for business' attitude.

The framework gives a balanced measurement of the overall quality of the planning service and contributes towards driving a culture of continuous improvement.

All planning authorities, strategic development plan authorities and seven key agencies prepare a Planning Performance Framework (PPF) report on an annual basis and receive feedback from the Scottish Government. PPF reports contain both qualitative and quantitative elements of performance and set out proposals for service improvement. They also report on a set of Performance Markers which were agreed by the High-Level Group on Planning Performance in 2013.

[1] The remit of the High-Level Group on Planning Performance includes supporting improved planning performance and linking performance with planning fees. The Scottish Government and the Convention of Scottish Local Authorities (COSLA) co-chair the group with the remaining members comprising: Heads of Planning Scotland; the Society of Local Authority Chief Executives; the Society of Lawyers and Administrators in Scotland and the Royal Town Planning Institute.

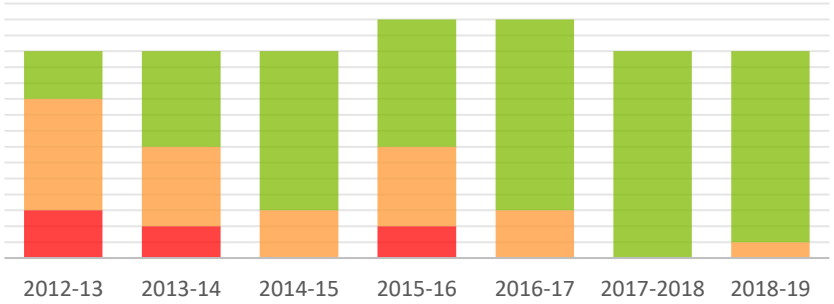
Scottish Government Feedback 2018/19

North Ayrshire Council's eighth Planning Performance Framework Report, covering the period April 2018 to March 2019, was submitted to Scottish Ministers in July 2019. In February 2020, the Minister for Local Government and Housing provided feedback on the report based around the 15 performance markers agreed by the High-Level Group on Planning Performance. Red, Amber or Green ratings were awarded based on the evidence provided, giving an indication of performance and the priority areas for improvement action.

The graphic below illustrates that, for 2018/19, the Scottish Government rated us green against 12 performance markers applicable during the monitoring year. This represents a continuation in the high number of good ratings over the past three years. A delay in adopting the Local Development Plan, partly out with our control, meant the LDP2 was not replaced within the required 5-year timescale, leading to one amber rating for 2018/19.

Part 2 of this Planning Performance Framework Annual Report details the rating given for each performance marker; the feedback received from the Scottish Government; and a summary analysis of how the Council is performing 12 months on.

▶ Scottish Government Feedback: https://tinyurl.com/yy6j8ng8



Members of the Planning Service volunteering at Eglinton Country Park

Key Performance Markers Summary 2019/20

No.	Performance Marker	Evidence	Page
1	**Decision-making**: continuous reduction of average timescales for all development categories [Q1 - Q4]	• Timescales for determining **Local (non-householder)** applications improved, from 5.9 weeks to 5.2 weeks. • Average **Householder** timescales remained at 4.3 weeks. • Minor increase in timescales for determining **major** applications, from 10.2 weeks to 11.0 weeks.	**15-17**
2	**Processing agreements**: • offer to all prospective applicants for major development planning applications; and • availability publicised on website	Processing agreements continue to be offered for all major applications and for complex local applications. This is highlighted on our website at: https://www.north-ayrshire.gov.uk/planning-and-building-standards/make-a-planning-application.aspx	**18**
3	**Early collaboration** with applicants and consultees • availability and promotion of pre-application discussions for all prospective applications; and • clear and proportionate requests for supporting information	The service provides pre-application advice and guidance on development which needs approval from the Council, including: the development of business and commercial properties, or making alterations to existing premises; the development of new housing; change in the use of land or buildings; outdoor advertisements; buildings in conservation areas; listed buildings and trees covered by tree preservation orders. This year we dealt with 131 pre-application enquiries. See case study B1 for evidence of clear and proportionate requests for supporting information. https://www.north-ayrshire.gov.uk/planning-and-building-standards/do-i-need-planning-permission.aspx	**18**
4	**Legal agreements**: conclude (or reconsider) applications after resolving to grant permission reducing number of live applications more than 6 months after resolution to grant (from last reporting period)	No applications were subject to a legal agreement as we continue to seek to avoid the use of such agreements where possible.	**18**
5	**Enforcement charter** updated / re-published within last 2 years	The Enforcement Charter was updated in May 2019. https://www.north-ayrshire.gov.uk/planning-and-building-standards/report-planning-breach.aspx	**19**
6	**Continuous improvement**: • progress/improvement in relation to PPF National Headline Indicators; and • progress ambitious and relevant service improvement commitments identified through PPF report	All but one of the 15 key performance markers have been marked green by Scottish Government over the last two years. Last year's 'amber' has been addressed with the adoption of a new local development plan. See Part 3 for update on Service Improvement Commitments.	**23**

7	**Local development plan** less than 5 years since adoption	The North Ayrshire Local Development Plan (LDP2) was adopted on 28 November 2019. See: https://www.north-ayrshire.gov.uk/planning-and-building-standards/ldp/local-development-plan.aspx	**20**
8	**Development plan scheme** – next LDP: • on course for adoption within 5 years of current plan(s) adoption; and • project planned and expected to be delivered to planned timescale	A draft Development Plan Scheme has been prepared which sets out an indicative timetable for preparing our next LDP (LDP3). Work will formally commence on LDP3 when regulations and guidance pertaining to the Planning (Scotland) Act 2019 is published by Scottish Government. It is expected LDP3 will be adopted within 5 years of LDP2. See: https://www.north-ayrshire.gov.uk/planning-and-building-standards/ldp/development-plan-next-steps.aspx	**20**
9	**Elected members engaged early** (pre-MIR) in development plan preparation – *if plan has been at pre-MIR stage during reporting year*	Not applicable.	
10	**Cross sector stakeholders* engaged early** (pre-MIR) in development plan preparation – *if plan has been at pre-MIR stage during reporting year* **including industry, agencies and Scottish Government*	Not applicable.	
11	**Regular and proportionate policy advice** produced on information required to support applications.	The recently adopted Local Development Plan forms the basis of our proportionate approach to providing policy advice. Work to update and rationalise our non-statutory supplementary planning guidance is ongoing and we intend to develop policy advice relating to climate change in response to the Council declaring a 'Climate Change Emergency'. Other Planning Guidance: https://www.north-ayrshire.gov.uk/planning-and-building-standards/ldp/other-planning-guidance.aspx	**20**
12	**Corporate working across services** to improve outputs and services for customer benefit (for example: protocols; joined-up services; single contact arrangements; joint pre-application advice)	The Planning Service continues to work across the services to support, among other things, the Ayrshire Growth Deal, the Council's ambitious Strategic Housing Investment Programme (SHIP) and with regard to school capacity. The last 12 months has seen us develop a protocol to provide support to the Housing Service in the design and development of social housing developments. This sees planning officers form part the design team for each site. Rather than full planning permission, proposed schemes are assessed through submission of an application for a Certificate of Lawful Development.	
13	**Sharing good practice, skills and knowledge** between authorities	A strong emphasis within the service is placed on sharing good practice, skills and knowledge. In July 2019, one of our officers wrote an article for Scottish Planner magazine setting out how we have aligned community and spatial planning, with a	**13-14**

		focus on health. We also continue to be actively involved in the West of Scotland Planning Benchmarking Group; Heads of Planning Executive, Development Planning and Development Management sub-groups.	
14	**Stalled sites / legacy cases**: conclusion or withdrawal of old planning applications and reducing number of live applications more than one year old	One legacy case was resolved during the year (withdrawn in September 2019). This leaves one remaining live application which is more than one year old.	**21**
15	**Developer contributions**: clear and proportionate expectations • set out in development plan (and/or emerging plan); and • in pre-application discussions	To support development and regeneration in North Ayrshire we do not routinely require developer contributions. The Local Development Plan expects the majority of new development to be directed towards sites that have infrastructure or services in place. Where further provision is required, the Supporting Development Objective: Infrastructure and Services policy within the LPD (p.16) sets out clear and proportionate expectations and the need for relevant assessments is highlighted alongside each development site where potential infrastructure deficiencies are known: https://www.north-ayrshire.gov.uk/Documents/CorporateServices/LegalProtective/LocalDevelopmentPlan/ldp2.pdf	**22**

Part 1 – Demonstrating a high-quality planning service

The Planning Performance Framework Annual Report aims to provide both quantitative and qualitative evidence to illustrate the performance of the Planning Service over the past 12 months, with a focus on our improvement journey.

Part 1 of the Planning Performance Framework Annual Report seeks to document the qualitative story of the past year's performance, supported by case studies.

The narrative is structured around the following four themes:

A: Quality of Outcomes – Demonstrating the added value delivered by planning;
B: Quality of Service and Engagement – Demonstrating positive actions to support sustainable economic growth, initiatives to work consistently with stakeholders and deliver a positive customer experience;
C: Governance – illustrating how structures and processes are proportionate, effective and fit for purpose;
D: Culture of Continuous Engagement – improvements and changes in the last 12 months.

A1. Development Brief Prototype

A design brief template developed by the team as a prototype was recognised at the Scottish Awards for Quality in Planning in December 2019 and at the 2020 RTPI Excellence in Planning Awards.

The prototype takes an innovate approach to design briefs, minimizing text and instead using graphical methods to provide a simple walk-through of a site's context, constraints and key design and placemaking expectations. These are presented in a user friendly, accessible format that can be viewed as an 'easy read' document or, optimally, as a video which takes the user through a logical flow of the design requirements, using inhouse 3D fly through technology and GIS footage of a site.

The combination of techniques to compile a simplified, coherent and effective site design brief has, even in its infancy, demonstrated that the design brief template is an effective, efficient, and, crucially, place-based design framework which prioritises the delivery of key design principles to ensure the success of the place being created, dispensing with an overly prescriptive design solution that is based on generic concepts such as standardized roads and space standards.

This is a game-changing approach to making places in North Ayrshire that will maximise the potential impact of the briefs. The highly visual and appealing format increases their power to communicate, creating a common expectation from all users including communities, developers, agencies and planners.

The template was adapted for use by the Scottish Government's Simplified Planning Zone pilot, including at Montgomerie Park (A2), providing a manual for the emerging Masterplan Consent Areas.

Design Brief Prototype ▶ https://youtu.be/rtisKkSqLLM

"The Judges were impressed to see a planning team working with limited resources to elevate text-based policy into something graphic and succinct. The project has worked well to foster interest from developers in locations that were previously overlooked. The work undertaken to simplify and visualise a complicated process helps to deliver quality places to live, work and enjoy. A picture can tell a thousand words." SAQP Judges

A2. Montgomerie Park Simplified Planning Zone

In December 2019, North Ayrshire Council became the first in Scotland to adopt a Simplified Planning Zone (SPZ) aimed at stimulating development of a prime housing site. The SPZ is the output of our involvement in a Scottish Government pilot to support development and inform legislative changes introducing Masterplan Consent Areas.

Montgomerie Park in Irvine has been allocated in the development plan for residential development for around 30 years, with approximately half of 1000 new homes built to date. After slow delivery and sales rates in recent years post-recession, the SPZ seeks to reinvigorate house building at Montgomerie Park by providing planning consent upfront, before the land is sold.

The team worked with Scottish Government to draft a scheme that provides a framework to guide development and place standards through a concept masterplan and conditions to deliver a high-quality place; allowing developers flexibility and certainty whilst, through conditions, safeguarding amenity. If developers comply with the parameters and conditions of the SPZ Scheme they do not need to apply for planning permission.

A six-week deposit consultation ran from August to September 2019 and was supported by the highly visual nature of the scheme, including a video visualising what the development could look like if the design complies. Further alterations to the scheme were made, aimed at protecting the amenity of existing Montgomerie Park residents.

The Montgomerie Park SPZ is split into two sites (site A and B) covering a total of 14.5 acres (approx. 165 homes). The Council-owned site has undergone marketing and is expected to be sold to a housing developer soon.

"Our Planning team has done a great job in getting this off the ground.

They've been working very hard with the Scottish Government to arrange this and make appropriate parameters for developers. They've effectively done the leg work for the developers so they don't have the planning process to deal with.

We are now looking to market the area and hopefully we will see even more development on the site soon".

Councillor Jim Montgomerie, Cabinet member for Place

Details ▶ https://tinyurl.com/y7pl7rqf

A3. Seamill Development Update

Last year's Planning Performance Framework reported on how collaboration between Council officers and Hope Homes was creating successful new development with a high-level of design and placemaking at its heart. Building at Chapelton continues, with around 50 units completed during 2019/20 and the development has been recognised nationally:

"The Hope Homes site at Chapelton, Seamill was awarded 'Development of the Year' at The Herald Property Awards for Scotland 2019. We are very proud of this achievement and we would like to acknowledge North Ayrshire Council for their efficient and progressive stewardship of the application process. We have found all concerned at both Planning & Building Control to be very helpful and we would like to mark our appreciation of the service"

Steven Denham, Managing Director, Denham/Benn Architects

B. Quality of Service and Engagement

B1. Kilwinning Station – Lift and Bridge Project

Kilwinning Station is North Ayrshire's busiest in terms of passenger numbers per year, with over 1 million customers during 2018/19. An interchange station, with four platforms, many journeys via Kilwinning required the crossing of one or two steeply sided pedestrian bridges to change platform. For wheelchair users or parents with children's buggies, the use of the bridges was impractical or impossible, requiring them to leave the station grounds altogether.

Following an award of funding from Transport Scotland, Network Rail, as owners of the station, consulted North Ayrshire Council in Autumn 2017 with plans to enhance the connectivity between the four platforms. The concept was to develop a 'lift and bridge' system. Initial discussions were based on developing a metal tower/deck design which, although functional and practical in engineering terms, failed to take into account the blonde sandstone and slate character of the original station buildings which dated back to 1840.

Planning Services made the case for a design based on aesthetics as well as functionality, citing the important role of Kilwinning Station as a gateway for North Ayrshire, with a significant role to play in terms of the passenger experience. With thousands of passengers using the station each day, including many visitors to the area, Planning Services was aware of the need to ensure that good design was integral to the scheme.

Following several on site pre-application meetings and consideration of a variety of options including the design of a similar facility at Dunblane Station, a planning application was submitted for a much-enhanced design using stone cladding panels in a colour/texture to match the original station building, which would be fully retained behind the new bridge. A glass fronted walkway was also secured through the planning process as well as a curtain wall rainscreen to the front. The application was approved well within the statutory two-month period since the pre-application discussions had addressed all relevant design and access issues and clear and proportionate requests from Planning Services in relation to supporting information were made in advance.

Although the original station building is not listed, Network Rail also agreed to undertake stone cleaning works on the front entrance elevation, removing layers of unsuitable paint from the sandstone thus helping to preserve the original building fabric by providing a means for moisture to evaporate from the building. The works were completed and open to passengers in September 2019.

Not only has the bridge and lift system provided improved essential access for ALL passengers using Kilwinning Station, good design has been achieved through the early engagement of Planning Services and the commitment of a client prepared to invest additional resources in making the project a success. The project has enhanced Kilwinning Station as a distinctive, forward looking transport hub which also retains and respects its 180-year history. The project delivery team achieved a successful outcome through a collaborative process and a willingness to listen and share ideas.

B2. Locality Partnership Updates

A key component of our new Local Development Plan is its alignment with North Ayrshire's well-established Community Planning structures.

North Ayrshire Community Planning Partnership is a strong and effective partnership of a wide range of organisations. In addition, at a local level there are six Locality Partnerships: Arran, Garnock Valley, Irvine, Kilwinning, North Coast and Three Towns. In support of an overall vision for a healthier, working, safer and thriving North Ayrshire, the LDP recognises and gives due weight to proposals that address the priorities identified by the Locality Planning Partnerships, including an assessment of whether the proposal promotes equality of opportunity and inclusive growth in line with a Fair for All approach.

In continuation of our engagement with the Locality Planning Partnerships, in January we attended the meetings of all six localities to provide an overview of the Local Development Plan following its adoption and the next steps, including ongoing engagement with locality planning partnerships as we look towards LDP3.

B2. COVID-19 Response

The Planning Service has moved quickly in response to the COVID-19 emergency to ensure structures and processes are proportionate, effective and fit for purpose to enable to service to continue operating.

Early stages of the outbreak saw the number of staff working from the office reduced to a minimum. Within 24 hours of declaration of lockdown by the Prime Minister in mid-March, we moved seamlessly to all staff working from home and the digital delivery of the service, continuing our support for business and developers, the community and the Council.

All members of staff have adapted well to working from home, with 'business as usual' largely possible for both the development management and development planning functions. For example, we approved 427 new homes between 1 April – 30 June 2020, including at our first 'Virtual' Planning Committee.

As we begin to look forward to lockdown restrictions easing, the service stands ready to support business and developers and have contributed to the development of a service-wide Recovery Plan which will help co-ordinate the Council's response in the short, medium and long-term.

North Ayrshire Council is focused on addressing the unprecedented economic challenges arising from the coronavirus pandemic by grasping the opportunities presented by Community Wealth Building and the Ayrshire Growth Deal to create a fairer, more inclusive, sustainable and democratic economy.

'In these unprecedented times, the Planning Service has responded with speed and agility, under difficult conditions, to provide a high-level service for all of our customers and the Council.'

Cllr Tom Marshall, Chair of the Planning Committee.

D. Culture of Continuous Improvement

D1. Training

The Service continues to provide a training and learning environment to support our staff. Experience and learning from training events is shared among the team using training feedback forms. Examples of training and capacity building undertaken in the last 12 months include:

- Development Viability (May 2019)
- SNH Capacity Building Event (May 2019)
- EIA Conference (May 2019)
- Coal Authority CPD Event (September 2019)
- Planning Act (October 2019)
- "Future Planning – Designing Places in Climate Emergency" (Oct 2019)
- Vacant Land Workshop (November 2019)
- Scotland's Towns Conference (November 2019)
- Enforcement Forum (December 2019)
- Planning and Health Webinar (February 2020)

In March 2019, we undertook training with Elected Members. The session covered a wide agenda, updating Councillors on the Planning (Scotland) Act; adoption of the Local Development Plan and next steps; National Planning Framework 4 and the Regional Spatial Strategy; Reports of Handling; the operation of the online planning system (OPIS); the Councillor's Code of Conduct and Town Centre Health Checks.

D2. Benchmarking

The West of Scotland Planning Benchmarking Group is a good example of Councils working collaboratively in a cost-effective way. The group comprising representatives of West Dunbartonshire, East Renfrewshire, Renfrewshire, East Dunbartonshire, North Ayrshire and Inverclyde Councils continues to meet every 3-4 months with high attendance levels. It met three times between 1st April 2019 and 31st March 2020 to share good practice and benchmark on specific planning issues.

The meetings are minuted and chaired by the host council. Topics discussed this year included:

Pre-application charging	Non-material variations
Street naming and numbering	Planning (Scotland) Act 2019
Planning Fees	PPF Feedback
Design Codes & Masterplanning	Scottish Water MoU
Mobile advertising and adverts on roundabouts	Administration support for validation checks
Parking Standards	DPEA time extensions
Stop-the-Clock	Restoration Bonds
FOI and publishing information	Staffing Levels
Pre-determination hearings	Amenity Notices
SEPA advice	Site layout design reviews

An email group continues to be used by all levels to exchange information and to get views on specific planning issues.

In addition, this year a well-attended training day was held by the Benchmarking Partners for Planners from each Authority at Whitelee Windfarm on renewables and climate change.

The Council also participates in the national (Solace) benchmarking group (including East Ayrshire, North Ayrshire, Fife, Stirling, South Ayrshire, East Lothian, Perth and Kinross and Loch Lomond) which is held twice a year and is primarily used to discuss the Planning Performance Framework submissions together with general planning and enforcement issues.

D3. Sharing Best Practice

In addition to sharing best practice through the Benchmarking group, in July 2019 we contributed an article to Issue 178 of Scottish Planner, the Journal of RTPI Scotland. This issue focused on Planning and Health and Thom Ledingham's article highlighted how we have aligned spatial planning with community planning at North Ayrshire.

Indeed, not only do LDP2 and the North Ayrshire Community Planning Partnership have a shared vision, closer collaboration realised what have always been common aims and goals to create places in which our communities can thrive.

The article outlines how our assessment of prospective new development sites included an assessment against 'tests' linked to achieving the vision of a healthier North Ayrshire; using the Place Standard to further investigate opportunities to embed community involvement and ensure that health remains key to decision-making; and introducing the requirement for a Human Health Impact Assessment with new planning applications.

We consider this is a great starting point, linking two related practices with common goals is sometimes not as straightforward as it could/should be. Now, human health is being discussed universally as an indicator of a successful place, from the resident involved in the first engagement exercise to the developer submitting their planning application.

Scottish Planner article ▶ https://tinyurl.com/ycmhepas

Part 2 – Performance Update

Including National Headline Indicators & Official Statistics

Development Management

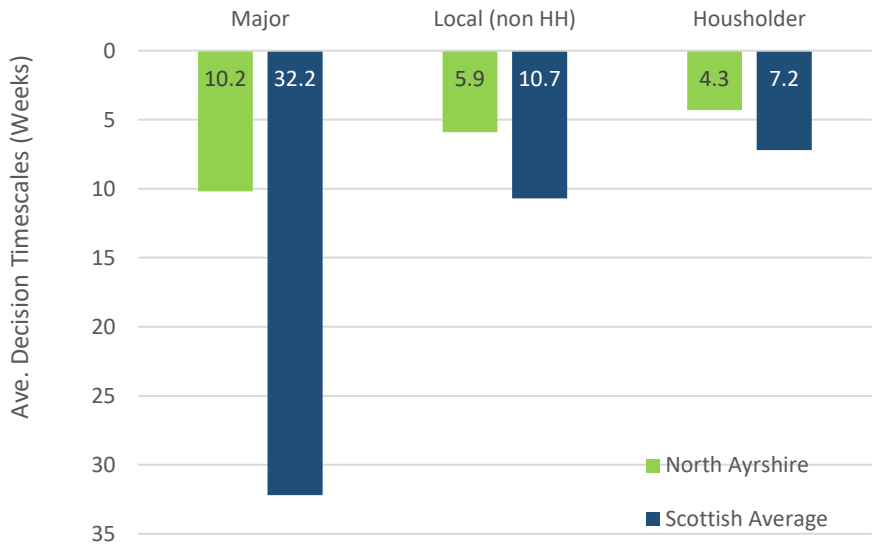
	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	**2019-20**
Application approval rate	97.8%	96.7%	96.2%	97.1%	96.6%	95.7%	**96.5%**
Delegation rate	93.8%	96.8%	96.5%	97.0%	97.2%	96.2%	**97.5%**
Percentage of applications valid upon receipt				58.0%	39.2%	37.5%	**37.7%**
Number of applications determined	629	590	571	639	564	603	***560***

PM1 – Decision Making

Major Development *(not subject to processing agreement)*		2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	**2019-20**
Number of decisions		8	5	6	0	2	4	**2**
Average number of weeks to decision		21.5	12.6	24.3	-	9.5	10.2	**11.0**
Local Development (non-householder)								
Number of decisions		261	247	241	259	231	234	**221**
Average number of weeks to decision		6.8	6.2	5.8	5.9	5.9	5.9	**5.4**
< 2 months	Percentage of decisions	93.1%	95.5%	97.5%	98.5%	98.3%	92.3%	96.4%
	Average number of weeks to decision					5.8	5.6	5.3
> 2 months	Percentage of decisions	6.9%	4.5%	2.5%	1.5%	1.7%	7.7%	3.6%
	Average number of weeks to decision					9.8	9.7	9.6
Householder developments								
Number of decisions		234	224	213	253	225	268	**229**
Average number of weeks to decision		5.7	5.1	4.7	4.6	4.7	4.3	**4.3**
< 2 months	Percentage of decisions	99.1%	100%	100%	100%	99.1%	99.6%	99.6%
	Average number of weeks to decision					4.6	4.3	4.2
> 2 months	Percentage of decisions	0.9%	-	-	-	0.9%	0.4%	0.4%
	Average number of weeks to decision					8.6	8.7	9.9

2018/19 Our previous PPF Report again reported outstanding decision-making timescales that for two of the three the main development types – local (non-householder) and householder – were the quickest across all planning authorities in Scotland. The Scottish Government awarded us a green rating for Performance Maker 1 – Decision-making.

Figure 1: North Ayrshire average decision-making timescales vs. Scottish average, 2018/19



2019/20 The last twelve months has seen a further reduction in average timescales for determining local (non-householder applications), from 5.9 weeks to 5.4 weeks. This is well within the statutory timescale of 8 weeks. Timescales for householder applications remained at 4.3 weeks. There was minor increase in timescales for major applications, from 10.2 weeks to 11.0 weeks.

Development Management Overview

Our development management team was increased from five to six planners this year when the vacant position for an Assistant Planner was filled in December 2019. The team operates on a broadly area basis, with a 'west' team covering the north coast, Three Towns and Arran and 'east' team covering Irvine, Kilwinning, and the Garnock Valley. Each team is headed by a Senior Development Management Officer, while there is a planning officer dedicated to the Isle of Arran.

This arrangement provides senior overview of key issues within each area whilst allowing for flexibility for officers. It also reflects the distinctive nature and challenges of serving a large island within a predominantly mainland authority. This system gives the officers the chance to engage in a wide range of development management issues, increasing knowledge and skill base, whilst allowing them to focus on the ethos of providing timely decisions and first-class customer service. The Council's decision-making performance continues to be class leading with timescales in all classes of development consistently and significantly lower than the Scottish averages.

Other Development and Decision Types *(not subject to processing agreement)*

Housing developments – Major		2018-19	2019-20
Number of decisions		4	**0***
Average number of weeks to decision		10.2	**-**

Housing developments – Local			
Number of decisions		87	**83**
Average number of weeks to decision		6.4	**6.0**
< 2 months	Percentage of decisions	92.0%	97.6%
	Average number of weeks to decision	6.1	5.9
> 2 months	Percentage of decisions	8.0%	2.4%
	Average number of weeks to decision	10.0	9.2

Business and Industry developments – Local			
Number of decisions		11	**11**
Average number of weeks to decision		6.7	**5.1**
< 2 months	Percentage of decisions	72.7%	100%
	Average number of weeks to decision	5.8	5.1
> 2 months	Percentage of decisions	27.3%	-
	Average number of weeks to decision	9.2	-

Advertisements	2018-19	2019-20
Number of decisions	15	**24**
Average number of weeks to decision	3.8	**3.8**

Listed Building & Conservation Area Consent		
Number of decisions	35	**33**
Average number of weeks to decision	6.2	**5.9**

Other Consents and Certificates		
Number of decisions	45	**45**
Average number of weeks to decision	2.6	**2.4**

Local Reviews		
Number of decisions	7	**10**
% of original decisions upheld	71.4%	**70%**

Appeals to Scottish Ministers		
Number of decisions	2	**1**
% of original decisions upheld	0%	**100%**

NB: There have been *0 Business and Industry developments – Major, EIA Developments* or *Hazardous Substances* applications in 2018-19 and 2019-20

* Four major housing developments were improved during the year, all with a processing agreement.

PM2. Processing Agreements

	2016-17	2017-18	2018-19	**2019-20**
Number of major applications subject to processing agreement	6	5	2	**6**
Percentage of major applications subject to processing agreement	100%	62.5%	50%	**75%**

PM3. Early Collaboration

	2016-17	2017-18	2018-19	**2019-20**
Number of applications subject to pre-application advice	261	193	148	**131**
Percentage of applications subject to pre-application advice	41%	35%	24%	**20%**

PM4. Legal Agreements

		2016-17	2017-18	2018-19	**2019-20**
Major	Number	0	1	0	**0**
	Average number of weeks	-	13.9	-	**-**
Local	Number	0	0	0	**0**
	Average number of weeks	-	-	-	**-**

2018/19 ●●●

The Scottish Government's Performance Markers Report awarded us a green rating for the performance makers on processing agreements, early engagement and legal agreements for the 2018/19 reporting period. It noted that processing agreements were offered for all major applications and for complex local applications; that our report contained a number of examples of continuing positive pre-application engagement and clear and proportionate requests for supporting information; and that our website promotes both pre-application discussion and the use of processing agreements.

2019/20

We continue to encourage the use of processing agreements for all major and relevant local applications and last year two-thirds of major applications were subject to such an agreement. Ensuring we use processing agreements proportionately assists us to project manage the formal application process and sets out what is expected of applicants in terms of information needed to reach a decision. The use of Processing Agreements is promoted and explained on our website ▶ https://tinyurl.com/y2abqudl

The Council offers free pre-application advice for all applications, which are recorded within Uniform in case files to ensure consistency of advice. Pre-application Advice for applicants: https://www.north-ayrshire.gov.uk/planning-and-building-standards/do-i-need-planning-permission.aspx

Again, no applications were determined with a legal agreement.

Enforcement

PM5. Enforcement Charter	2016-17	2017-18	2018-19	2019-20
Time since enforcement charter published or reviewed (requirement: every 2 years)	23 months	9 months	21 months	10 months
Indicators and Statistics				
Complaints lodged and investigated	183	148	162	147
Cases taken up	157	146	103	105
Breaches identified	124	107	96	90
Cases Resolved	125	113	210	152
Notices Served	21	17	10	9
Direct Action	0	0	0	0
Reports to the Procurator Fiscal	0	2	0	0
Prosecutions	0	0	0	0

The Planning Service's Enforcement Charter was updated in May 2019 ▶ https://tinyurl.com/yaom9fmq

The Council has continued its more informal approach to resolution and this has led to a decrease in 'cases taken up' over the last two years i.e. where written notice of a potential breach is given, despite the consistent number of cases lodged. Cases have been resolved through telephone calls and personal contact with landowners. It remains important to ensure enforcement actions are properly recorded to ensure an accurate reflection of the work done. The Council remains committed to providing efficient and effective planning enforcement and is mindful of the positive contribution such a service can make to the lives of residents.

"Throughout this process, you have been unfailingly helpful and supportive of the residents and we are all very grateful to you for that. For obvious reasons, I hope this is the final correspondence between us."

Resident of Millport on conclusion of planning enforcement investigation

Development Planning

2019/20 saw the adoption of the North Ayrshire Local Development Plan, our second local development plan.

Work on LDP2 began back in July 2016, with the Proposed Plan submitted to Scottish Government just 27 months later in October 2018. The 2018 Development Plan Scheme programmed the examination to last 5-7 months until the second quarter of 2019, with adoption of the plan also within this period. Despite the quick turnaround of the Main Issues Report and Proposed Plan it ultimately was not possible to adopt LDP2 within five years of the adoption of LDP1 (May 2019), with the report of examination of the Proposed North Ayrshire Local Development Plan submitted to North Ayrshire Council in July 2019.

After informing Scottish Ministers of our intention to adopt the Local Development Plan in September 2019, Ministers extended the statutory period for considering the plan for a total of 35 days and issued a direction to modify the plan. The modification addressed the requirement of Section 3F of the Town and Country Planning (Scotland) Act to include policies which pursue greenhouse gas emissions savings from new buildings through the installation and operation of low and zero-carbon energy generating technologies. With the modification made, LDP2 was adopted on 28 November 2019.

Attentions have already turned to the preparation of LDP3, which will be prepared under the new regulations and guidance once they are published. An updated Development Plan Scheme has been adopted, setting out the timetable for LDP3, which we hope to adopt by November 2024.

- LDP webpage: https://tinyurl.com/yymlblen
- Development Plan Scheme: https://tinyurl.com/y6a2g933

PM7. Local Development Plan	2018/19
PM8. Development Plan Scheme	2018/19

	2016-17	2017-18	2018-19	**2019-20**
Age of local development plan at end of reporting period (requirement: < 5 years)	2 years, 10 months	3 years, 10 months	4 years, 10 months	**4 months**
Will the local development plan be replaced by its fifth anniversary according to the current development plan scheme?	Y	Y	N	**Y**
Was the expected date of submission of the plan to Scottish Ministers in the development plan scheme changed over the past year?	N	N	N	**N/A**
Were development plan scheme engagement/ consultation commitments met during the year?	Y	Y	Y	**N/A**

PM11. Regular and Proportionate Advice

2018/19 Scottish Government noted: "You have commenced a review of your supplementary guidance, including development briefs and design guidance. This will include deletion of guidance which will become redundant when the LDP is replaced. You have also updated guidance on conservation areas".

2019/20 The comprehensive review of our supplementary and other planning guidance is ongoing following the adoption of the Local Development Plan in November 2019, which forms the basis of our proportionate approach to providing policy advice. This includes the updating of information relating to conservation areas; guidance on the application of the Placemaking and Housing in the Countryside policies arising from LDP2 and work to develop planning guidance that will support the Council's response to the Climate Change Emergency.

▶ Planning Guidance: https://tinyurl.com/yajqprto

PM14. Legacy Cases

	2016-17	2017-18	2018-19	**2019-20**
Number of cases cleared during reporting period	3	2	0	**1**
Number remaining	4	2	2	**1**

2018/19 Despite no legacy cases being cleared last year, the Government were satisfied with our approach to concluding old planning applications

2019/20 At the end of March 2020, the number of legacy cases (applications over 1 year old) had reduced to one. The remaining legacy case relates to a key regeneration project under development and the applicant has indicated the intention to retain the application.

Officers continue to ensure that all new applications are progressed effectively, pro-actively managing cases using a range of approaches including weekly programming meetings, time management of casework, use of processing agreements, and pre-application discussions to enable 'right first time' submissions. We continue to focus on negotiating out issues which, in the past, would have resulted in S75 obligations, which limit the likelihood of an increase in legacy cases in the future.

PM15. Developer Contributions

2019/20 ● Feedback from the Scottish Government acknowledged the establishment of a group to consider developer contributions; examples of developer contributions with case studies and the evidence indicating the early consideration of contributions in pre-application discussions.

2019/20 The adoption of a new Local Development Plan has significantly altered our expectations regarding developer contributions. To support development and regeneration in North Ayrshire we do not now routinely require developer contributions. The LDP expects the majority of new development to be directed towards sites that have infrastructure or services in place. Where further provision is required, the Supporting Development Objective: Infrastructure and Services policy within the LPD (p.16) sets out clear and proportionate expectations and the need for relevant assessments is highlighted alongside each development site where potential infrastructure deficiencies are known: Local Development Plan ▶ https://tinyurl.com/y8e79jgn

Land Supply and Development

NB. Latest Housing Land Audit covers 2018/19. Last Employment Land Audit completed in 2017.

Indicators & Statistics	2015-16	2016-17	2017-18	2018-19
Established housing land supply (units)	8800	9249	9110	**8620**
5-year effective housing land supply – programming (units)	2674	2405	2443	**2491**
5-year effective housing land supply – total capacity (units)	7012	4984	4714	**5099**
5-year housing supply target (units)	2090	1585[1]	1585[1]	**1585**[1]
5-year effective housing land supply (years)	6.4	7.6	7.7	**7.9**
Housing approvals (units)[3]	580	451	551	**378**
Housing completions over last 5 years (units)	1491	1350	1359	**1541**
Marketable employment land supply (ha)	-	416[2]	416[2]	**416**[2]
Employment land take-up (ha)	-	-	-	-

[1] Housing Supply Target updated from Local Housing Strategy 2018-22 agreed by Cabinet 12 December 2017
[2] Figure from Employment Land Audit 2017
[3] Doesn't include all sites developed as part of Strategic Housing Investment Plan as these can be developed under Permitted Development rights.

Part 3 – Service Improvements

Delivery of service improvement actions committed in previous year and planned service improvements in 2020/21

2019/20 → **2020/21**

2019/20 Commitment	Progress		2020/21 Commitment
Ayrshire Growth Deal: Support the Director of Growth and Investment in the implementation of the Ayrshire Growth Deal in North Ayrshire and the wider growth and investment opportunities.	✓ Planning represented on Programme Boards for Growth Deal projects.	**Repositioning the Planning Service to promote Placemaking**	Continued commitment for 2020/21 Progress completion of Masterplan for Ardrossan North Shore.
			NEW: Support economic recovery and renewal following COVID-19 by contributing to a cross service/Council approach to economic development centred on placemaking and Community Wealth Building.
Housing: Continue to work closely with Housing Services in order to ensure that all new Council housing projects have a planning input, putting placemaking at the heart of all developments	✓ Protocol to bring forward development through Certificate of Lawfulness process		Continue to support delivery of the Council's ambitious council house building programme, ensuring proposals contribute to good placemaking through Design Team meetings and Certificate of Lawful Development applications. Engage with developers, including through preparation of the Housing Land Audit, maintain increase in private housebuilding.

New Directorate: Ensure the Planning Service continues to play an important role within the new directorate in respect to placemaking.	✓ Embedded within new directorate with wider cross service delivery.		**Cross Service Working**: Designation of Chief Planning Officer. This will support cross-service working and ensure that land-use and placemaking considerations are fully factored within corporate decisions. The Chief Planner will be involved in quarterly Corporate Extended Leadership Team meeting focusing on service transformation and priority policy discussions amongst Chief Officers.
Development Management: Continue to provide an efficient and effective Development Management Service.	✓ Sector leading performance maintained	**Driving Improved Performance**	Continued commitment for 2020/21 **Service Delivery**: review changes to service delivery necessitated by COVID-19 potential opportunities to improve robustness of service delivery.
Review and modernise our application forms to ensure they are up-to-date with current regulations, simplifying them where possible.	✓ Updates forms to align with provisions of 2019 Planning Act and related legislation	**Meeting Statutory Requirements**	Deliver the emerging provisions of the Planning Act 2019.
Development Planning: In order to help shape the long-term future of North Ayrshire as a place to live, work and spend time in, we will progress the Local Development Plan to adoption and the end of the current Examination process.	✓ The Local Development Plan was adopted in November 2019.	**Promoting the Plan-led System**	Following the timetable set out in the Development Plan Scheme, develop Evidence Base to inform LDP3. Explore how Community Wealth Building can be embedded within the new LDP.

Supplementary Guidance: implement work programme for the comprehensive review of supplementary and other planning guidance to provide proportionate and up-to-date guidance to support applications.	↺ Ongoing during the last 12 months, including engagement with Development Management officers over the implementation of Housing in the Countryside Policy and commitment to develop policy advice relating to climate change in response to the Council declaring a 'Climate Change Emergency'.		Continued commitment for 2020/21, including preparation of Draft Climate Change Planning Guidance.
Clyde Regional Marine Plan: Working as part of the Clyde Regional Marine Planning Partnership to adopt a Regional Marine Plan for the Clyde.	✓ We continue to support the preparation of the Clyde Regional Marine Plan, by contributing to the work of the Board to develop draft plan.		Completion of draft plan and submission to Ministers.
Promotion: Showcase the achievements of the Service	✓The service was recognised at the Scottish Awards for Quality in Planning in December 2019 and at the 2020 RTPI Excellence in Planning Awards.	**Promoting Planning**	We will continue to highlight examples of good practice and excellence within the service.

Workforce Information

	Tier 1 *Chief Executive*	Tier 2 *Director*	Tier 3 *Head of Service*	Tier 4 *Manager*	
Head of Planning Service				✓	See Appendix 2

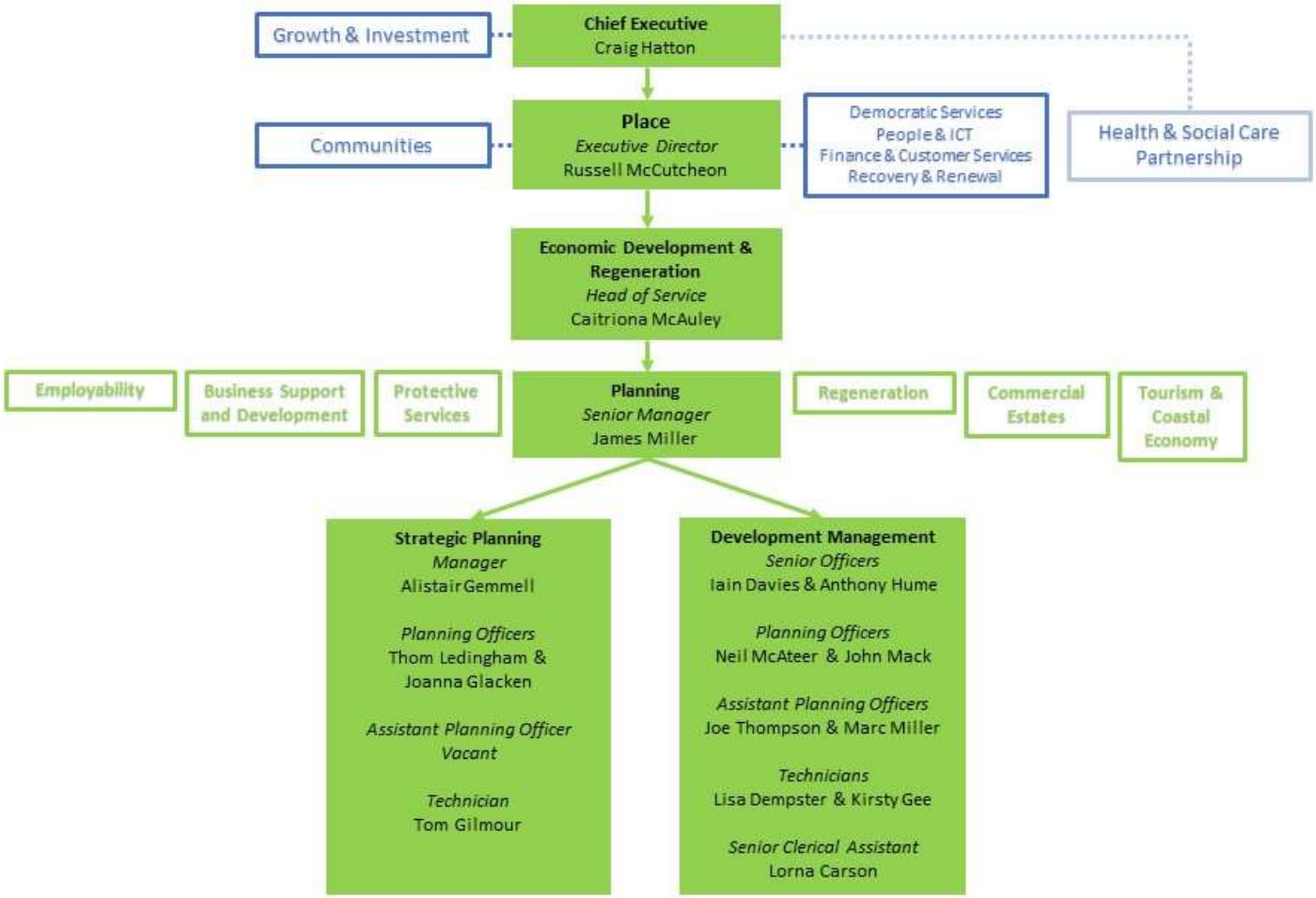
	Headcount				Age Profile
	Chartered RTPI	Licentiate RTPI	All		
Development Management	2	3	6	Under 30	**2**
Development Planning	2	1	3	30-39	**6**
Technical Support			4	40-49	**2**
Total (inc. Senior Manager)	5	4	14	50 and over	**4**

Planning Committee Information

Committee & Site Visits	Number per year
Full Council meetings	7
Planning committees	7
Area committees	n/a
Committee site visits	0
Local Review Body	7
Local Review Body site visits	1

Appendix 1 – Corporate Structure

(at 31st March 2020)



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This Planning Performance Framework can be made available in other formats such as on audio tape, on CD, in Braille or in large print. We can also provide it in other languages if you ask us to.

North Ayrshire Council
Comhairle Siorrachd Àir a Tuath