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**NORTH AYRSHIRE COUNCIL**

24 June 2020

**Planning Committee**

Locality	Irvine
Reference	19/00908/PPM
Application Registered	5th December 2019
Decision Due	5th April 2020
Ward	Irvine South

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<b>Recommendation</b>	Approved subject to Conditions
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<b>Location</b>	Site To South And West Of 10 Crompton Way North Newmoor Irvine Ayrshire
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<b>Applicant</b>	Persimmon Homes Fao Mr Rory Doherty
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<b>Proposal</b>	Residential development comprising the erection of 197 dwelling houses together with associated roads, paths, open space, SuDS infrastructure and landscaping
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**1. Description**

Planning permission is sought for a major residential development on 7.67 hectares of undeveloped open ground at North Newmoor in Irvine. The site is irregular in shape and lies to the north of the remaining industrial/storage building of the industrial estate, with the exception of a distribution warehouse (operated by Tennents) which is to the northeast of the site. To the west of the site is the A78 Irvine Bypass and to the east is the B7080 (Long Drive). The site has a flat topography and is comprised of grassland and shrub. There are no buildings on site.

It is proposed to erect 197 dwellings on site comprising a mixture of detached, semi-detached and terraced house types. A total of 14 different house types have been included in the development ranging from two-bedroom terraces to four-bedroom detached houses. The houses would be finished in a combination red and buff brick, cream render, grey concrete roof tiles and uPVC windows, fascias, soffits downpipes and gutters. Some of houses would be full brick, others would be half brick half render. Brickwork would be predominantly be alternating stretcher bonds with soldier courses used as decoration on the horizontal band between the ground and first storeys and on the window sills and lintels. All

of the houses would be two storeys in height and would feature gabled roof designs. Solar panels would be located on either the front or rear elevation depending on plot orientation.

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 southwest corner of the site. A triangular amenity space would be provided in the centre of the site.

The proposed street layout utilises an interconnected grid of small blocks with two vehicular/pedestrian accesses onto Crompton Way (one to the north and one to the west) and a pedestrian footpath connection to the east. Houses would be orientated to face onto their associated street and mostly provide front in-curtilage parking. The major exception to this is the houses facing north onto Crompton way which have parking courts to the rear. Visitor parking is spread throughout the site. Total parking provision would be 392 which equates to 200% provision. Some houses include integral garages however these are not wide enough to be considered parking spaces in terms of NAC Active Travel and Transport's requirements.

The final development layout has been improved from the original submission as a result of comments by NAC Active Travel and Transportation, NAC Environmental Health and by the case officer. Changes include:

- The addition of a second vehicular access onto the northern part of Crompton Way,
- The inclusion of a pedestrian footpath link to the east of the site,
- The rationalisation of the road layout around the central amenity space,
- Additional visitor parking and traffic calming measures,
- Footway improvements along Crompton Way in the northeast corner of the site to allow roadside servicing,
- Further acoustic barriers added along the boundaries with Amer Sports and the Tennents warehouse.

The case officer also sought to remove the set back distance to the north along Crompton Way in order to produce a more traditional enclosed street environment. This approach was not agreed by the applicant due to the existence of underground services in this location which would be costly and impractical to relocate.

In the adopted Local Development Plan (LDP), adopted November 2019, the site lies within a General Urban Area allocation. The relevant policies of the LDP 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; and
- Policy 31: Future Proofing for Heat Networks.

The site is identified in the Local Development Plan as a housing site. The proposed development is phase two of the development of the North Newmoor site, with phase one comprising of 94 units having been granted Planning Permission in 2016 (ref.

17/00581/PPM). The first phase has been named 'Annick Grange' and is nearing site completion.

The proposal is classed as a major development in terms of The Town and Country Planning (Hierarchy of Development) (Scotland) Regulations 2009. A pre-application consultation (PAC) was required and a PAC notice was received on the 15th of August 2019 (ref. 19/00614/PREAPM). The application is subject to a processing agreement. The proposal was screened for EIA and was found not to need one (20/00100/EIA).

In support of the application the following documents have been submitted.

**PAC Report:**

The PAC report notes the publicity measures undertaken and a public event was held on 9th of October 2019 at the Persimmon marketing office at phase one, Annick Grange. The report notes there were 23 attendees at the event. Comments raised include: concerns about the capacity of Stanecastle roundabout, lack of open space within the site and lack of footpath links to the surrounding area. The PAC report outlines the applicant's response to the matters which were raised.

**Design and Access Statement:**

The document appraises the site in terms of landscape, linkages, and the wider settlement character, and outlines 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.

**Coal Mining Risk Assessment:**

This document concludes that there is a very low probability of subsidence due to the historical shallow depth mineworking affecting the development site, and as such, mining instability is not considered to be a constraint. Despite this it is recommended that drilling be carried out to confirm that there are no coal seams on the southern edge of the site.

**Transport Assessment:**

The report concludes that the site has access to sustainable transport networks with a bus stop being located 550m from the site access and footpaths links offering connections across the bypass to the town centre, approximately 2.8km or 30 minutes' walk away. The impact of the proposed development on the nearby junctions (in particular Stanecastle roundabout and Towerlands roundabout) has been assessed and these junctions would continue to operate within their acceptable flow capacity and would not significantly impact the local road networks operation.

**Phase 1 Habitat Survey:**

The site contains a number of different habitats. No evidence of badger, water vole, reptiles or amphibians was discovered, and there are no suitable habitats for these species. Given the mobile nature of badgers the report recommends a pre-construction survey to be carried out immediately prior to commencement of works. A range of bird species were observed on-site, and the site is suitable for ground nesting birds. Similarly, the report recommends a pre-construction survey to be carried out for ground nesting birds immediately prior to commencement of works. There are no trees within the site which are suitable nests for bats although four trees with low potential for roosting bats were identified

surrounding the site. A 30m buffer around each tree is recommended, and if this cannot be achieved a further tree climbing survey is recommended.

### **Flood Risk Assessment and Drainage Statement:**

The report concludes that the site is not at risk from coastal or fluvial flooding. Localised undulations currently contribute to some rainfall gathering in parts of the site, which would be resolved by the construction of a formal system of drainage and SuDS features. A SuDS detention pond has been proposed to attenuate surface water flows in excess of site discharge limits. The report concludes that, by implementing the recommendations it contains, the proposed development would not be at risk of flooding, would not increase the risk of flooding elsewhere, and that the development can be drained in a sustainable manner.

### **Noise Assessment:**

Noise levels across the site are dominated by road traffic on the A78 and B7080 with contributions from the industrial unit occupied by the Central Woodchip Company. The likelihood of significant noise impacts affecting the proposed development from these emitters was considered to be low. Mitigation has nonetheless been recommended in the form of acoustic barriers along the eastern boundary of the site and the installation of thermal double glazing and acoustic ventilation on properties on the eastern side of the site.

### **Technical Memorandum - Noise:**

Further assessments were undertaken to address NAC Environmental Health concerns with the initial Noise Assessment. These took into account the commercial premises of Amer Sports and the Tennents warehouse and used updated modelling. Further mitigation was required including the extension of the acoustic barriers around the boundary between the site and Amer Sports and the Tennents warehouse and thermal double glazing and acoustic ventilation to be installed on houses on the eastern side of the site.

## **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:
  - o No other practical option exists that would allow the watercourse to remain open; and
  - o 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 Gales.

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 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

Neighbour notification was undertaken and the application was advertised in a local newspaper in accordance with statutory requirements. No letters of representation were received.

**NAC Active Travel and Transportation:** No objections.

*Response: Noted.*

**NAC Environmental Health:** Initially Environmental Health had concerns as a result of omissions from the original Noise Assessment which did not take into account noise generated from the adjacent commercial premises, specifically, the Tennents distribution warehouse and Amer Sports. The methodology of the original report was also questioned, and the applicant was asked to update the predictive daytime and night-time modelling. An updated Noise Assessment was submitted which recommended further mitigation in the form of acoustic barriers along the boundaries with the Tennents warehouse and Amer Sports and thermal double glazing and acoustic ventilation for houses on the eastern side of the development. Environmental Health recommends a number of conditions covering: rated noise levels, acoustic barriers, contamination and air quality.

*Response: Noted. Suitably worded conditions could address the matters raised by Environmental Health.*

**NAC Flooding:** No objections, however, additional information is required in respect of overland flow paths, attenuation measures, overflow devices, land drainage strategy and drainage asset maintenance.

*Response: Some of the additional information requested could be addressed via condition. Other parts are not relevant to Planning and are covered by other legislation.*

**NAC Education:** No comments.

**Scottish Water:** No objections.

*Response: Noted.*

**Scottish Environmental Protection Agency:** Initially objected and stated that a Drainage Impact Assessment (DIA) was required in order to demonstrate that the development would not lead to further CSO/EO overflows by the network. The applicant was able to provide an assessment by Scottish Water which stated even with the additional foul water flows associated with the proposed development, there would be no spills from the overflow which could contaminate nearby water courses. On this basis SEPA was satisfied and removed the objection and no DIA was required.

*Response: Noted.*

**Glasgow Prestwick Airport:** No objections.

*Response: Noted.*

**The Coal Authority:** Agree with the assessment of the Coal Mining Risk Assessment that there is a low probability of mining instability affecting the proposed development. It is recommended by the Coal Authority that the site investigations are undertaken and that a report is drafted detailing any remedial measures required.

*Response: Conditions could be attached to address the matters raised by the Coal Authority.*

**Irvine Community Council:** No response.

**West of Scotland Archaeological Service:** Suggest that a condition be placed on any Planning Permission requiring the production and implementation of an archaeological scheme of investigation.

*Response: A condition could be attached to address the matters raised by the Archaeology Service.*

### **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. As noted above, the site is allocated as a housing site in the North Ayrshire Local Development Plan (LDP), adopted November 2019. In the foreword of the LDP, it is stated that:

'We recognise that building new homes will be important to growing our population and we have planned for more than 4000 new homes being built in the next 10 years. Our focus is on the deliverability of these sites.'

Strategic Policy 1 (Towns and villages objective) of the LDP states that the Council wants to provide the right new homes in the right places. Policy 1 states that residential development will be supported in principle on housing sites. The entire North Newmoor site had an indicative capacity of 260 in LDP2 (though 300 in LDP1). Phase one saw the development on 93 houses, combined with the proposed development (197 dwellings) this would result in a total of 290 units. This is 30 units above the indicative capacity, however, it is not considered that this would lead to overdevelopment of the site and the density would be approximately 25 units per hectare. This is considered an appropriate density for a suburban housing site. The site is a combination of brownfield and greenfield and represents a significant gap in the townscape of Irvine. The development of this site would help to tie together the communities of Bourtreehill and Girdle Toll with Irvine proper. The proposal is considered to be in accordance with the Towns and Villages Objective of Strategic Policy 1 and with Policy 1: New Homes and Maintaining an Effective Housing Land Supply and the residential development of the site is acceptable in principle.

Strategic Policy 2 of the LDP sets out the six qualities of a successful place as follows:

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

The proposed development incorporates 14 standard house types, including terraces, semi-detached and detached houses. All of the houses are two storeys with gabled roof designs. The only adjacent residential development is phase one, which consists of many of the same house types and uses the same palette of finishing materials, and so the design of the proposed development is consistent with the immediate context. Within the wider

context of Irvine new town, it is not considered that the design of the proposed houses diverges too significantly from the character of the local area. Notwithstanding, 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 interest.

The development layout consists of a network of small interconnected blocks which will promote a pedestrian friendly environment and provide attractive enclosed streetscapes. In general houses face onto streets, and the instances where rear boundary fences face onto streets has been kept to a minimum. As the houses face the street there would be a high degree of passive surveillance which would create a safe and pleasant environment. The short block size and narrow width of the streets will reduce vehicle speeds and the parking and vehicle infrastructure has been designed in a manner intended to limit its effect on pedestrians and the appearance of the streets. Following the input of NAC Active Travel and Transportation, the internal road layout has been reorganised to have a clear hierarchy of streets marked out by transition areas where the road surface material and/or colour changes. The development centres around a small triangular open space, which, subject to appropriate landscaping, would provide an attractive amenity space for the development. It is also considered that the SuDS detention basin and the setback strip along the northern section of Crompton Way could provide additional green assets if landscaped appropriately. Details of landscaping can be ensured via a planning condition.

The layout of 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. Each house is provided with a private back garden enclosed by 1.8m high fencing. Front gardens are small and open in character and for the majority of the houses would contain a paved parking area. No details on front boundary treatments have been provided. It is considered that the use of front boundary treatments could enhance the appearance of the area. No details have been provided to suggest there would be any protective or decorative fencing around the SuDs basin. Full details of all the boundary treatments could be ensured via condition. Acoustic barriers are proposed along a large section of the site boundary; no details of their appearance or maintenance have been provided. These can be secured via condition. No details have been provided with regards to which houses would have thermal double glazing and acoustic ventilation installed. Again, this could be ensured via condition.

In light of the above consideration, it is considered that the proposed development meets the six qualities of a successful place, and therefore is in accordance with 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.

Taking both of these policies together, there are no watercourses which run through or adjacent to the site, however, the site is within the catchment of the Annick Water which runs approximately 850m to the east of the site. The site is at little or no risk of coastal or fluvial flooding. There is a limited risk of pluvial flooding. Surface water drainage will discharge into the existing Scottish Water surface water sewer to the west of the site. Excess surface water would be routed to a large detention basin in the southwest corner of the site. The foul drainage arrangements would utilise existing Scottish Water infrastructure

and it has been confirmed that the infrastructure has the capacity to deal with the increase which would result from the proposed development. NAC Flooding requires additional information with regards to overland flow paths, attenuation measures, overflow devices, land drainage strategy and drainage asset maintenance. These details can be ensured via condition. The proposal accords with Policies 22 and 23 of the LDP.

Policy 27 relates to sustainable transport and active travel. The site is located in between two busy roads (the A78 and B7080). There are footbridges over these roads on either side of the site and the internal layout of the site has been designed to take advantage of these existing east/west pedestrian connections. The western footpath provides a link to Irvine town centre which is approximately 1km, or 15 minutes' walk, away. This is also the direction of the nearest rail station, Irvine, some 2km away. The nearest bus stop is on Manson Road adjacent to Stanecastle Roundabout about 200m to the north of the site. Overall, the site is reasonably well served by public and active travel links, and the internal design of the site has been reconfigured to take advantage of these linkages.

The internal road layout has been designed in accordance with Designing Streets, and road infrastructure will naturally reduce vehicle speeds to 20mph and prioritise the pedestrian. A clear road hierarchy has been produced within the site based on traffic flow predictions, and the different levels of road will be clearly distinguishable by surface composition and colour and by footpath provision. Parking provision is 200% which is considered acceptable given the suburban locale, and visitor bays are distributed evenly throughout the site. Originally the site had a single vehicular point of access onto Crompton Way, however, following officer comments an additional northern access was created which would encourage both vehicular and pedestrian travel through the development and help it to integrate better with the existing townscape. In summary, the proposal is considered to be in accordance with Policy 27.

Policy 31 relates to future proofing for heat networks. The proposed development would utilise building designs which would minimise the energy requirements for heating through modern insulation. The houses have been oriented to take advantage of solar gain where possible. The site was not considered by the developer to be a suitable candidate for a district heating system because the site is remote from major energy loads and it is generally considered that successful schemes need a mix of uses, anchor developments and a high heat demand. This justification is accepted, and the proposal accords with Policy 31.

In conclusion, the proposal is in accordance with all of the relevant policies of the LDP, and the development would secure the delivery of a major housing site which has been identified and allocated as part of the development plan process. Accordingly, the application is recommended for approval subject to the conditions referred to in this report.

#### **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 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/m<sup>2</sup> 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.

**Reason**

In order to ensure that the acoustic barriers are of a suitable design and are maintained.

**Condition**

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 30dB<sub>Rw</sub> 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.

**Reason**

In order to ensure that the houses close to the adjacent industrial uses are suitably soundproofed, in the interest of amenity.

**Condition**

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.

**Reason**

In order to ensure that the noise level at the hereby approved properties does not exceed a reasonable level; in the interest of amenity.

**Condition**

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.

**Reason**

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

**Condition**

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.

**Reason**

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

**Condition**

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.

**Reason**

To prevent flooding.

**Condition**

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.

**Reason**

To ensure the safety and stability of the proposed development.

**Condition**

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.

**Reason**

To make appropriate provision for investigating and recording any buried archaeological remains.

**Condition**

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.

**Reason**

In order to ensure that no badgers are harmed by the development.

**Condition**

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.

**Reason**

In order to ensure that the boundary treatments are appropriate.

**Condition**

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.

**Reason**

In order to ensure that the site is appropriately landscaped.

**Condition**

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.

**Reason**

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

**Condition**

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.

**Reason**

In order to ensure that no bats are disturbed by the proposed development.

Russell McCutcheon  
Executive Director (Place)

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

## Appendix 1 – Location Plan

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