

Cunninghame House,
Irvine.

4 August 2016

Planning Committee

You are requested to attend a Meeting of the above mentioned Committee of North Ayrshire Council to be held in the Council Chambers, Cunninghame House, Irvine on **WEDNESDAY 10 AUGUST 2016** at **2.00 p.m.** to consider the undernoted business.

Yours faithfully

Elma Murray

Chief Executive

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 (Page 5)

The accuracy of the Minutes of meetings of the Committee held on 1 June 2016 and 4 July 2016 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. Isle of Arran

Submit reports on the following applications:

3.1 15/00768/PP: Carradale, Shiskine (Page 15)

Removal of condition 1 of planning permission N/01/96/0713/PP relating to occupancy restriction (copy enclosed).

3.2 16/00545/PP: Cottages 1, 3 & 4, Kilmichael Country House Hotel, Brodick (Page 23)

Amendment to planning permission N/05/00248/PP for change of use from holiday letting cottages (cottages 1, 3 and 4) to permanent dwellinghouses in respect of condition 7 of planning permission N/05/00248/PP (copy enclosed).

4. Ardrossan, Saltcoats and Stevenson

Submit report on the following application:

16/00350/PPM: Ardrossan Marina, Dock Road, Ardrossan (Page 35)

Renewal of unexpired planning permission 11/00766/PPM to extend Ardrossan Marina, comprising new breakwater, marina facilities building, improved access arrangements, car parking and boat storage, a new pedestrian link bridge and a drop off car park facility (copy enclosed).

5. Irvine and Kilwinning

Submit report on the following application:

16/00510/PP: East Park, Quarry Road (Page 45)

Erection of 2 storey office building to include the formation of access road and the provision of parking (copy enclosed).

6. North Coast and Cumbrae

Submit reports on the following applications:

6.1 16/00559/PP: 38 Main Street, Largs (Page 55)

Change of use from Class 1 (retail) to Class 2 (financial and professional) (copy enclosed).

6.2 16/00268/PP: Hunterston Construction Yard, Fairlie (Page 63)

Application under Section 42 of the Town and Country Planning (Scotland) Act 1997 to delete Condition 1 of planning permission 11/00230/PPM to remove the temporary restriction on the use of the site (copy enclosed).

7. Notice under Section 179 of the Town and Country Planning (Scotland) Act 1997: 61 Glenapp Place, Kilwinning KA13 6TF (Page 79)

Submit report by the Executive Director (Economy & Communities) on a Notice under Section 179 of the Town and Country Planning (Scotland) Act 1997 requiring proper maintenance of land for the abatement of the adverse impact on the local area (copy enclosed).

8. North Ayrshire Local Development Plan: Action Programme (Page 85)

Submit report by the Executive Director (Economy & Communities) on the revised Local Development Plan Action Programme (copy enclosed).

9. Urgent Items

Any other items which the Chair considers to be urgent.

Planning Committee

Sederunt: Matthew Brown
(Chair)
John Ferguson
(Vice-Chair)
Robert Barr
John Bell
John Bruce
Ian Clarkson
Joe Cullinane
Ronnie McNicol
Tom Marshall
Robert Steel

Chair:

Attending:

Apologies:

Meeting Ended:

Planning Committee
1 June 2016

Irvine, 1 June 2016 - At a Meeting of the Planning Committee of North Ayrshire Council at 2.00 p.m.

Present

Matthew Brown, John Ferguson, Robert Barr, John Bell, John Bruce, Ian Clarkson, Joe Cullinane, Tom Marshall and Robert Steel..

In Attendance

J. Miller, Senior Manager (Planning) (Economy and Communities); A. Craig, Team Manager (Litigation) and A. Little, Committee Services Officer (Chief Executive's).

Chair

Councillor Brown.

Apologies for Absence

Ronnie McNicol.

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 accuracy of the Minutes of meeting of the Committee held on 27 April 2016 were confirmed and the Minutes signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

3. Irvine and Kilwinning

16/00070/PPM: Site 21, Crompton Way, North Newmoor Industrial Estate, Irvine

Dawn Homes Ltd. & Toscafund (Compton Way) has applied for planning permission for the erection of 144 no. semi-detached and terraced houses with associated landscaping and infrastructure at site 21, Crompton Way, North Newmoor Industrial Estate, Irvine. One representation was received as detailed in the report.

The Committee agreed to grant the application, subject to the following conditions:-

1. That prior to the submission of any subsequent applications for future development phases, within the area outlined in blue, in the Location Plan (Ref. 3382 - AL(0)002), hereby approved, a detailed masterplan prepared together with a development brief shall be submitted for the approval of North Ayrshire Council as Planning Authority. The detailed masterplan shall take into account the findings of any further intrusive site investigations, archaeological investigations and the SuDS scheme.

In addition, the detailed masterplan and development brief 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.

Thereafter, the details contained in any future planning application(s) shall accord with the detailed masterplan and development brief as may be approved, to the satisfaction of North Ayrshire Council as Planning Authority.

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.
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.
4. That prior to the occupation of any of the dwellinghouses and where Council adoption of open space and landscaped areas is not to be pursued, details of the proposed factor or management agency for all areas of open space, landscaping and SuDs pond within the site shall be submitted for the written approval of North Ayrshire Council as Planning Authority. Thereafter, the areas of open space and landscaping shall be maintained and managed in accordance with the details as may be approved under the terms of Condition 2 above.

5. That, prior to the commencement of the development, details of phasing shall be submitted for the written approval of North Ayrshire Council, which shall incorporate phasing details for off-site infrastructure works, SuDS, tree planting and open space provision. Thereafter, the development shall be implemented only in accordance with such phasing as may be agreed with North Ayrshire Council as Planning Authority, unless otherwise agreed in writing.
6. That, prior to the commencement of the development, details of all boundary treatments to be formed shall be submitted for the written approval of North Ayrshire Council as Planning Authority. Thereafter, all boundary fences and walls as may be approved relating to or adjacent to each plot shall be erected prior to the occupation of the dwelling within that plot. All other boundary treatments shall be erected prior to the completion of each phase within the development, all to the satisfaction of North Ayrshire Council as Planning Authority.
7. That 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 the West of Scotland Archaeology Service, and approved by the 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.
8. That, prior to the commencement of the development, hereby approved, full details of proposed treeworks and tree protection measures for the development shall be submitted for the written approval of North Ayrshire Council as Planning Authority. The details shall comply with the principles and practices contained in "BS 5837:2012 - Trees in relation to design, demolition and construction - Recommendations." Detailed plans indicating tree protection fencing to be erected, an Arboricultural Impact Assessment and an Arboricultural Method Statement shall be submitted for written approval. For the avoidance of doubt:
 - there shall be no treeworks undertaken during the main bird breeding season (March - September);
 - all tree protection measures to be erected shall be maintained in a satisfactory condition for the duration of all engineering and construction operations until the completion of the development.

The development shall be implemented only in accordance with such details as may be approved to the satisfaction of North Ayrshire Council as Planning Authority.

9. That prior to the commencement of development, the applicant shall submit for the written approval of North Ayrshire Council as Planning Authority details of the scheme for the delivery of a 15% affordable housing contribution in accordance with Policy RES 4(Affordable Housing) contained within the adopted Local Development Plan. Thereafter, the affordable housing contribution shall be implemented only in accordance with such scheme as may be agreed with North Ayrshire Council as Planning Authority, unless otherwise agreed in writing.
10. That the noise mitigation measures contained within the Noise Impact Assessment, submitted in support of the application, shall be 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 implementation. Notwithstanding this, prior to the commencement of the development hereby approved, a detailed specification and position of the acoustic fence as detailed in Appendix C of the Noise Impact Assessment, shall be submitted to and approved in writing by North Ayrshire Council as Planning Authority.
11. That the first 2 metres of the driveways shall be hard surfaced in order to prevent deleterious material being carried onto the carriageway and designed in such a way that no surface water shall issue from the access onto the carriageway.
12. That connecting public paths within the site shall be constructed to a multi user and all abilities access standard to the satisfaction of North Ayrshire Council as Planning Authority.
13. That, prior to the commencement of the development, a drainage strategy and plan for Phase 1 and 2 shall be submitted for consideration and approval in writing by North Ayrshire Council as Planning Authority. This shall include confirmation and certification by a suitably qualified person that a scheme to treat the surface water arising from the site including the wider master plan site has been prepared in accordance with the principles and practices contained in 'The SuDS Manual' (CIRIA report C753, published November 2015). Thereafter, the certified scheme shall be implemented prior to the completion of the development and maintained thereafter to the satisfaction of North Ayrshire Council as Planning Authority. For the avoidance of doubt, the drainage strategy and plan shall be in accordance with the master plan as may be approved under the terms of Condition 1 above.

14. That, prior to the erection of any of the dwellinghouses hereby approved, a detailed schedule of the proposed external finishes for each of the dwellinghouses together with a plan and schedule of the surface treatments to be used on the roads and footpaths within the site shall be submitted for the written approval of North Ayrshire Council as Planning Authority. Thereafter, the houses, roads and footpaths shall be constructed only in accordance with such details as may be approved to the satisfaction of North Ayrshire Council as Planning Authority.
15. That the recommendations contained within the site investigation report (Project Reference Number P15-409), submitted in support of the application, shall be 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 implementation. For the avoidance of doubt, this shall include the installation of ground gas protection measures and any soils deposited on site, in garden or amenity areas shall be free from contamination and suitable for use.

4. Irvine and Kilwinning

16/00243/PP: 23 Fullarton Street, Irvine

Catherine Walker, 25 Fullarton Street, Irvine has applied for change of use from Class 1 (retail) to Class 3 (food and drink) incorporating hot food takeaway and installation of ventilation extraction system at 23 Fullarton Street, Irvine. Two letters of objections had been received as detailed in the report. Five pro-forma letters in support of the application were also detailed in the report.

The Committee agreed to grant the application, subject to the following conditions:-

1. That the hours of operation for the sale of hot food at the premises shall be only between the hours of 0700 and 1800 on any day unless otherwise agreed in writing by North Ayrshire Council as Planning Authority.
2. That, prior to commencement of the use hereby approved, the extraction system as detailed on drawing Ref: C/2302 shall be installed and operational, when the premises are in use, and thereafter maintained to the satisfaction of North Ayrshire Council as Planning Authority.
3. That the noise from the operation of extraction system hereby approved shall not cause nuisance to occupiers of nearby noise sensitive properties. For the avoidance of doubt: -
 - a) That the noise level from the unit when measured in a habitable room within a noise sensitive property shall not exceed 35dB(A)LEQ(1 hour) between the hours of 07:00 to 23:00 and shall not exceed 30dB(A)LEQ(15 mins) between the hours of 23:00 to 07:00.

- b) That using the principles set out in BS4142: 2014 Method for Rating and Assessing Industrial and Commercial Sound the rated noise level from the operation of the proposed unit, when measured outdoors, shall not exceed the background level by 5dB(A) or more at a suitable location within the grounds of any noise sensitive property.

5. North Coast and Cumbraes

16/00321/PP: 25 Caldwell Road, West Kilbride

Mr Roger Woods has applied for planning permission for the erection of an infill conservatory to the rear of the upper floor of a detached dwelling house at 25 Caldwell Road, West Kilbride. One letter of objection and a letter of representation were received as detailed in the report.

The Committee agreed to grant the application.

6. Notice under Section 179 of the Town and Country Planning (Scotland) Act 1997: 17 Howden Avenue, Kilwinning KA13 7AQ

Submit report by the Executive Director (Economy & Communities) on a Notice under Section 179 of the Town and Country Planning (Scotland) Act 1997 (Wasteland Notice) in relation to the land at 17 Howden Avenue, Kilwinning.

The garden ground of the property, particularly to the side and front, has been used for dumping of what appears to be household items, building, garden and general waste. The property appears to currently be vacant and it is not clear if the waste relates to this property although allegations of dumping from other sites have been made. The condition of the land, due to the accumulation of refuse, has a significant adverse impact on the amenity of the local area.

The Council has received several complaints regarding the site. The owner of the land was requested in writing to clear the site and confirm intentions for the site. No response was received. Further inspections were carried out in March and April 2016 where it was revealed that the refuse had not been removed and further dumping appeared to have occurred. Further letters were sent to the owner requesting clearance. However, no response has been received.

The Committee agreed to approve the serving of a Notice under Section 179 of the town and Country Planning (Scotland) Act 1997 requiring the removal of all refuse from the land at 17 Howden Avenue, Kilwinning.

7. Notice under Section 145 of the Town and Country Planning (Scotland) Act 1997: Windyhill, Benslie, Kilwinning KA13 7QY

Submit report by the Executive Director (Economy & Communities) on a Notice under Section 145 of the Town and Country Planning (Scotland) Act 1997 requiring compliance with a condition attached to planning permission (ref: 14/00421/PP) which requires that prior to commencement of the development details of a 1.8m high obscure glazed panel, or similar screening, to be installed on the northern elevation, be submitted for approval of the Council, as Planning Authority. Any agreed details shall be installed and retained thereafter. Details of a 4 metres x 2 metres reed and wicker fence panel, folded so that the panel was double thickness, sited along the northern elevation of the boundary, was submitted and approved by the Council 18 August 2014.

The Council received a complaint in August 2015 that the balcony had been constructed but the screening had not been installed. An inspection revealed that the screen had not been installed and the owners were contacted in writing. They advised that it would be installed shortly. A subsequent inspection of the property revealed that a panel had been placed on the balcony. The report provided details of actions taken by the owners and correspondence relating to the condition for a full width screen with no gaps. The Council has received further complaints of the balcony in use without the required screen. As the screen has not been installed and maintained, Condition 1 is found to be in breach.

The Committee agreed to grant authority for the service of a Notice under Section 145 of the Town and Country Planning (Scotland) Act 1997 requiring compliance with a condition attached to planning permission (14/00421/PP).

8. Notice under Section 145 of the Town and Country Planning (Scotland) Act 1997: West Mayish Cottage, Brodick, Isle of Arran KA27 8BX

Submit report by the Executive Director (Economy & Communities) on a Notice under Section 145 of the Town and Country Planning (Scotland) Act 1997 requiring compliance with a condition attached to a planning permission (ref: 07/00787/PP) requiring that within one month of the completion or the occupation of the dwellinghouse, whichever is sooner, the existing caravan on the site be removed and the land reinstated to its former condition. The building was completed on 28 December 2009.

The Council received a complaint in 2010 that the caravan had not been removed. In November 2010 the owner advised the Council that the caravan had been removed. Further complaints were received that the caravan remained in situ and there is no evidence of the caravan having ever been removed. The report provided details of correspondence and conversations with the owner

The Committee agreed to grant authority for the service of a Notice under Section 145 of the Town and Country Planning (Scotland) Act 1997 requiring compliance with a condition attached to planning permission (07/00787/PP) requiring that within one month of the completion or the occupation of the dwelling house, whichever is the sooner, the existing caravan on the site be removed and the land reinstated to its former condition.

9. Stopping Up Order: B714 (Girthill Farm, Saltcoats - Tower Farm, Dalry)

Submit report by the Executive Director (Economy & Communities) on an order stopping up an existing section of the B714 which would be bypassed by a road improvement scheme.

The upgrading of the B714 will result in the diversion of the existing road onto agricultural land to the west of Girthill Farm and Yonderhouses Farm. The new road would tie-in to the existing road to the north of Yonderhouses Farm and also to the south of Girthill Farm. The existing road would remain available for farm access purposes, but would no longer be included in the list of adopted roads.

The Committee agreed to make an order under Section 207 and 208 of the Town and Country Planning (Scotland) Act 1997 stopping up the length of the existing B714 which would be bypassed as a result of the new diverted route which is to be constructed by the Council, the order to come into effect upon the completion of the new road.

The meeting ended at 2.35 p.m.

Planning Committee
4 July 2016

Irvine, 4 July 2016 - At a Special Meeting of the Planning Committee of North Ayrshire Council at 11.00 a.m.

Present

Matthew Brown, Robert Barr, Ian Clarkson, Joe Cullinane, Ronnie McNicol and Robert Steel.

In Attendance

J. Miller, Senior Manager (Planning) (Economy and Communities); C. Andrews, Senior Manager (Legal Services) and A. Little, Committee Services Officer (Chief Executive's).

Chair

Councillor Brown in the Chair.

Apologies for Absence

John Bruce and Tom Marshall.

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. Call In Request: Main Street, Largs

Submitted report by the Chief Executive on a call in request, in accordance with the approved call in procedure, in relation to an application for planning permission which would otherwise be determined by Officers under delegated powers.

The request, submitted in accordance with the approved call in procedure, has been made by Councillors Marshall, McLean and Gallagher that the application for Planning Permission should be determined by the Planning Committee and not by Officers under delegated powers. The stated reason for the call in request was as follows:-

"Given that this premise is in the middle of Largs Main Street - a recognised retail shopping centre - then due consideration should be given to its impact on the viability of the retail offer. At present on the south side of the Main Street there are two banks and two estate agents. On the north side there are also two banks and two estate agents. Some of these businesses are double fronted and have a large presence on the street.

Local knowledge of Members would enable the best determination of this application".

Councillors Marshall, McLean and Gallagher were unable to be in attendance at the Special meeting of the Planning Committee which had been called within the 5 days as per the procedure, but held within the summer recess period.

The Committee unanimously agreed that the application be called in and determined by the Planning Committee and not by officers under delegated powers.

3. Call In Request: Quarry Road, Irvine

Submitted report by the Chief Executive on a call in request, in accordance with the approved call in procedure, in relation to an application for planning permission which would otherwise be determined by Officers under delegated powers.

The request, submitted in accordance with the approved call in procedure, has been made by Councillors Clarkson, Cullinane and O'Neill that the application for Planning Permission should be determined by the Planning Committee and not by Officers under delegated powers. The stated reason for the call in request was as follows:-

"The Quarry Road development is a high profile project which was subject to public engagement events. Given this we believe it would only be right that the planning decision for all phases of the development should be made by the Planning Committee. We therefore wish to call in the first phase application".

Councillors Clarkson and Cullinane were in attendance and addressed the Committee in support of the call in request. Councillor Clarkson referred to the community engagement and consultation that had taken place. Given the level of public interest, the application would merit consideration and determination at a public meeting of the Planning Committee, rather than by officers under delegated powers.

The Committee unanimously agreed that the application be called in and determined by the Planning Committee and not by officers under delegated powers.

The meeting ended at 11.05 a.m.

NORTH AYRSHIRE COUNCIL

Agenda Item 3.1

Planning Committee

10 August 2016

Planning Area

Isle of Arran

Reference

15/00768/PP

Application

15 June 2016

Registered

Decision Due

15 August 2016

Ward

Ardrossan and Arran

Recommendation Grant as per Appendix 1

LocationCarradale
Shiskine
Isle of Arran
KA27 8DT**Applicant**Donald L Galbraith
Carradale
Shiskine
Isle of Arran
KA27 8DT**Proposal**Removal of condition 1 of planning permission
N/01/96/0713/PP relating to occupancy restriction

1. Description

The property is a relatively modern one and a half storey detached dwellinghouse, located on the eastern side of the B880 String Road, Shiskine on the opposite side of the road to the Balmichael Visitor Centre. The site covers an area of approximately 0.27 ha. Planning permission was granted for the dwellinghouse on the 13th May 1997 (reference CH/01/96/0713). The applicant seeks planning permission to remove Condition 1 of the planning permission., which states:

"That the occupation of the dwelling shall be limited to a person solely or mainly employed, or last employed, in the locality in agriculture as defined in Section 275 of the Town and Country Planning (Scotland) Acts 1972 or in forestry, or a dependant of such a person residing with him or her, or a widow or widower of such a person."

The applicant seeks planning permission to remove Condition 1 of the above planning permission.

Planning application (ref. 08/00253/PP) which sought the removal of this condition to allow the sale of the property to a non-agricultural worker was refused on the 6 May 2008 for the following reason: "that the proposal would (i) be contrary to policy ENV1 of the Adopted Isle of Arran Local Plan, in that the dwellinghouse is required for agricultural purposes and no grounds have been submitted by the applicants which would justify the removal of Condition 1 of planning permission no. CH/01/96/00713/PP; and (ii) establish an undesirable precedent for the removal of agricultural worker's accommodation from the existing supply, which would create a demand for further residential development in rural areas to the detriment of the character and appearance of the countryside."

In support of the current planning application, the applicant has advised that the dwellinghouse was built in 1997 by his daughter and her husband; her husband was employed in farming with his father. The marriage ended in 2005. Attempts to sell the house failed due it was considered to the terms of the condition. The applicant decided to buy the dwellinghouse as he had an agricultural holding number with regard to his butcher and abattoir business, which allowed his daughter and husband to financially separate and divorce. Since the applicant retired and sold the business four years ago, he no longer has any ties to agriculture and requests that condition 1 be lifted, so that this dwellinghouse could be passed onto his family who have no agricultural links, which would allow the dwellinghouse to be sold to pay for residential care, if required in the future.

The application site lies within an area of countryside as identified within the adopted Local Development Plan and is unaffected by any site specific policies or proposals therein. Policy ENV2 (Housing Development in the Countryside), indicates that for housing for workers engaged in a rural business), that there is a general presumption against development in the countryside which is not related to an appropriate rural business (such as agriculture, forestry or other operations provided for under Policy ENV1). Policy ENV2 indicates that any new housing in the countryside for workers engaged in a rural business requires justification that there is a genuine operational need for a worker to live on site in pursuance of an established rural business.

All development proposals require to be assessed against the relevant criteria of the General Policy of the LDP.

2. Consultations and Representations

Neighbour notification was carried out, the application was advertised in the local press on the 24th June 2016 and no objections/representations have been received.

Arran Community Council - no objections.

Response: noted.

3. Analysis

This application relates to a request to remove an agricultural occupancy condition for a dwellinghouse which received planning permission in 1997. In terms of the removal of occupancy conditions, the following points can be considered to be material considerations:

- (a) the dwellinghouse has been in situ for 18 years (the planning condition has been in force during this time), it has now served its purpose;
- (b) in terms of substantial change in circumstance since the time of the refusal of planning permission in 2008, a justification for the removal of Condition 1 has been submitted and the Scottish Government guidance in relation to the use of such conditions has changed in recent years;
- (c) the submission indicates that the house no longer requires to be occupied by an agricultural worker as it is not linked to a farm. As such, it is now contended that there is not any need for the house to be retained for an agricultural worker.

There has not been any evidence submitted in respect of any attempts to dispose of the property on the open market with the occupancy restriction. For the reasons given above, it is recommended that the occupancy restriction, contained within Condition 1 of planning approval CH/01/96/0713, should be removed.

In terms of the General Policy of the LDP, it is considered that the proposal would offer an acceptable level of residential amenity. In terms of siting and design, it is noted that the property occupies a prominent location adjacent to the String Road, however the dwellinghouse is set back from the road by approximately 30 metres. The design of the dwellinghouse is considered to be acceptable for its countryside location; with changes to the design of the dwellinghouse were agreed during the planning process for the consent (ref. CH/01/96/0713).

There are no other material considerations to address and accordingly planning permission can be approved.

4. Full Recommendation

See Appendix 1.

A handwritten signature in black ink, appearing to read 'Karen Yeomans', written in a cursive style.

KAREN YEOMANS
Executive Director (Economy and Communities)

Cunninghame House, Irvine
19 July 2016

For further information please contact Julie Hanna, Planning Officer , on
telephone number 01294 324330

APPENDIX 1

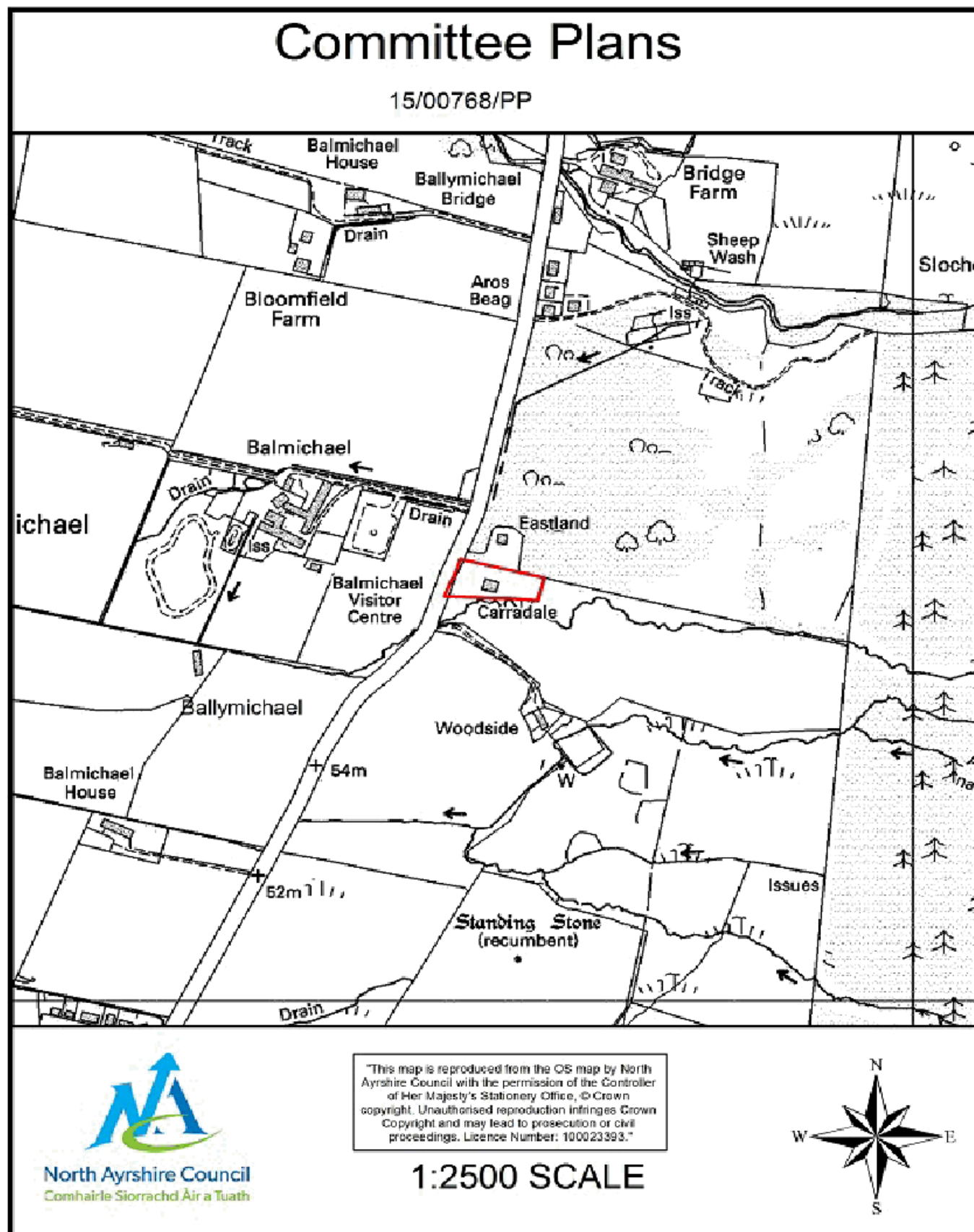
RECOMMENDATION FOR PLANNING APPLICATION REF NO 15/00768/PP

Grant (No conditions).

Reason(s) for approval:

1. The proposal complies with the relevant provisions of the Local Development Plan and there are no other material considerations that indicate otherwise.

Appendix - Location Plan



NORTH AYRSHIRE COUNCIL

Agenda Item 3.2

Planning Committee

10 August 2016

Planning Area

Isle of Arran

Reference

16/00545/PP

Application

9 June 2016

Registered

Decision Due

9 August 2016

Ward

Ardrossan and Arran

Recommendation**Refuse for the reasons contained in
Appendix 2**

Location

Cottages 1, 3 & 4
Kilmichael Country House Hotel
Brodict
Isle Of Arran
KA27 8BY

Applicant

Mr Geoffrey Botterill
Kilmichael Country House Hotel
Brodict
Isle Of Arran
KA27 8BY

Proposal

Amendment to planning permission
N/05/00248/PP for change of use from holiday
letting cottages (cottages 1, 3 and 4) to permanent
dwellinghouses in respect of condition 7 of
planning permission N/05/00248/PP

1. Description

Kilmichael Country House Hotel, a B-Listed Building, is situated at Glencloy in countryside to the south-west of Brodict. Planning permission is being sought for an amendment to planning permission N/05/00248/PP for change of use from holiday letting cottages (cottages 1, 3 and 4) to permanent dwellinghouse, in respect of condition 7 of planning permission reference N/05/00248/PP.

Planning permission (N/05/00248/PP) was approved on 1 July 2005 for the erection of 4 semi-detached self-catering cottages at the hotel. Condition 7 states "that the self-catering cottages shall be used only for holiday letting purposes and shall not be rented, sold or sub-let for any purpose. For the avoidance of doubt, none of the cottages shall be occupied on a permanent basis without the prior written approval of North Ayrshire Council as Planning Authority."

The applicant has submitted a supporting statement, which states that the request to remove the restriction from the other three cottages is a matter of economic necessity. Business income has been in decline and there is an unsustainable low occupancy level. There were no enquiries for hotel rooms over Easter and there was only one room let on the first Saturday of the Easter school holidays. In April, the occupancy level was under 10%; one third of the rooms have been closed to reduce operating costs. A principal cause of this decline in occupancy is considered by the applicant to be the continued expansion of the Auchrannie Resort. The 5 star holiday cottages at the Kilmichael Country House Hotel had a very low occupancy level of 8% in 2015 and less than 1% the year before.

The applicant acknowledges that the cottages were built under tourism policies, however the operating environment has deteriorated dramatically since consent was granted. The cottages cannot be lawfully let for any other purpose than holidays, for longer periods such as long lets throughout the winter and cannot be occupied to meet other established needs, for example, accommodation for GPs. The applicant also needs the option to sell the cottages, should this be required in the future.

The applicant advises that Kilmichael House is an expensive building to run to contemporary standards. Even after the planned repairs have been carried out in association with planning approval N/15/00208/PP, it is likely that it will always need to generate income to pay its way. It has no viable future as a hotel. One of the original outbuildings, which has been converted into a cottage and has no occupancy restriction on it, could be sold, however the long-term future of this historic building and the preservation of its setting can best be served by keeping the original group of main house and converted outbuildings intact in one ownership. With further capital investment, the garden and grounds could be opened to the public, creating another visitor attraction on the island and the house could be made available for exclusive use events such as small weddings, conferences and other celebrations, for which there is no comparable venue. Although it should be noted that in planning terms there is no reason why these proposals could not be introduced at present. The applicant would also propose to buy the access road and make significant investment in upgrading it. It is advised that the road is currently in private ownership.

The cottages already exist and were designed specifically to harmonise with both the original listed group and the existing landscape. No physical alterations of any kind are proposed and since holiday lets and permanent residences both fall into the same use class order in Scotland, this does not fall under the definition of development. The removal of the restriction would allow the hotel to operate more flexibly and include more positive environmental effects, including improvement of the grounds, enhancement of the original listed group and upgrading of the road.

A planning application (reference N/12/00202/PP) was registered on the 8 May 2012 for modification of condition no. 7 of planning permission N/05/00248/PP to permit change of use from holiday letting cottage to permanent dwellinghouse (cottage no 2). The application was referred to Legal Services on the 3 July 2012, with a mind to grant the modification following the signing and registration of an agreement under Section 75 of the Town and Country Planning (Scotland) Act 1997 to ensure that the funds raised from the sale of the dwellinghouse are used to fund the repairs to Kilmichael House in terms of the business plan submitted by the applicants.

Prior to agreement being reached on the Section 75 Legal Agreement, a Notice of Review to the Local Review Body (LRB) was submitted in respect of the non-determination of planning application reference N/12/00202/PP and was considered on the 14 November 2012 by the Local Review Body. The Local Review Body were minded to grant the application provided that a Section 75 Agreement was entered into ensuring that the funds from the sale of the property would be used for repairs to Kilmichael House.

Planning permission could not be issued until the Section 75 Agreement was finalised and registered.

The applicant submitted an appeal to DPEA (Directorate for Planning and Environmental Appeals) against the failure of North Ayrshire Council to determine the application for planning permission, as no decision could be made by the Local Review Body until the Section 75 Legal Agreement was finalised. A site visit was carried out by the reporter on the 20 February 2013 and the appeal was decided on the 8 March 2013. The appeal was dismissed and planning permission was refused.

The Reporter stated in the decision letter that the business plan submitted by the applicants was very brief and does not contain any detailed quotes as to the cost of the works required or any detail about the income from the existing holiday letting or hotel businesses. The Reporter stated that the business plan was not adequate in order to meet the terms of Policy BE5 (superseded by Policy HE3 of the LDP - Listed Building Restoration). The Reporter was not convinced that alternative funds could not be raised from other sources, for example, the self-catering and hotel business. The Reporter was not satisfied that the sale of one of the cottages for permanent residential use was the only option available to raise funds.

A complaint to SPSO (Scottish Public Services Ombudsman) was dismissed on the 24 February 2014.

Planning application (reference N/15/00208/PP) was approved on the 17 August 2015 for an amendment to planning permission N/05/00248/PP for change of use from holiday letting cottage to permanent dwellinghouse at Bluebird Cottage, in respect of condition 7 of planning permission reference N/05/00248/PP, which was justified on the basis that the applicant was seeking to fund repairs to the listed Hotel through the sale of one holiday letting cottage as a permanent dwellinghouse. The dwellinghouse is still for sale.

In the adopted Local Development Plan (LDP), the application site is located within an area of countryside and is unaffected by any site specific policies therein.

The proposal requires to be assessed against Policies ENV2 (Housing Development in the Countryside), TOU1 (Tourist Accommodation and Facilities) and ENV6 (Economic Development or Diversification in Rural Areas) of the Local Development Plan.

Policy ENV6 states that housing development to enable economic or diversification allowed under this policy shall accord with the LDP subject to the following criteria:

- (a) the proposal is for enabling development, not normally exceeding four houses, providing all or part of the funding for delivery of an economic development or diversification enterprise allowed under this policy; AND
- (b) a detailed business plan is submitted for the overall development showing how funds raised from the sale of the enabling housing development are to be channelled into the economic development or diversification to secure its implementation and ongoing use. This shall be done on the basis of open book accounting on both land and development sales and would allow for reasonable developers profit only (indicatively 12%) with all other proceeds being channelled to the development to be enabled; AND
- (c) the developer can demonstrate that sufficient financial assistance is not available from any other source; AND
- (d) the extent of any new build is restricted to the minimum necessary, and in any case not normally exceeding four houses, to facilitate the economic development or diversification and its future viability; AND
- (e) the enabling development should wherever possible be grouped with the economic development or diversification in a cohesive cluster to facilitate servicing and to reduce their environmental impact; AND
- (f) the proposal is not located within an area of 'sensitive countryside' (see glossary).

Policy HE3 (Listed Building Restoration) would not be relevant in this instance.

The proposal also requires to be assessed against the relevant criteria of the General Policy of the LDP.

2. Consultations and Representation

Neighbour notification has been carried out and the application was advertised in the local press on the 24th June 2016. One letter of support has been received and the grounds can be summarised as follows:

1. The Arran Economic Group offer support to remove the current planning restriction to the cottages. The removal of the condition would allow the current owners to operate within a more flexible environment and allow the implementation of improvement works. Without the removal of this restriction, it could result in the potential loss of Arran's only 5 star country house hotel and the planning condition also restricts the availability of professional rented accommodation. Given the lack of affordable housing on Arran, the island is facing a very real challenged together with a declining population. The Arran Economic Group suggests the initial sale of one cottage, with the other two cottages being made available for local long term rental or sale with a priority given to people working/living on the Isle of Arran.

Response: noted. It is considered that again there has been insufficient evidence and justification submitted to support the removal of the restriction in relation to a further cottage (see analysis below). The condition was relaxed in relation to Bluebird Cottage on the 17th August 2015 and the property has still not been sold. These cottages were solely approved for tourist accommodation, and, as such, cannot be used for long term rental (unless for holiday accommodation) or for accommodation for professionals. The removal of this restriction would result in the loss of three additional tourist accommodation cottages, which cannot be justified in planning terms.

Since the introduction of the Road Equivalent Tariff, Arran has continued to enjoy an increase in visitor numbers and a subsequent increase in demand for holiday accommodation. The information provided on the Hotel's website, would indicate that the cottages are enjoying high levels of occupancy, being largely fully booked over the summer and significant booking numbers running until December.

Consultations:

Arran Community Council - supports the application.

Response: noted.

NAC Transportation - no objections.

Response: noted.

3. Analysis

The applicant seeks planning permission to remove the restriction imposed by the planning condition in relation to the other three cottages at Kilmichael Country House Hotel, a B Listed Building, situated outside Brodick, through the sale or long term let of these cottages as permanent dwellinghouses. The applicant has confirmed that this is result of a major change of circumstances and a consequent change of intention since the original planning consent was granted; it is a matter of economic necessity.

The main determining issues are whether the proposal accords with Policies ENV2, TOU1, ENV6 and the General Policy of the adopted Local Development Plan. A further consideration is the concerns raised within the DPEA appeal decision notice (dated the 8th March 2013).

In terms of Policy ENV2 (Housing Development in the Countryside), as the proposal relates to existing development and not to a proposal for new build residential accommodation, Policy ENV2 would not be applicable in this instance. Furthermore, should planning permission have been sought for residential cottages in the first instance, this unjustified development in the countryside could not have been supported. A current proposal for new residential development in this location would be contrary to Policy ENV2 of the LDP and would be refused.

Policy TOU1 relates to Tourist Accommodation and Facilities. The original planning permission for the development was restricted in terms of its justification as tourist accommodation. Residential development in the countryside could not have been supported, as discussed above. Condition 7 of N/05/00248/PP relates to a specific requirement with the aim of preventing unnecessary residential development in the countryside. The granting of planning permission would result in an undesirable precedent for further loss of tourist accommodation and unjustified residential development in the countryside.

It is acknowledged that planning permission (reference N/15/00208/PP) was approved on the 17th August 2015 for an amendment to planning permission N/05/00248/PP for change of use from holiday letting cottage to permanent dwellinghouse at Bluebird Cottage, in respect of condition 7 of planning permission N/05/00248/PP. This was justified on the basis that the applicant was seeking to fund repairs to the listed Hotel through the sale of one holiday letting cottage as a permanent dwellinghouse. The dwellinghouse is still for sale, therefore the capital has not been raised and the repairs have not yet taken place. One unit was considered to be acceptable as it would have a limited impact on the amenity of the area and the tourism industry. Furthermore, this one unit was justified in terms of funding repairs to the Listed Building, which is secured by a Section 75 Agreement; this is not the case for this current planning application. The use of the other three cottages as permanent dwellinghouses would have an unacceptable impact on the amenity of the area and on tourism. There is no justification for any further cottages to be used as permanent residential accommodation.

In terms of Policy ENV6 (Economic Development or Diversification in Rural Areas), no supporting information has been submitted in this regard, which would include a comprehensive business plan, open book accounting and evidence to illustrate that sufficient financial assistance is not available from any other source.

With regard to the concerns raised within the DPEA appeal decision notice in relation to planning application N/12/00202/PP, these were addressed during planning application N/15/00208/PP when the proposal was to fund repairs to the Listed Building. Within the DPEA appeal decision, the reporter did not accept the argument of the appellant that the proposal would not constitute development; the terms of the original planning permission clearly preclude the permanent residential use of the cottages. The reporter acknowledged that there is a presumption against development in the countryside which is not related to agriculture, forestry and other legitimate rural enterprises. However, the reporter considered that the proposal could be assessed as enabling development of new housing where the funds would be used to facilitate the restoration of an exceptional listed building. This justification was used for planning application N/15/00208/PP; this is not the justification for this current planning application. The reporter did not consider the business plan of N/12/00202/PP to be of adequate detail and considered the proposal to be contrary to Policies ENV1 and BE5 of the Isle of Arran Local Plan (now replaced by the Local Development Plan). The reporter also considered that condition 7 of planning approval N/05/00248/PP meets the 6 tests of planning conditions in Circular 4/1998.

The proposal also requires to be assessed against the relevant criteria of the General Policy of the LDP, relating to impact on amenity and access, road layout and parking provision.

In terms of amenity, it is considered that the cottages have reasonable garden ground and there are no significant adverse impacts with overlooking and loss of privacy between the cottages. The cottages have been designed and built to a high standard. The parking for the cottages is separate to that of the main Hotel. Although, the prospective residents of the cottages may not enjoy a normal standard of acceptable residential amenity, due to their proximity to the Hotel and other associated tourist accommodation. The cottages can only be accessed from the private access road to the Hotel and are located to the rear (south-west) of the Hotel. The Hotel, as a result of the nature of such establishments, could result in a degree of disturbance to the cottages to the rear, should they be used as permanent dwellinghouses.

With regard to access, road layout and parking provision, NAC Transportation has no objections.

Accordingly, there are no other material considerations that outweigh the above assessment and planning permission should be refused.

4. Full Recommendation

See Appendix 2.

A handwritten signature in black ink, appearing to read 'Karen Yeomans', written in a cursive style.

KAREN YEOMANS
Executive Director (Economy and Communities)

Cunninghame House, Irvine
19 July 2016

For further information please contact Julie Hanna, Planning Officer , on
telephone number 01294 324330

APPENDIX 2

RECOMMENDATION FOR PLANNING APPLICATION REF NO 16/00545/PP

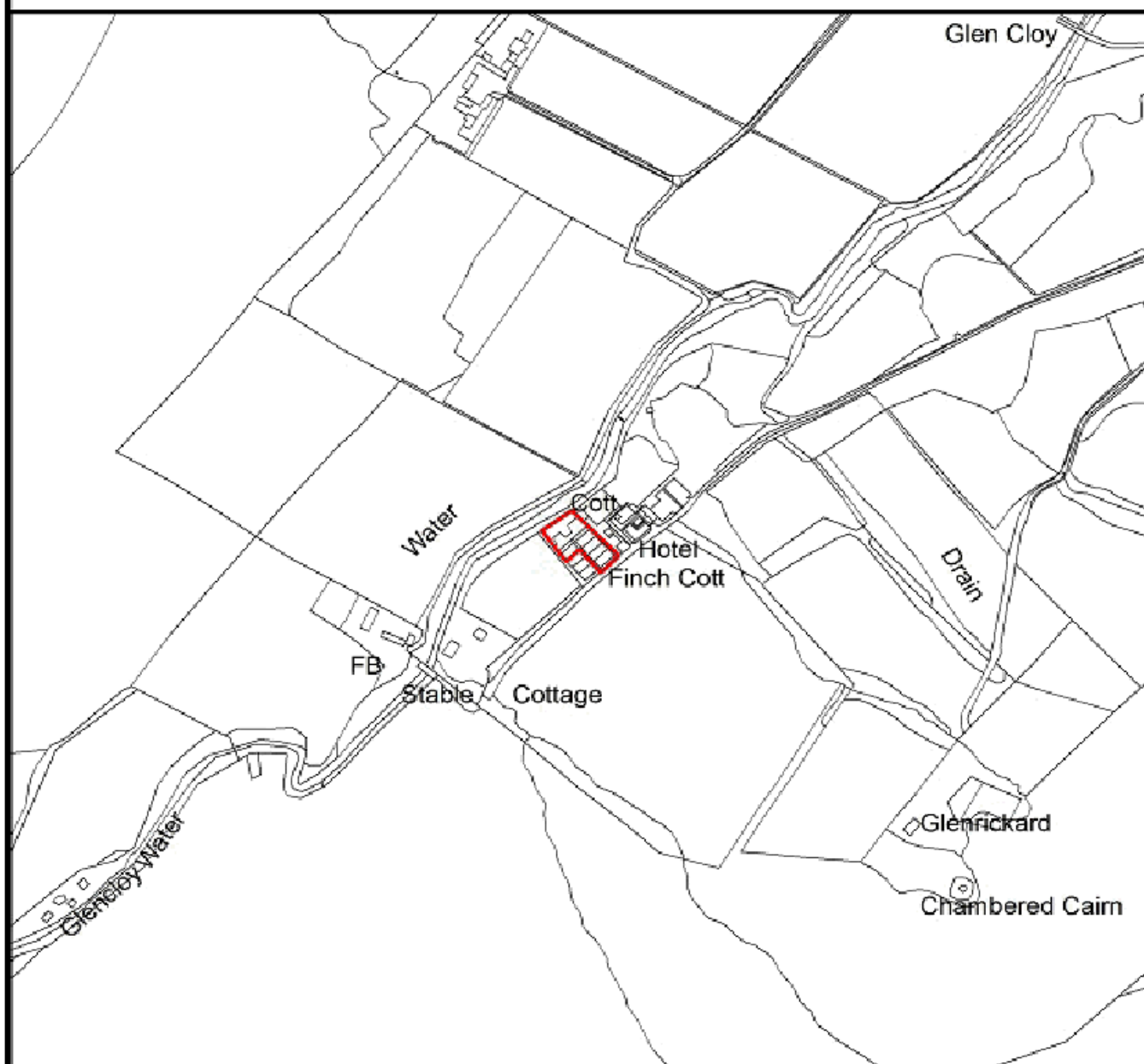
Refuse on the following grounds:-

1. That, the proposed development would be contrary to Policies ENV2, TOU1, ENV6 and Criterion (b) of the General Policy of the Local Development Plan, in that:

- (i) it would comprise permanent residential development within the countryside for which there is no specific locational need and would result in a loss of tourist accommodation;
- (ii) there is no justification for the permanent dwellinghouses, which, if approved, would establish an undesirable precedent for other unnecessary residential development in the countryside which would be detrimental to the amenity of the countryside; and
- (iii) inadequate justification has been submitted to demonstrate that the proposal is required for economic development or diversification under the terms of Policy ENV6.

Committee Plans

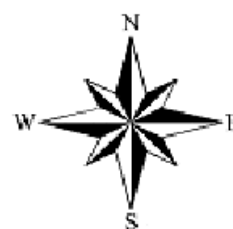
16/00545/PP



North Ayrshire Council
Comhairle Siorrachd Àir a Tuath

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NORTH AYRSHIRE COUNCIL

Agenda Item 4

Planning Committee

10 August 2016

Planning Area

**Ardrossan Saltcoats and
Stevenston**

Reference

16/00350/PPM

Application

22nd April 2016

Registered

Decision Due

22nd August 2016

Ward

Ardrossan and Arran

Recommendation

**Grant with Conditions contained in
Appendix 1**

Location

Ardrossan Marina, Dock Road, Ardrossan

Applicant

Irvine Bay URC
Ayrshire Innovation Centre
13 Irvine Innovation and Industry
2 Cockburn Place
Irvine

Proposal

Renewal of unexpired planning permission
11/00766/PPM to extend Ardrossan Marina,
comprising new breakwater, marina facilities
building, improved access arrangements, car
parking and boat storage, a new pedestrian link
bridge and a drop off car park facility

1. Description

Planning permission, subject to conditions, for the extension of Ardrossan Marina was granted on 24 April 2013 (Ref. 11/00766/PPM). The development has not commenced on site, and the planning permission expired on 24 May 2016, and this application was been submitted prior to the expiry of the planning permission. The proposed marina extension would provide an additional 500 berths, in 2 phases of 260 and 240 berths, immediately north of Montgomerie Pier, where access would be taken to the new berths. A facilities building providing showers, toilets and marina administration functions and a barrier controlled 26 space drop-off car park would be formed on Montgomerie Pier to service the new berths. The main car parking and boat storage areas would be located within an existing operational area, close to the ferry terminal, and a new pedestrian drawbridge would be constructed over the entrance to the existing marina basin to provide a link between the new berths and the car park/boat storage area.

The application site covers an extensive area with the new berths extending to some 12.5 hectares and a further 4.7 hectares for land based activities, in conjunction with the existing marina. The new breakwater, pontoons and berths would all be located on the landward side of the existing harbour breakwater. To the north-west, the site is bounded by the sea and the port/ferry terminal. The nearest residential properties are the recent developments at Mariners View and, slightly further away, Dawnlight Circle, both located to the east of the site. Further north of these properties lies the former Shell site, which is the subject of a proposal for a mixed use development of residential, nursing home and commercial units. A new office building on the southern quayside of the existing marina basin has recently been completed as the first phase of a hotel/office development. All three of these proposed developments form key components of the overall regeneration strategy by the Irvine Bay URC at Ardrossan Harbour.

The proposed development is a "major" development within the context of the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009 and accordingly the application was accompanied by a Pre-Application Consultation (PAC) report detailing the publicity measures undertaken, prior to the application being submitted. The PAC report highlights that two public events were held, on the 16 March and 13 April 2016, and which attracted a total of 39 persons, including representatives of the two local residents groups, both of which had previously expressed interest in the development.

The proposal also comprises development in respect of which the Environmental Assessment (Scotland) Regulations 1999 apply. An Environmental Statement (ES) was submitted with the original application, and as the current proposal is for a renewal of that permission, the applicant was requested to revisit the original ES in order to identify and address any additional significant impacts that may have arisen during the intervening period. The ES Addendum examines the potential environmental effects of the proposed development and recommends mitigation measures to manage and control adverse impacts. The environmental matters include hydrology, ecology, noise, transport and cumulative impacts and conclude that the proposed development would not result in any significant environmental impacts and that any identified negative impacts could be mitigated by specific actions, as contained within the ES.

The 2011 application was assessed against the Adopted Local Plan of 2005 and the policies of the then emerging Draft Local Development Plan (LDP). The subsequent replacement LDP of 2014 contains similar policy considerations in relation to the proposed development, including a site specific policy (TOU3) which establishes the principle for the expansion of the Marina.

2. Consultations and Representations

The standard neighbour notification procedure was carried out and the application was also advertised in the local press on 4th May 2016 for neighbour notification purposes. One letter of objection was received which can be summarised as follows:

1. The proposed bridge would impede views from the objector's property.

Response: Loss of view is not a material planning consideration. Full details for the design of the pedestrian bridge have to be submitted for approval. However it is not anticipated that it would be a significant structure.

2. The proposed car park would result in the loss of part of the landscaped amenity area, and presumably part of the original planning permission for the Persimmon flats.

Response: Whilst the proposals would result in the loss of an area of some 1100 square metres of open space, it represents only some 20% of the open space currently available at the western end of Montgomerie Pier. The perimeter walkway and area of public artwork would still remain and would not conflict with the requirements of Policy ENV12 (Development of Open Space).

3. Traffic concerns. Increased traffic volumes; potential for noise nuisance from traffic movements; and pedestrian/vehicle conflict during construction phase.

Response: Access to the drop-off car park is via Mariners View, an adopted public road, and NAC Transportation has not objected to the proposal. A condition would require the applicant to submit a customer and staff parking management plan for approval, with the aim of preventing the use of adjacent and nearby public roads, and parking bays within Mariners View by vehicles associated with the Marina use. The management plan would also include details of enforcement measures to secure compliance.

4. Requests working hour restrictions.

Response: Environmental Health would address any complaints about excessive noise from operations on the site.

SEPA, NAC Transportation, NAC Environmental Health, NAC Flooding Officer - No objections subject to previous conditions being re-applied.

Response : Appropriate conditions are attached.

SNH, West of Scotland Archaeological Service - No objections

RSPB - No comments

Response: The relevant conditions to the original planning permission were previously accepted.

3. Analysis

Planning permission is sought for renewal of unexpired planning permission (Ref. 11/00766/PPM) for the extension of Ardrossan Marina, comprising new breakwater, marina facilities building, improved access arrangements, car parking and boat storage, a new pedestrian link bridge and a drop off car park facility. The development has not commenced to date and the main determining issue is whether there has been any material change in circumstance pertaining to the application since planning permission was granted in 2013. The proposed development is one of a number of projects in relation to the regeneration of the Ardrossan Harbour area.

The LDP supports the principle of the large scale regeneration of the harbour area (RES9) as a destination incorporating residential, leisure, local retail, cafe, office, hotel, marina extension and other marina related uses. Policy TOU3 supports the principle of the expansion of the marina, and Policies IND3 and RES9 seek to protect other land at the harbour for port/industrial use. The proposed drop-off car park and facilities building on Montgomerie Pier, immediately west of the flatted properties in Mariner's View, would result in the loss of 20% of the amenity open space, and as public access to the remainder would still remain, the proposal complies with policy OS1.

Whilst the adopted Local Plan in force at the time of the original permission has now been replaced by the Local Development Plan in May 2014, consideration was given at the time to the policies of the emerging LDP, as a material consideration in the determination of the application. There was not any material change to the policies in respect of the proposed development. Therefore, it is not considered that there have been any material changes in circumstances, which would merit either a refusal or variation of the planning permission.

In view of the foregoing it is considered that the proposed development would accord with the relevant provisions of the Adopted Local Plan and it is recommended that planning permission for renewal of the unexpired planning permission can be granted.

4. Full Recommendation

See Appendix 1



KAREN YEOMANS
Executive Director (Economy and Communities)

Cunninghame House, Irvine
30 June 2016

For further information please contact Gordon Craig, Planning Officer , on telephone number 01294 324380

APPENDIX 1

RECOMMENDATION FOR PLANNING APPLICATION REF NO 16/00350/PPM

Grant subject to the following conditions:-

1. That, unless otherwise provided for by the terms of this permission, the applicant shall construct and operate the development in accordance with the provisions of the application, the submitted plans and, where necessary, shall implement recommended mitigation measures contained in the Environmental Statement and ES Addendum to the satisfaction of North Ayrshire Council as Planning Authority.
2. That prior to the commencement of the development the applicant shall submit for the written approval of North Ayrshire Council as Planning Authority a customer and staff parking management plan with the aim of preventing the use of adjacent and nearby public roads, and parking bays within Mariners View by vehicles associated with the Marina use. The management plan should also include details of enforcement measures to secure compliance.
3. That prior to the commencement of the development the applicant shall submit for the written approval of North Ayrshire Council as Planning Authority full details of (i) the proposed facilities building, (ii) the pedestrian link bridge, (iii) the proposed fencing around the secure compound within the drop-off car park, and (iv) provision for storage of refuse containers within the drop-off car park.
4. That prior to the commencement of the development the applicant shall submit information to demonstrate to the satisfaction of North Ayrshire Council as Planning Authority that the proposed facilities building has been designed to be protected against a 1:200 year extreme still water level derived from the Coastal Flood Boundary Method (3.61mAOD).
5. That no construction shall take place during the bird breeding season unless the use of nest sites within the application site is prevented prior to the commencement of the bird breeding season
6. That prior to the commencement of the development the applicant shall submit for the written approval of North Ayrshire Council as Planning Authority (i) details of alternative nest sites, comprising a minimum of 5 nest boxes, to be provided in locations unaffected by the development, and (ii) proposals for the incorporation of new black guillemot nest sites within the breakwater structure.
7. That, prior to the commencement of the development, hereby approved, confirmation shall be submitted in writing to North Ayrshire Council as Planning Authority and certified by a suitably qualified person that a scheme to treat the surface water arising from the site has been prepared in accordance with the principles and practices contained in 'The SuDS Manual' (CIRIA report C753, published November 2015). Thereafter, the certified scheme shall be implemented prior to the completion of the development and maintained thereafter to the satisfaction of North Ayrshire Council as Planning Authority.
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 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.

9. That the applicant shall ensure that vehicular access is maintained to the 'Inner Roll-on/Roll-off berth' at Winton Pier at all times and that prior to the commencement of the development shall submit for the written approval of North Ayrshire Council as Planning Authority an amended layout plan of the car park/boat storage area to indicate the proposed vehicular route between the berth and the main harbour access road.

10. That prior to the commencement of the development the applicant shall submit for the written approval of North Ayrshire Council as Planning Authority full details of the proposed drop-off car park, including surface treatment, ground levels, access control barrier, and drainage proposals, and that prior to the use of the berths hereby approved, the drop-off car park shall be fully constructed to the satisfaction of North Ayrshire Council as Planning Authority.

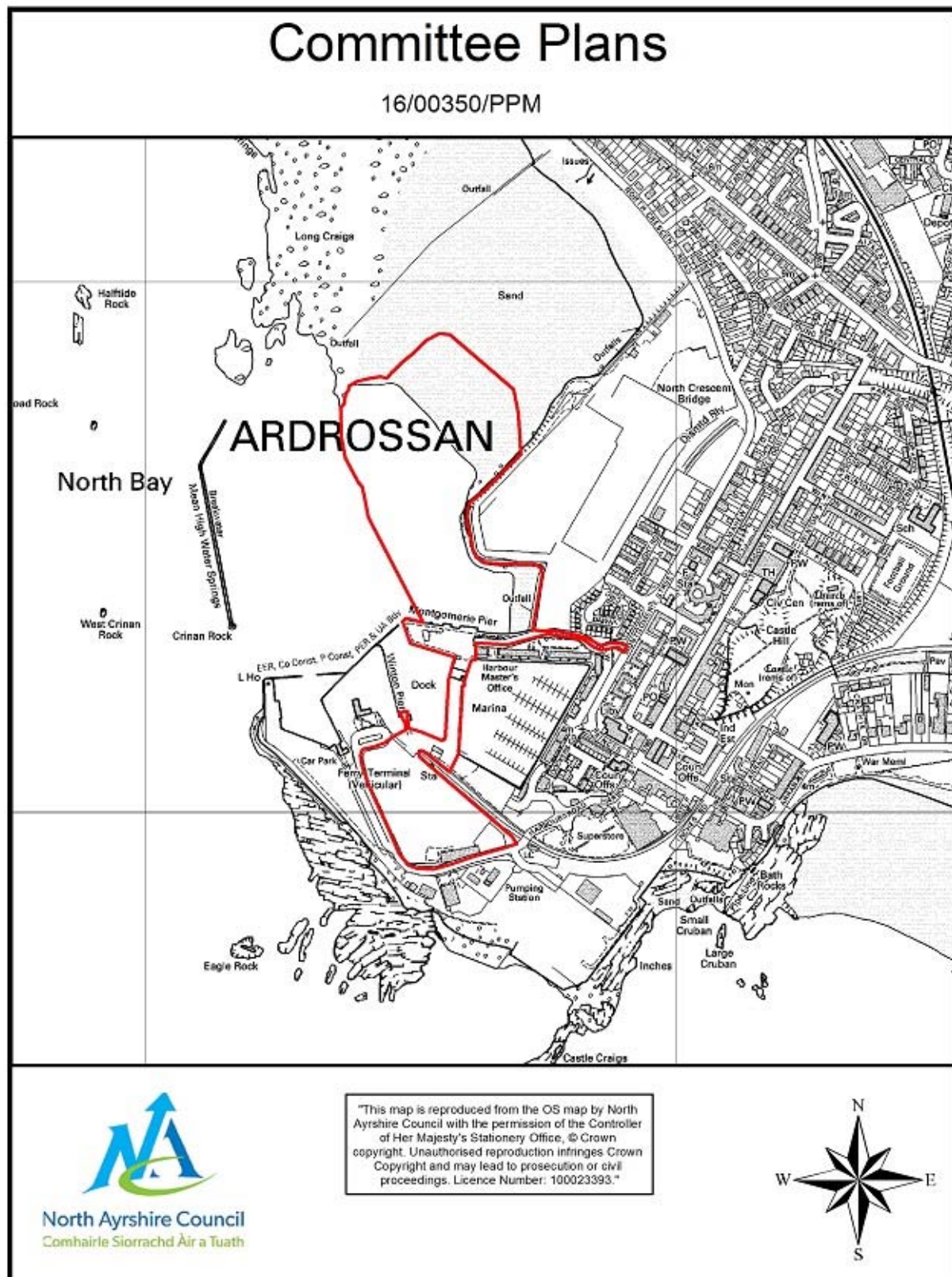
The reason(s) for the above condition(s) are:-

1. To secure the proper completion of the development in the interest of amenity.
2. To meet the requirements of North Ayrshire Council as Roads Authority.
3. In the interest of the amenity of the area.
4. To ensure adequate flood protection for the building.
5. To meet the requirements of RSPB.
6. To meet the requirements of RSPB.
7. To meet the requirements of Scottish Water and the Scottish Environment Protection Agency.
8. To meet the requirements of Environmental Health.
9. In order to protect the integrity of existing port activities.
10. To secure the proper completion of the development in the interest of amenity.

Reason(s) for approval:

1. The proposal complies with the relevant provisions of the Local Development Plan and there are no other material considerations that indicate otherwise.

Appendix - Location Plan



NORTH AYRSHIRE COUNCIL

Agenda Item 5

Planning Committee

10 August 2016

Planning Area

Irvine/Kilwinning

Reference

16/00510/PP

Application

3rd June 2016

Registered

Decision Due

3rd August 2016

Ward

Irvine West

Recommendation**Grant with Conditions contained in
Appendix 1**

LocationEast Park
Quarry Road
Irvine**Applicant**North Ayrshire Council
Cunninghame House
Irvine**Proposal**Erection of 2 storey office building to include the
formation of access road and the provision of
parking

Introduction

At a meeting on the 4 July 2016, the Planning Committee agreed that this application should be called in and determined by Committee and not by Officers under delegated powers.

1. Description

Planning permission is sought for the erection of a 2 storey office building which would have a floor area of approximately 1,000 square metres. The building would be sited on land to the east of Quarry Road, with access from the existing road into the site, the standard of which would be improved. Parking areas with space for up to 33 vehicles and bicycle racks would be provided for the use of staff and visitors.

The proposal represents Phase 1 of a larger development for the Quarry Road area, following the preparation of a masterplan which was the subject of extensive community engagement during 2014 and 2015. At present, there is a need to provide new office accommodation for Business Gateway and KA Leisure. The applicant has advised that, subject to funding, it is still intended to pursue the development of future phases at a later date.

The building would be sited to the south east of Quarry Road adjacent to the Recreation Park, and would be of modern design. External finishes would include facing brick, aluminium framed windows/doors and cladding panels of various types. The building would be approximately 12m high at its highest point.

The site is presently occupied by several workshop buildings, yard space and an electricity sub-station. The workshop buildings would require to be demolished, although the sub-station would be retained in its current position. Several cherry trees along the Quarry Road frontage of the site would be retained.

In terms of the adopted North Ayrshire Local Development Plan (LDP), the site is allocated for business and industry under Policy IND 3, which states that "proposals for business; industrial; and storage and distribution uses within Use Classes 4, 5 and 6, including small groups of workshop units of 150m² or less, on the sites listed in Table 3, and identified on the LDP Maps, shall accord with the LDP."

The application requires to be considered in terms of LDP Policy IND 3, Policy PI 1 (Walking, Cycling and Public Transport) and the General Policy.

In support of the application the applicant advises that the wider regeneration potential of the Quarry Road/East Park area of Irvine Town Centre was the subject of extensive community engagement during 2014 and 2015. The phased masterplan identified potential for a number of community, business and leisure opportunities, the first of which is the proposed office accommodation, which is the subject of this application, which would provide Headquarters for KA Leisure alongside accommodation for Business Gateway and Innovation Space for new business growth. The proposal has been financially supported by Scottish Government Regeneration Capital Grant Funding; Scottish Government Vacant and Derelict Land Fund and Irvine Bay URC support.

If approved, delivery of the Phase 1 development would create access, parking and landscaping and facilitate the proposed expansion of Irvine Bay Gymnastics Club's existing facility. The applicant further advises that discussions are ongoing to identify an affordable, best-fit development for a Phase 2 with current discussions with funders focussing on an indoor 3G facility and enhancement of external pitches over a phased period, which would be designed to provide facilities which create pathways to sporting excellence and maximise playability of pitches within Recreation Park. The Phase 1 reception area has been designed to dual as a reception area to serve the proposed changing and leisure facilities which would be delivered in the subsequent phase.

2. Consultations and Representations

The application was subject to statutory neighbour notification procedures. The following representations have been received:

1. Quarry Road and the surrounding road network is already busy with traffic, particularly near its junction with East Road, and the proposal is likely to lead to further congestion and parking problems in the area. There is also concern regarding the loss of a path which may be a right of way.

Response: The applicant has advised that "prior to developing the masterplan and Phase 1 designs, and taking on board the observations presented by the local community at one of a number of Irvine Vision and Quarry Road engagement sessions, the decision was taken to run the Traffic Model for Irvine Town Centre. Maximum output from each of the masterplan potential uses was input to the model to simulate a "worst case scenario". The model generated proved that there was capacity within the network to accommodate the masterplan scenario with minor modifications to traffic controls."

The applicant has advised further that "there would have to be some modification of access and certainly for safety reasons during the construction period. Otherwise there is currently no through route within the site of the application. It is the Council's intention to secure through routes for walking and cycling from the Quarry Road area to the existing networks in and around East Road and Bank Street. Football matches both within Recreation Park and at Irvine Meadow off Wilson Avenue, tend to be in the evenings and weekends when the offices will not be in full operation, providing additional off-street parking for those attending matches. The current planning application relates to Phase 1 office accommodation, which associated parking is unlikely to have any effect on properties in the Bank Street area."

Finally, the applicant advises that "bus routes in and around the proposed development provide an opportunity for local residents to utilise alternative means of access to the area and reduce reliance on the private car."

See also Access Officer and Roads consultation responses, both of which are below. See also Analysis, below.

2. Once the proposed offices are developed, there will be no further requirement for the Council to neighbour notify people living on Quarry Road about future development proposals since they would be more than 20m distant from the next application site.

Response: Other forms of publicity are available for planning applications, including public notices, which would be considered in the event of future applications in the vicinity of the site.

3. The development would result in the loss of part of the playing fields. Young people need open spaces to play in.

Response: The proposal would not affect nor encroach onto the nearby playing fields and is wholly within an area allocated for business and industry in terms of the adopted Local Development Plan.

NAC Access Officer - no objection. The Catalogue of Rights of Way (CRoW) does not identify any Rights of Way (RoW) across the site. It is however noted that the CRoW does not provide an exhaustive list of RoW and, as such, routes may exist which meet the criteria necessary for designation as an RoW. In addition, there are no Core Paths across the site.

Response: Noted.

NAC Environmental Health - no objection subject to the condition that the applicant shall implement the recommendations made within Section 6 of the Ground Investigation Interpretive Report, Quarry Road, Irvine 117448/JAS/230316 v2 by Grontmij and dated 29 April 2016.

Response: Noted. A condition to meet the above requirement could be attached.

NAC Transportation - no objection. The proposed parking and access arrangements are acceptable. Based on the proposals submitted there would be no requirement for the main access road to be adopted, however if at some point in the future the main access road linked through to East Road then it would be considered for adoption. In the interests of traffic and pedestrian safety, it is recommended that visibility splays of 4.5 metres by 35 metres, in both directions, must be provided and maintained at the junction with the public road. No item with a height greater than 1.05 metre above adjacent carriageway level must be located within these sightline triangles.

Response: Noted. A condition to meet the above requirement could be attached.

Irvine Community Council - no comments.

3. Analysis

The application requires to be assessed in terms of Policies IND 3, PI 1 and the General Policy of the LDP.

The proposed development would accord with Policy IND 3, which allocates the site for business and industry including Class 4 office development. Paragraph 6.18 of the LDP states that "there is a recognised shortfall in the availability of quality office accommodation in North Ayrshire. The requirements of this sector of the market are varied and seek a flexible response in terms of location, size and adaptability." It is considered that the proposed development would provide high quality office accommodation within walking distance of Irvine town centre.

It is considered that the proposed development would accord with Policy PI 1, which requires development proposals which will result in significant trip generation to demonstrate that account has been taken of the needs of walkers, cyclists and public transport users. As noted above, the site is within walking distance of Irvine town centre. The site is also adjacent to a local bus route and within walking distance of the main bus route through Irvine. Provision has been made in the application for cyclists in the form of a cycle rack.

The relevant criteria of the General Policy are (a) Siting, Design and External Appearance, (b) Amenity and (d) Traffic, Access, Parking, etc. In terms of (a), it is considered that the contemporary design of the proposed office building would significantly enhance the appearance of the site, which is characterised by utilitarian industrial buildings and sheds. The building would be set back from Quarry Road, beyond the existing line of cherry trees, which form an edge to the street. Its main elevations would face onto the proposed car park within the site and also onto the Recreation Ground. It is considered that the scale of the proposed building is compatible with the townscape of the immediate area, which includes housing and various commercial buildings. The proposal is considered to be acceptable in terms of criterion (a).

In terms of (b), it is considered that the amenity impacts associated with a Class 4 office use would be acceptable. The site has the attributes of a commercial location due to the established commercial uses. It is considered that these factors make the location suitable for office development, which would also enhance the visual amenity of the area. The proposal is considered to be acceptable in terms of criterion (b).

In terms of (d), the site is well located in relation to the local road network, public transport, walking and cycling. There is no objection from NAC Transportation in terms of traffic generation. The proposal is considered to be acceptable in terms of criterion (d).

There are no other material considerations. Accordingly, it is recommended that planning permission is granted subject to conditions.

4. Full Recommendation

See Appendix 1.

A handwritten signature in black ink, appearing to read 'Karen Yeomans', written in a cursive style.

KAREN YEOMANS
Executive Director (Economy and Communities)

Cunninghame House, Irvine
1 July 2016

For further information please contact Mr Anthony Hume, Senior Development
Management Officer , on telephone number 01294 324318

APPENDIX 1

RECOMMENDATION FOR PLANNING APPLICATION REF NO 16/00510/PP

Grant subject to the following conditions:-

1. That, prior to the commencement of the development hereby approved, details of the external finishes to be used on the building, car park and pedestrian areas shall be submitted for the written approval of North Ayrshire Council as Planning Authority.
2. That visibility splays of 4.5 metres by 35 metres, in both directions, shall be provided and maintained at the junction with the public road. No item with a height greater than 1.05 metre above adjacent carriageway level shall be located within these sightline triangles.
3. That, prior to the commencement of civil engineering and building operations, the applicant shall implement the recommendations made within Section 6 of the 'Ground Investigation Interpretive Report, Quarry Road, Irvine 117448/JAS/230316 v2' by Grontmij and dated 29th April 2016, which shall be certified by a suitably qualified person upon completion, all to the satisfaction of North Ayrshire Council as Planning Authority.

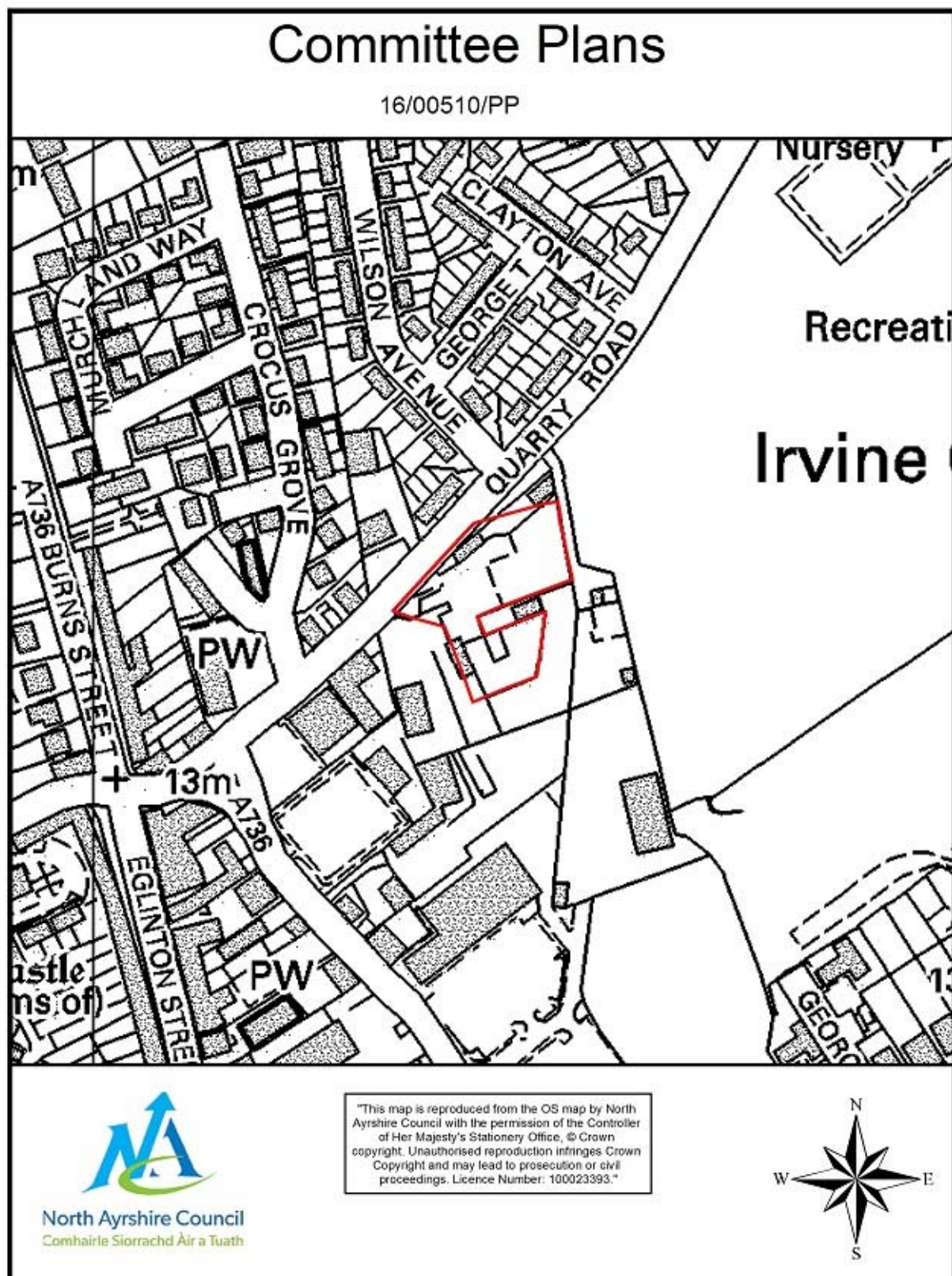
The reason(s) for the above condition(s) are:-

1. In the interest of the amenity of the area.
2. In the interests of traffic and pedestrian safety.
3. To meet the requirements of Environmental Health.

Reason(s) for approval:

1. The proposal complies with the relevant provisions of the Local Development Plan and there are no other material considerations that indicate otherwise.

Appendix - Location Plan



NORTH AYRSHIRE COUNCIL

Agenda Item 6.1

Planning Committee

10 August 2016

Planning Area

North Coast and Cumbraes

Reference

16/00559/PP

Application

14th June 2016

Registered

Decision Due

14th August 2016

Ward

North Coast and Cumbraes

Recommendation	Grant without Conditions as per Appendix 1
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Location	38 Main Street Largs Ayrshire KA30 8AL
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Applicant	James McGonigle 2 Warrenpark Road Largs Ayrshire KA30 8EF
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Proposal	Change of use from Class 1 (retail) to Class 2 (financial and professional)
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Introduction

At a meeting on the 4 July 2016, the Planning Committee agreed that this application should be called in and determined by Committee and not by Officers under delegated powers.

1. Description

This proposal relates to vacant commercial premises in Main Street, Largs which were last occupied as a clothes shop, a Class 1 (Retail) use in terms of the Town and Country Planning (Use Classes) (Scotland) Order 1997. Planning permission is sought for a change to Class 2 (Financial and Professional) use of the premises. The premises are located on the south side of Main Street on the ground floor of a two storey building, adjoined by a pharmacy and a large newsagents shop. There would not be any changes to the building or shopfront within this application.

The applicant has submitted a statement in support of the application which states that the previous tenant had leased the premises as a shop for a period of 11 years up to October 2015. During this period, it is stated that the rental was reduced three times in an effort to assist the tenant who was fighting issues of 'slow trading' and competition from the internet. The tenant finally requested to terminate the lease 3 years earlier than the agreed term and the premises have thereafter been vacant since October last year.

The statement then details that the premises were advertised for lease as a shop through the Rightmove website in July 2015, in advance of termination of the lease and that signs stating 'Premises for lease' were placed in the windows in October 2015, once vacant. A copy of the Rightmove advertising contract was also supplied. The applicant states that during this period there were fewer than ten enquiries, resulting in three viewings, none of which resulted in offers, despite a suggestion that rental rates could be negotiable. The applicant further states that the only expression of interest received was from an estate agency, which has existing premises in the town but wishes to move to larger premises. An offer was not made, given the limitation of the premises to Class 1 uses only, but the applicant states that it was indicated that if Class 2 Use was permitted, then this offer would have been likely as rental terms had already been agreed. This planning application has therefore been made to allow the premises to be marketed for both Class 1 and 2 uses.

The site is within the Town Centre area indicated in the Adopted North Ayrshire Council Local Development Plan ("the LDP"). The relevant LDP policies in the consideration of the application for change of use are TC2 (Core Shopping Areas) and the General Policy.

2. Consultations and Representations

The required neighbour notification procedures were undertaken and there was not any requirement for advertisement of the application in the local press. One letter of objection has been received from Largs Community Council, which can be summarised as follows:

1. The Community Council is sympathetic to the applicant's inability to rent the premises, and note the proposal is to rent to a Solicitor/Estate Agent who has existing premises in Largs. The Community Council consider that the use is not under-represented in the town centre, and therefore the proposal would not be in accordance with Policy TC2 of the Local Development Plan.

Response: Noted. See Analysis for assessment against Policy TC2.

3. Analysis

Policy TC2 contains three criteria against which development proposals in Core Shopping Areas must be assessed and a summary of the application against each follows:

Criterion (1) states that development comprising Classes 1 (Retail), 2 (Financial & Professional) and 3 (Food and Drink) as well as hot food takeaways, amusement arcades, public houses and flats above ground level shall accord with the LDP. The proposal is for a Class 2 use as an estate agents office and the proposal therefore complies with criterion (1).

In terms of criterion (2), development comprising a change of use away from retail will require to demonstrate that (a) this will not undermine the retail function of the centre; (b) all reasonable steps have been taken to let or sell the property for retail purposes; and (c) no interest has been expressed in it at a rental level similar to other properties of a comparable size and location.

With regards to 2(a), from a recent site visit by the Case Officer to the Core Shopping Area, it was noted that Class 1 uses significantly outnumber other uses in the Core Shopping Area by a ratio of approximately 2:1. There are seven estate agency offices. The applicant states that one of which was the prospective tenant. From a total of approximately 100 commercial premises, including other uses such as public houses and restaurants, it is not considered that this change of use would represent an over provision of Class 2 Uses and would not undermine the overall retail function of the town centre.

In terms of 2(b) and (c), the applicant has submitted evidence of the marketing of the premises for retail use and states that no interest was received even with the offer of negotiating reduced rental rates. Given the central location of the premises and the lack of nearby vacant premises, this information is accepted as evidence of reasonable steps having been taken to secure retail use of the premises with no appropriate interest received.

With regards to criterion (3), class 2 uses such as estate agency offices would generally be considered to be complementary to the adjacent retail uses, as they offer an active shopfront for viewing of advertisements and provide a similar service to visiting members of the public. The proposal would not therefore prejudice the vitality or viability of the Core Shopping Area and the proposal therefore complies with Policy TC2.

There would not be any changes to the building or shopfront within this application, and there are therefore not any significant issues to consider in terms of criterion (a) (Siting, Design and External Appearance) of the General Policy. In terms of criterion (b) (Amenity), class 2 Offices would not generally result in any significant adverse effects on the amenity of adjacent properties, particularly in comparison to the existing retail use. The proposal also therefore complies with the General Policy of the LDP.

In summary, the proposal is for the addition of Class 2 (Financial and Professional) use of the premises to increase the marketing opportunities for the premises as well as the existing Class 1 (Retail) use. It is not considered that this change would have a significant effect on the overall use mix of the town centre area, nor would it be detrimental to the future viability of the Core Shopping Area. It is noted that, should Planning Permission for Class 2 Use be granted, the premises could still continue as Class 1 retail use should suitable interest be found and further, that should Class 2 use be implemented, then a future change back to Class 1 retail would be permitted under the Use Classes Order, without the requirement for further planning permission.

It is therefore considered that the proposal would increase the likelihood of a suitable town centre use business being secured for an empty unit with a resulting benefit to the vitality and visual amenity of the town centre area. The proposal accords with the relevant provisions of the Local Development Plan, there are no other material considerations and accordingly it is recommended that planning permission is granted. There is no requirement for any conditions.

4. Full Recommendation

See Appendix 1.



KAREN YEOMANS
Executive Director (Economy and Communities)

Cunninghame House, Irvine
11 July 2016

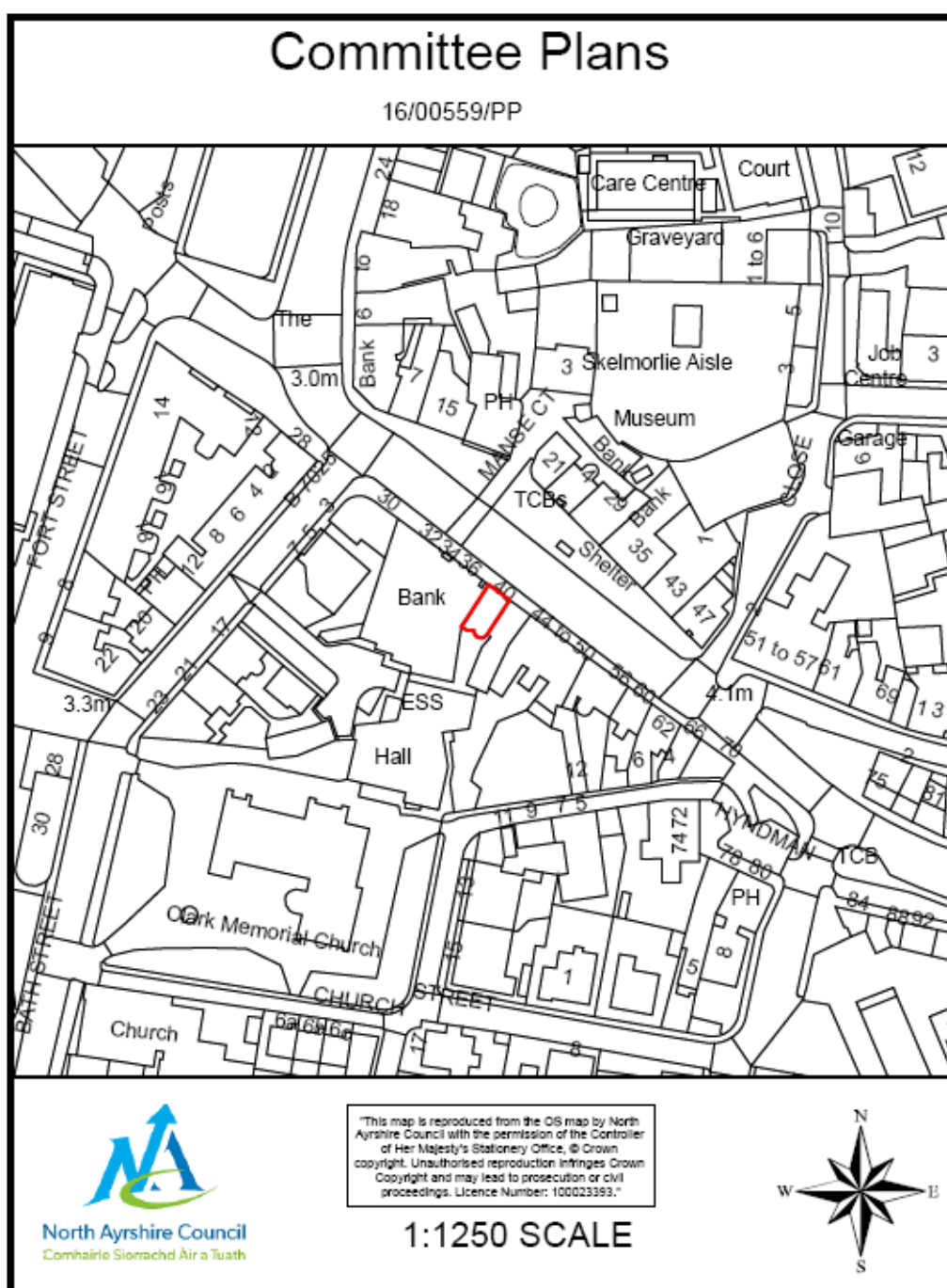
For further information please contact Neil McAteer, Planning Officer , on telephone number 01294 324316

APPENDIX 1

RECOMMENDATION FOR PLANNING APPLICATION REF NO 16/00559/PP

Grant (No conditions).

Appendix - Location Plan



NORTH AYRSHIRE COUNCIL

Agenda Item 6.2

Planning Committee

10 August 2016

Planning Area

North Coast and Cumbraes

Reference

16/00268/PP

Application

5th April 2016

Registered

Decision Due

5th August 2016

Ward

Dalry and West Kilbride

Recommendation	Grant with Conditions contained in Appendix 1
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Location

Hunterston Construction Yard, Fairlie

Applicant

Clydeport Operations Limited, 16 Robertson Street, Glasgow

Proposal

Application under Section 42 of the Town and Country Planning (Scotland) Act 1997 to delete Condition 1 of planning permission 11/00230/PPM to remove the temporary restriction on the use of the site.

1. Description

The yard is located on reclaimed land off the north shore of Hunterston Peninsula (see attached location plan). It has a dedicated access road which connects to the A78 at the roundabout serving Hunterston Power Station. The application seeks permission under Section 42 of the 1997 Town and Country Planning (Scotland) Act, to seek a new planning permission for a development but with different conditions from those attached to a previous permission for that development. This application proposes the deletion of Condition 1 of the current planning permission (Ref. 11/00230/PPM), to remove the temporary restriction on the use of the site.

Hunterston is recognised in the third National Planning Framework (NPF3) as an 'area of coordinated action' a location of particular significance for low carbon infrastructure. NPF3 states "future development at Hunterston should aim to make sustainable use of its key assets, including its deep water access. Activities which could align with our national strategy include manufacturing and servicing support for offshore renewable energy development, building on the success of the onshore test facility for offshore wind turbines." The site, is also identified within NPF3 and Scotland's National Marine Plan as a 'National Renewables Infrastructure Plan' (N-RIP) site, as one of the best fit locations for meeting offshore renewable industry needs, including integrated manufacturing.

In the adopted North Ayrshire Local Development Plan (LDP), the site has an underlying Countryside allocation where Policies IND1 and IND2 apply. Policy IND1 identifies Hunterston as one of a number of Strategic Business Locations. Policy IND2 sets out a range of development types supported by NPF, NRIP, OFGEM and Scottish Enterprise which shall accord with the LDP, subject to meeting specific requirements identified.

The site is located adjacent to the Portencross Site of Special Scientific Interest (SSSI). Policy ENV9(2) states that proposals for development that would affect SSSI's shall not accord with the plan unless the objectives of designation and the overall integrity of the area are not compromised or any significant adverse effects are clearly outweighed by social or economic benefits of national importance. All proposals require to be assessed against the relevant criteria of the General Policy of the Local Development Plan.

On 31 May 2011, planning permission (Ref. 11/00230/PPM) was granted to extend for a further 5 years, the duration of planning permission for the marine construction yard. Planning permission for the yard had originally been granted, subject to conditions, under an Order by the then Secretary of State for Scotland. The Order, which required all planning applications for industrial development at Hunterston to be referred to the Secretary of State/Scottish Ministers, was superseded and the determination of such planning applications now rests with NAC as Planning Authority.

Since outline planning permission was originally granted for the construction yard in 1974, the site has periodically been used for construction and repair/maintenance of large concrete and steel structures for the offshore oil and gas industry. Over recent years the applicant advises that there have been a number of enquiries for the use of the yard for maritime construction purposes but none have materialised as a result of ownership issues and the uncertainty in relation to the temporary nature of the planning permission for the use of the site. The applicant advises that the ownership issues have now been resolved and consider that the removal of the time limiting planning permission is essential to provide sufficient certainty to allow long term investment plans for the site to progress and, that the continuing availability of the facility would assist in generating employment and income in North Ayrshire. The applicant also highlights that the yard is recognised in National and Local planning policy as an important strategic industrial location with its deep water access and the potential to create manufacturing and servicing support for offshore renewable energy development.

Although designated a 'major development' under the Town and Country Planning (Hierarchy of Development) (Scotland) Regulations 2009 in terms of the site area exceeding 2 hectares in size, an application under Section 42 of the Act does not require to undergo pre-application consultation between developers and communities as is the case in applications for other 'major developments'.

2. Consultations and Representations

The standard neighbour notification procedure was carried out and the application was also advertised in the local press on 13 April 2016. A total of three objections and a representation were received, which can be summarised as follows:

1. The time restrictions included as part of the original consent were included for good reasons, and these have not changed or lessened with time. Whatever other reasons were intended, one major result has been to mitigate the possibility of permanent damage to this area of the Clyde estuary, and this is now as important as it ever was.

Response: The site has been intermittently used for the construction of maritime structures since outline planning permission was first granted in 1974. The original permission has been continuously renewed, more recently every 5 years, by applications to vary the time limiting condition. The conditions attached to the previous permissions ensured that the Council maintained control in ensuring that all redundant buildings were removed from the site on cessation of construction activities. Given the relative remoteness of the construction yard and its proximity to the industrial complex at Hunterston, it is considered that the condition of the site has not significantly detracted from the amenity of the area. If approved, the conditions of this new permission would continue to provide similar control in relation to removal of redundant buildings and the general condition of the site.

2. Rather than promoting heavy industrial development, the site owners should seek to attract a more sustainable and less environmentally polluting use for the site.

Response: The application is not proposing any use but only seeks to remove a time limiting condition to allow an existing use to continue indefinitely.

3. The removal of the condition would result in difficulty in controlling what suitable industrial activity is established in future. The site is very close to protected environmental areas and its hinterland consists of residential communities.

Response: The current planning permission states the industrial activities which are permitted to operate from the site, which are for the purpose of the construction, repair and subsequent removal on completion of large marine related structures.

4. It is understood that the Secretary of State's original 1988 planning consent for the Hunterston Basin required that, on completion of operations, the site be returned to a state acceptable to the relevant local authority. This must mean that the site is returned to the natural state of the original Hunterston foreshore. The developer seeks to maximise profit at the expense of the environment and local amenity by avoiding spending money in returning the site to its original condition. No trace of the 1998 permission is available on the NAC website and therefore the applicant should have been asked to lodge this document as part of their submission.

Response: The condition referred to does not require the site to be returned to its original, pre-construction, condition. Condition 12 of the current application requires, that on expiry of the permission, the applicant submits proposals for a scheme of remediation to bring the site into some favourable or beneficial use. The 1998 permission referred to is not the original permission and it is not considered relevant for the applicant to have submitted previous planning documents with this application.

5. No objection to the extension of planning permission past 29 May 2016 for a period deemed appropriate by the Local Authority on the proviso that all other conditions dependent on that date are also suitably amended to ensure that the site is restored to the satisfaction of the Local Authority at the end of this extended period.

Response: The application is to remove, not extend, the time restriction from the planning permission. It is considered that the proposed new conditions would offer sufficient control over future activities within the site and the appearance of it.

Fairlie Community Council - If planning permission is approved Condition 12 would also require to be varied, although this is not proposed by the applicant in this application. If indeed Condition 12 is being proposed to be removed then a separate planning application should be submitted. Condition 12 was imposed to ensure that the site would be left in a condition acceptable to the Council on cessation of the use. The Community Council considers that if condition 12 is deleted then it would be possible for the owner/ applicant to leave the site in a state which is not favourable or beneficial and to do this without limit of time, with the potential for the site being left in a derelict or unsightly state for many years after an activity has ceased.

Equally, if condition 12 remains then it would also be possible for the site to remain in an unacceptable condition without limit of time as there would be no expiry date if condition 1 is deleted. The Community Council considers that either situation would be quite contrary to the purpose of condition 12 as intended by the Secretary of State in granting the original permission.

Response: The application seeks to delete the time limitation for the use of the site as specified in Condition 1 of the 2011 planning permission. If, however, Condition 1 is deleted, some of the other conditions of the permission would also require to be amended/deleted as a consequence and the Committee is being asked to agree the required amendments to these other conditions, ie without the need for the applicant to make further planning applications. The conditions of the most recent permission (Ref. 11/00230/PPM) are attached at Appendix 1a of this report.

In response to the concern about the loss of control in ensuring that the site would be left in an acceptable condition on cessation of the use, that concern would be addressed through condition 8 of the new permission, which would require all redundant buildings or structures, lighting columns, scrap materials etc. remaining on the site to be removed and thereafter the site maintained in a tidy and safe condition, to the satisfaction of the Council in the event of the site being inactive for a period in excess of 12 months. It is proposed that the new condition 8 would replace condition 12 of the current permission as there would no longer be an expiry date on the new permission as a result of the removal of Condition 1, if approved.

Health & Safety Executive (Office for Nuclear Regulation) - No objection. Following consultation with the emergency planners within North Ayrshire Council, which is responsible for the preparation of the Hunterston off-site emergency plan required by the Radiation Emergency Preparedness and Public Information Regulations (REPPiR) 2001, adequate assurance has been provided that the proposed development can be accommodated within the off-site emergency planning arrangements. The proposed development does not present a significant external hazard to the safety of the nuclear site.

Response: Noted.

West Kilbride Community Council - Object. The removal of Condition 1 is not in the best interest of the surrounding area, which is predominately residential and tourism, and will prevent the ability of NAC to control what happens at the site. The use of the site for decommissioning Oil Rigs would require extensive investment before work could be undertaken, plus it would have an adverse effect on the area due to the inevitable pollution attached to the decommissioning of these rigs. The site now also incorporates the Flask Loading and Unloading facility used by Hunterston B which restricts the site use during these operations.

Response: Since the granting of the original outline planning permission by the Secretary of State for Scotland in 1974 which imposed a time restriction on the authorised use, all subsequent applications have also had a time limiting condition attached, more recently for 5 year periods. A condition of the current permission, which would be carried forward into the new decision notice, if approved, still allows the Council to control activities on the site with regard to the siting, design and external appearance of buildings, plant and other structures, the storage of raw materials, finished products and waste, and arrangements for the treatment and disposal of effluents and waste products.

The concern about the potential for oil rig decommissioning work is not a relevant as the current permission does not allow decommissioning operations and the inclusion of such activities would require a further variation to the planning permission, and which would require to be supported by a detailed environmental report. The reference to nuclear flask loading activities taking place from the site is incorrect as this takes place at the adjacent Clydeport terminal and not the application site.

Scottish Natural Heritage – No objections. As the application does not propose any other changes to the operational restrictions at the site, this will not have any additional impacts on the adjacent Southannan Sands SSSI.

Response: Noted.

Environmental Health, SEPA - no objection.

3. Analysis

This application proposes the deletion of Condition 1 of planning permission 11/00230/PPM to remove the temporary restriction on the use of the site. Permission is sought under Section 42 of the 1997 Town and Country Planning (Scotland) Act to seek a new planning permission for a development but with different conditions from those attached to a previous permission for that development. The main determining issues are whether the proposals accord with the National Planning Framework and the Local Development Plan (LDP).

In relation to the LDP, the marine construction yard forms part of the overall industrial allocation at Hunterston, subject to Policies IND1 and IND2, which identify the site as a strategic business location and a national development area respectively. The national development area being allocated in NPF2 and safeguarded for development of national importance requiring deep water access. Whilst the site has seen only intermittent development activity since the original 1974 planning permission, the existing permitted use of the site for the construction, repair and subsequent removal on completion of large marine related structures, does not conflict with either IND1, IND2, NPF2 or the NPF3 of 2014 which now designates Hunterston as an 'area of co-ordinated action' rather than a 'national development' area. NPF3 and Scotland's National Marine Plan also designates the Hunterston area as a 'National Renewables Infrastructure Plan' (N-RIP) as one of the best fit locations for meeting offshore renewable industry needs, including integrated manufacturing.

With regard to Policy ENV6 (2), SNH has not objected to the proposal. SNH does not consider that the removal of the time limiting condition in itself would have any additional impacts on the adjacent Southannan Sands SSSI and therefore it is considered that the proposal would not conflict with ENV6 (2).

The General Policy of the LDP requires all development proposals to be assessed against a range of criteria however, given that the existing permitted use has now been established on the site for some 40 years, it is not considered that the current proposal for the removal of a planning condition requires such further assessment. Issues of siting, design, amenity and landscape character would all be controlled through conditions of the permission, for example, the erection of further buildings associated with re-use of the site, would require the prior approval of the Council.

In relation to the matter of the temporary nature of the planning permission, Scottish Government policy on the use of conditions in planning permissions outlines a number of tests for the appropriate application of temporary planning permission, namely, that:

- it will rarely be necessary to give a temporary consent to an applicant who wishes to carry out development which conforms to the provisions of the Development Plan;
- the reason for granting a temporary permission can never be that a time limit is necessary because of the effect of the development on the amenity of the area; and,
- a temporary permission will normally only be appropriate either where the applicant proposes temporary development or when a trial run is needed in order to assess the effect of the development in the area.

The applicant submits that the five year time limit on the permission does not provide sufficient certainty to allow long term investment plans for the site to progress, and that a further temporary consent would not meet the above tests of Circular 4/1998.

The time limiting condition was originally imposed by the Secretary of State in 1974 with the apparent intention of retaining control on the nature of the activities which could take place within the site. Conditions of the permission, which have been varied slightly, in the previous applications to extend the time limit, enable effective controls over the visual appearance of the site, with any further buildings required in connection with the re-use of the site requiring the prior approval of the Council.

The applicants submit that throughout the period of the most recent temporary permissions they have received a number of enquiries for the use of the yard for a variety of uses, including oil rig construction, repair and decommissioning, however, they consider that the limitation imposed by condition 1 has been one of the main obstacles in attracting such projects to the site. They further advise that, more recently, interest was expressed about extending the jetty at the yard to enable its use for the transportation of larger components for offshore wind turbines, which was originally intended to service the wind turbine test facility at Hunterston, but also with the potential to provide a basis for the manufacture of large scale offshore components at Hunterston for transportation to offshore installations in the future. However, it was found that the level of investment necessary for such a project could not be justified against the uncertainty of a time limited planning permission.

In view of the above it is accepted that the confidence and scale of investment required to equip the site for construction of offshore wind turbines, or possibly decommissioning activities, would require a degree of certainty on the long term use of the site. It is considered therefore that the removal of the temporary constraint on the operation of the site would be consistent with current Government guidance and accord with NPF3 and the Local Development Plan.

Conditions 4, 11 and 12 of the current permission should be deleted to reflect both the authorised use of the site and the removal of the time limit on operations. Other conditions should be amended to maintain control over the future condition of the site on cessation of operations. All other conditions of the current permission should be re-imposed. The applicant has been advised of the need to vary or delete other conditions of the permission as a consequence of removing Condition 1 and has confirmed their acceptance to the proposed wording of the new conditions.

It is recommended therefore that conditional planning permission can be granted.

4. Full Recommendation

See Appendix 1.



KAREN YEOMANS
Executive Director (Economy and Communities)

Cunninghame House, Irvine
29 June 2016

For further information please contact Gordon Craig, Planning Officer , on telephone number 01294 324380

APPENDIX 1

RECOMMENDATION FOR PLANNING APPLICATION REF NO 16/00268/PP

Grant subject to the following conditions:-

1. That the planning permission shall be restricted to the use of the existing building dock, site, jetty and buildings; erection and use of other associated buildings and plant which would be located on the site in accordance with the operational demands of the work; and the use of the existing site access and jetty; all for the purpose of the construction, repair and subsequent removal on completion of large marine related structures; and the site shall be used for no other purpose.
2. That prior to the recommencement of development on the site the applicant shall obtain the written approval of North Ayrshire Council as Planning Authority regarding: a) the siting, design and external appearance (including colours) of buildings, plant and structures together with a layout plan showing the operational requirements of the site and proposals for open and covered storage of raw materials, finished products and waste; b) the proposed arrangements for the disposal of any excavated material from the site; c) the proposed arrangements for the treatment and disposal of effluents and waste products together with plans showing the proposed drainage system for the treatment and disposal of soil and surface water and arrangements for the control of flotsam arising from any work on the site and for preventative measures to avoid pollution of the foreshore; and d) the proposed arrangements for the lighting of the site during dock reconstruction.
3. That all processes and activities shall be carried out in such a manner as to minimise nuisance by way of noise, dust, smell, vibration or pollution of the sea.
4. That no processes or activities shall be carried out which would: a) be incompatible with the nuclear safety arrangements or operations of Hunterston B Power Station ; or b) have an adverse effect on water quality at the intakes of the power station.
5. That no blasting operations or pile driving by percussive means shall be carried out on the site between 10.00pm and 7.00am. Specific times for any blasting and/or pile driving by percussive means shall be agreed in writing by North Ayrshire Council as Planning Authority and it shall be the responsibility of the applicant to advertise the agreed arrangements in a newspaper circulating locally in the week prior to the agreed times.
6. That except with the prior approval of North Ayrshire Council as Planning Authority, no dock constructional operations, other than the sinking of piles by other than percussive means, the carrying out of maintenance work on constructional plant and dredging work, shall be carried out on the site between 10.00pm and 7.00am.
7. That the hours of operation of the site for vessel construction and/or repair and the arrangements for the lighting of the site during the hours of operation should be agreed in writing with North Ayrshire Council as Planning Authority prior to the commencement of any further work at the site.
8. That should the authorised use of the site, as detailed in Condition 1, be discontinued for a period in excess of one year, all redundant buildings or structures, including lighting columns and any scrap materials remaining on the site shall be removed and thereafter the site shall be maintained in a tidy and safe condition, to the satisfaction of North Ayrshire Council as Planning Authority.

The reason(s) for the above condition(s) are:-

1. In the interest of the amenity of the area.
2. In the interest of the amenity of the area.
3. In the interest of the amenity of the area.
4. To ensure that the development does not affect the operation of Scottish Nuclear's power station in the interest of safety.
5. In the interest of the amenity of the area.
6. In the interest of the amenity of the area.
7. In the interest of the amenity of the area.
8. In the interest of the amenity of the area.

Reason(s) for approval:

1. The proposal complies with the relevant provisions of the Local Development Plan and there are no other material considerations that indicate otherwise.

Appendix 1 a

Conditions attached to planning permission 11/00230/PPM

Condition 1. That the planning permission shall expire on 29th May, 2016.

Reason 1. In recognition of the temporary nature of the development.

Condition 2. That the planning permission shall be restricted to the use and enlargement of the existing building dock; use of the existing site, jetty and buildings; erection and use of other associated buildings and plant which would be located on the site in accordance with the operational demands of the work; and the use of the existing site access and jetty; all for the purpose of the construction, repair and subsequent removal on completion of large marine related structures; and the site shall be used for no other purpose.

Reason 2. To restrict the development to the terms of its justification/special need.

Condition 3. That before commencing development the developer shall obtain the written approval of North Ayrshire Council as Planning Authority regarding: a) the siting, design and external appearance (including colours) of buildings, plant and structures together with a layout plan showing the operational requirements of the site and proposals for open and covered storage of raw materials, finished products and waste; b) the proposed arrangements for the disposal of excavated material from the site; c) the proposed arrangements for the treatment and disposal of effluents and waste products together with plans showing the proposed drainage system for the treatment and disposal of soil and surface water and arrangements for the control of flotsam arising from any work on the site and for preventative measures to avoid pollution of the foreshore; and d) the proposed arrangements for the lighting of the site during dock reconstruction.

Reason 3. In the interest of the amenity of the area.

Condition 4. That except with written consent of North Ayrshire Council as Planning Authority, work on the site shall not begin until any approvals necessary under Condition 3 above have been obtained.

Reason 4. In the interest of the amenity of the area.

Condition 5. That all processes and activities shall be carried out in such a manner as to minimise nuisance by way of noise, dust, smell, vibration or pollution of the sea.

Reason 5. In the interest of the amenity of the area.

- | | | |
|-----------|-----|---|
| Condition | 6. | That no processes or activities shall be carried out which would:
a) be incompatible with the nuclear safety arrangements or operations of Scottish Nuclear's Power Station at Hunterston; or
b) have an adverse effect on water quality at the intakes of the power station |
| Reason | 6. | <i>To ensure that the development does not affect the operation of Scottish Nuclear's power station in the interest of safety.</i> |
| Condition | 7. | That no blasting operations or pile driving by percussive means shall be carried out on the site between 10.00pm and 7.00am. Specific times for any blasting and/or pile driving by percussive means shall be agreed in writing by North Ayrshire Council as Planning Authority and it shall be the responsibility of the applicant to advertise the agreed arrangements in a newspaper circulating locally in the week prior to the agreed times |
| Reason | 7. | <i>In the interest of the amenity of the area.</i> |
| Condition | 8. | That except with the prior approval of North Ayrshire Council as Planning Authority, no dock constructional operations, other than the sinking of piles by other than percussive means, the carrying out of maintenance work on constructional plant and dredging work, shall be carried out on the site between 10.00pm and 7.00am. |
| Reason | 8. | <i>In the interest of the amenity of the area.</i> |
| Condition | 9. | That the hours of operation of the site for vessel construction and/or repair and the arrangements for the lighting of the site during the hours of operation should be agreed in writing with North Ayrshire Council as Planning Authority prior to the commencement of any further work at the site. |
| Reason | 9. | <i>In the interest of the amenity of the area.</i> |
| Condition | 10. | That in the event of reclamation, dock reconstruction or construction work being discontinued for a period in excess of one year, the total site shall be maintained in a tidy and safe condition, to the satisfaction of North Ayrshire Council as Planning Authority. |
| Reason | 10. | <i>In the interest of the amenity of the area.</i> |
| Condition | 11. | That within six months from the date of this approval the applicants shall remove all redundant buildings or structures, including lighting columns and any scrap materials remaining on the site to the satisfaction of North Ayrshire Council as Planning Authority. |
| Reason | 11. | <i>In the interest of the amenity of the area.</i> |

- Condition 12. That, prior to the expiry of this permission, the applicant shall submit details to North Ayrshire Council as Planning Authority of a scheme of remediation to bring the site into some favourable or beneficial use, within an agreed timescale, all to the satisfaction of North Ayrshire Council as Planning Authority.
- Reason* 12. *In the interest of the amenity of the area.*

Appendix - Location Plan



NORTH AYRSHIRE COUNCIL

Agenda Item 7

10 August 2016

Planning Committee

Title: **Notice under Section 179 of the Town and Country Planning (Scotland) Act 1997: 61 Glenapp Place, Kilwinning KA13 6TF**

Purpose: To seek approval to serve a Notice under Section 179 of the Town and Country Planning (Scotland) Act 1997 requiring proper maintenance of land for the abatement of the adverse impact on the local area.

Recommendation: That the Committee grants authority for the service of a Notice under Section 179 of the Town and Country Planning (Scotland) Act 1997 to abate the adverse impact of the land on the local area.

1. Executive Summary

- 1.1 This report recommends the service of a Notice under Section 179 of the Town and Country Planning (Scotland) Act 1997 ("Wasteland Notice") in relation to the land at 63 Glenapp Place, Kilwinning KA13 6TF. A Wasteland Notice allows the Council as Planning Authority to serve on the owner, lessee and occupier of the land, which is adversely affecting the amenity of any part of the area, a notice requiring steps to be taken to abate the adverse affect of the condition of the land.
- 1.2 No. 61 Glenapp Place comprises a residential property on the southern side of Glenapp Place. It consists of a two storey end of terrace property with second floor link to the property to the west. The link is above a pedestrian footpath. The property is located within a residential area of Kilwinning, with residential properties to all sides.
- 1.3 Household items and general waste have been deposited in the rear garden ground of the property. The property is currently vacant with the ground floor front and rear doors boarded up. The rear ground floor window is partially boarded with half the window not enclosed. The not enclosed pane of the window has been smashed and access to the property is available through this window. The land is visible from the adjoining residential properties and the public footpath. The condition of the land, due to the accumulation of refuse and the rear window, has a significant adverse impact on the amenity of the local area.

2. Background

- 2.1 The site is a residential property which has an accumulation of refuse and waste in the garden ground and the rear ground floor window has been smashed. The land is identified in the Local Development Plan as within the settlement of Kilwinning.
- 2.2 The Council has received several complaints regarding the site. An inspection of the land in June 2016, revealed that refuse had been dumped on site and the rear window was not secure. The owner of the land was requested in writing to clear the site and confirm any intentions for the property. A response was not received. Further inspections were carried out in July 2016 where it was noted that the refuse had not been removed and the window had not been repaired. Further letters were sent to the owner requesting clearance. However, again a response was not received.
- 2.3 Given the above, it is considered that the owner has been given adequate opportunity to alleviate the harm caused by the condition of the land. The required works have not been undertaken and the condition of the land continues to cause harm to local amenity.

3. Proposals

- 3.1 The condition of the land is having a significant adverse impact upon the amenity of the area. The area where the refuse is located is visible from the public footpath and adjacent residential properties.
- 3.2 In the interest of the amenity of the area, it is recommended that Committee approves the serving of a Notice under Section 179 of the Town and Country planning (Scotland) Act 1997 requiring the following;
 - (i) Removal of all refuse from the grounds of the property; and
 - (ii) Install, as necessary, over any smashed windows not already boarded, exterior grade plywood (or similar) boarding.
- 3.3 It is proposed that the owner would be given 28 days from the date of any Notice taking effect in which to carry out the requirements.

4. Implications

Financial:	Should any of the requirements of the Notice not be complied with following the expiry of the compliance period, the Council as Planning Authority may enter the land and carry out such steps in order to achieve compliance with the requirements of the Notice. The Council may then seek to recover from the person(s) who was then the owner or lessee any expenses reasonably incurred during the carrying out of these works.
Human Resources:	N/A
Legal:	The proposed Notice is in accordance with Statutory Regulations
Equality:	N/A
Environmental & Sustainability:	N/A
Key Priorities:	The proposed Notice supports the Council Plan priority - "Protecting and enhancing the environment for future generations"
Community Benefits:	The proposed Notice would address complaints regarding the condition of the site.

5. Consultation

- 5.1 Finance and Corporate Support has been advised of the report in terms of its budgetary provision.



KAREN YEOMANS
Executive Director (Economy and Communities)

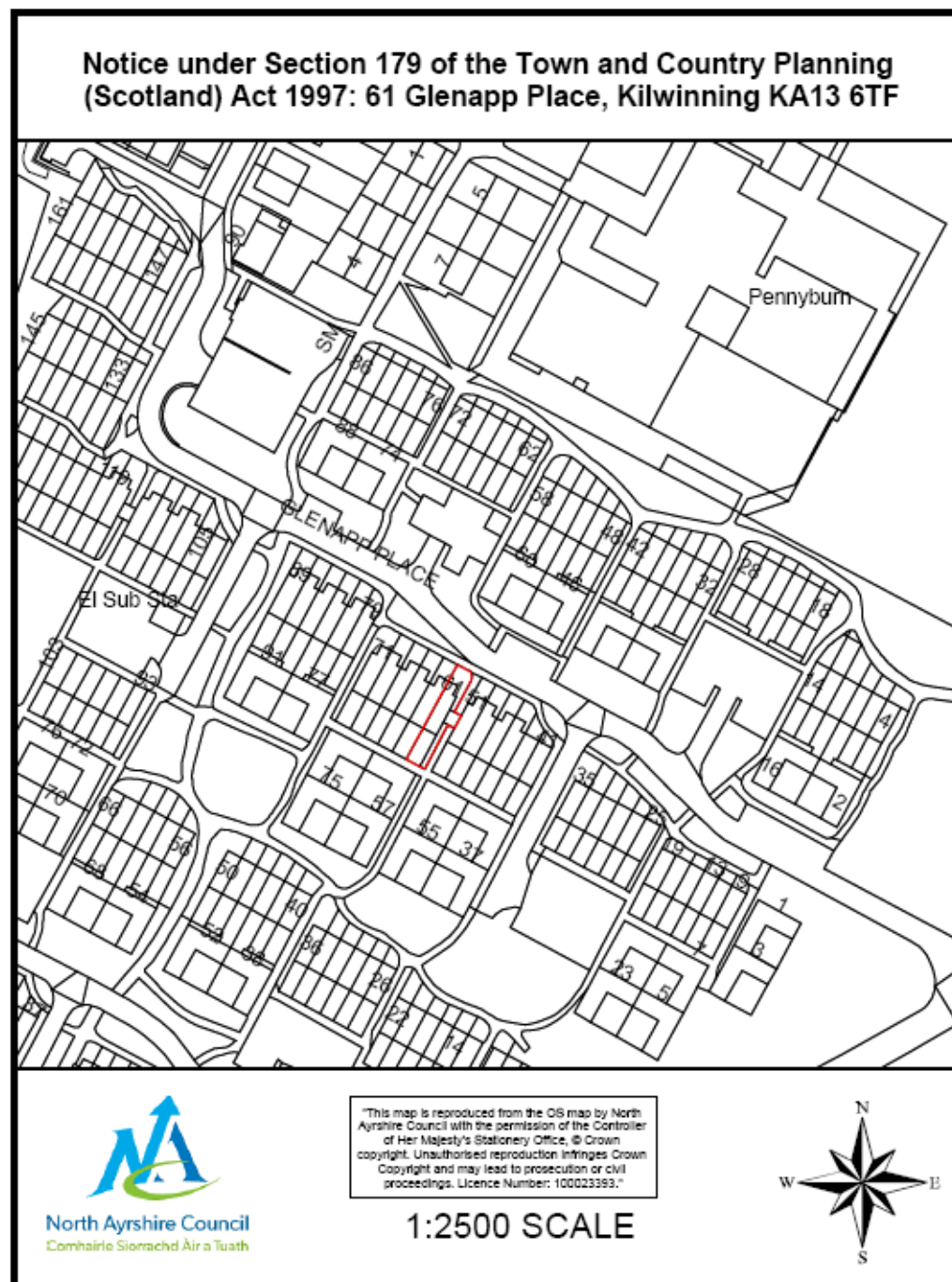
Reference : ID

For further information please contact Iain Davies, Planning Officer on telephone number 01294 324 320

Background Papers

Background correspondence.

Appendix - Location Plan



NORTH AYRSHIRE COUNCIL

Agenda Item 8

10 August 2016

Planning Committee

Title: **North Ayrshire Local Development Plan: Action Programme**

Purpose: To seek Committee approval to adopt and publish the revised Action Programme at Appendix 1.

Recommendation: Agree to (a) note progress on the implementation of the North Ayrshire Local Development Plan to date; and (b) adopt and publish the Action Programme at Appendix 1.

1. Executive Summary

- 1.1. The North Ayrshire Local Development Plan (LDP) is a key corporate document, translating the Council's aspirations for sustainable and inclusive growth into detailed planning policies and proposals. Since its adoption in May 2014, the LDP has provided the statutory basis to inform decisions on planning applications throughout North Ayrshire. Planning legislation requires an Action Programme to accompany the LDP. First published in 2011, the Action Programme outlines how the Council intends to deliver the plan by working in partnership with different agencies. This report gives further background to the latest edition of the Action Programme as well as key progress from the plan's implementation.

2. Background

- 2.1. Action Programmes have a critical role in ensuring a delivery-focused development plan. The Action Programme lists actions to deliver the proposals of the LDP, along with the lead agencies to undertake the actions, and the timescales for doing so. The document was first published and consulted upon in Spring 2011, with revisions made each year over the period 2012-2014. Where possible, the Action Programme details:

- actions required to deliver the planning policies and proposals of the LDP;
- the name of the agency/organisation who is to carry out the actions;
- the timescale for carrying out each action; and significant progress achieved.

- 2.2 The actions are grouped around key project themes from the plan: 'the Vision and Spatial Strategy', 'Economic Development and Regeneration', 'Housing Opportunity Sites' and 'New LDP Guidance'. Not all actions stated in the Action Programme are led by the Council. The delivery of some actions are dependent upon external funding, different agencies, and timing of development, etc. Officers will continue to liaise closely with stakeholders, ensuring that all parties are signed up to the actions.
- 2.3 Since publication of the current Action Programme in July 2014, significant progress on the LDP has involved:-
- Planning permissions secured for new private homes on LDP housing land allocations including:
Irvine & Kilwinning- Montgomerie Park, North Newmoor, Middleton Road, North Gailes, West Byrehill
The Three Towns - Ardrossan Harbour, Lundholm Road, Sharphill
Garnock Valley - Blairland Farm, West Bankside and Auldea Road
 - In the North Coast, a planning application is under consideration for large-scale housing development at Ardrossan Road, Seamill
 - Preparation of new planning guidance clarifying the Council's requirements on particular aspects of development e.g. waste storage and shopfront design.

3. Proposals

- 3.1 Appendix 1 is a proposed draft of the Action Programme, which reflects the progress and also recent progress by other LDP proposals. The Committee is invited to (a) note progress on the implementation of the North Ayrshire Local Development Plan to date and (b) adopt and publish the Action Programme at Appendix 1.
- 3.2 In line with planning legislation, if approved, copies of the Action Programme would be sent to Scottish Ministers, and made available on the Council's website and in public libraries for public inspection.

4. Implications

Financial:	The proposed Action Programme does not pose any additional infrastructure or related costs for developers beyond previous iterations of the Programme.
Human Resources:	The proposed Action Programme proposes new planning guidance, which can be met from existing staff resources.
Legal:	It is a statutory requirement to re-publish the Action Programme every two years. The proposed Action Programme at Appendix 1 fulfils the content requirements of the planning legislation.
Equality:	None.
Environmental & Sustainability:	The proposed Action Programme identifies a number of actions encouraging development to mitigate its impact on the environment and to support regeneration of our communities.
Key Priorities:	The Action Programme serves to implement the policies and proposals of the LDP, which in turn directly the Single Outcome Agreement 2013-2017, specifically:- (i) the current business base is encouraged to move up the value chain and high-level activities; (ii) jobs are attracted to North Ayrshire; (iii) support is given to the creation of distinctive and vibrant town centres; and (iv) connections to neighbouring areas, the West of Scotland, Scotland, the UK and internationally are improved. The Action Programme also contributes to the Council Plan objectives of 'growing our economy, increasing employment and regenerating towns' and 'protecting and 'enhancing the environment for future generations'.
Community Benefits:	None.

5. Consultation

- 5.1 The Action Programme is the subject of ongoing consultation with the stakeholders identified within the document.



KAREN YEOMANS
Executive Director (Economy and Communities)

Reference : AMcN/SLP

For further information please contact Andrew McNair, Planning Officer,
Planning Services on telephone number 01294 324769

Background Papers

North Ayrshire Local Development Plan, adopted May 2014, North Ayrshire Council

Appendix 1

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1 Introduction

1.1 What is the North Ayrshire Local Development Plan (LDP)?

Local authorities need to prepare Local Development Plans to guide the future development and use of land for their areas. They are key components of Scotland's planning system, coordinating future investment and related supporting infrastructure to deliver sustainable economic growth and regeneration. We adopted our first Local Development Plan (LDP) on 20 May 2014, replacing old-style development plans.

The North Ayrshire LDP identifies opportunities for new homes, business and industry, shops and community facilities while protecting places of value to people and wildlife. It provides guidance on what, where and how development should take place in North Ayrshire, informing decisions on planning applications throughout this area.

To view our LDP, please visit www.north-ayrshire.gov.uk/localplans or any of our public libraries.

1.2 The next LDP

Our LDP covers a 10 year period up to 2024 but we will need to replace it every five years or less. Currently, we are carrying out a review to ensure the area continues to have up-to-date plan coverage, with enough land allocated to meet the requirements of North Ayrshire's future development needs. Preparing a second LDP is the right way to do this.

The second LDP will affect where you live, work, play, travel and invest in North Ayrshire. Local people, and organisations, have useful knowledge which can help us understand potential issues in the area and build a better plan. It is important to get involved in preparing the new plan, if you want to influence how the area will change in future.

Our Development Plan Scheme sets out the timetable for preparing the new plan and contains a participation statement, outlining opportunities for you to influence how the area will change. You can view the Development Plan Scheme at www.north-ayrshire.gov.uk/localplans or in any of our public libraries.

1.3 Purpose of Action Programme

Planning legislation requires the LDP to be accompanied by an action programme. First published in 2011, the Action Programme outlines how we intend to deliver the plan by working in partnership with different agencies. Where possible, the Action Programme details:

- actions required to deliver the policies and proposals of the LDP;
- the name of the agency/organisation who is to carry out the actions;
- the timescale for carrying out each action; and
- provides a short update on progress.

The Action Programme is also a 'live' document under constant review, meaning that it will be frequently updated to reflect major progress with specific proposals, and changing circumstances. In line with legislation, the Action Programme will be republished every two years. More information will be added as the implementation of the plan progresses.

Not all actions are dependent upon us. Some actions may be dependent on external funding, the developer, timing of development etc. Nevertheless, it is important actions are met within stated timescales as this will maintain stakeholder confidence in the plan by facilitating timely delivery of development and related outcomes.

On a regular basis, we will liaise with stakeholders to discuss the proposed delivery and phasing of development, provision of infrastructure and any potential issues, ensuring that all parties are signed up to the actions and that the timescales are practical and achievable.

1.4 Developer Contributions

In line with the Scottish Government's Planning Circular 3/2012 and the LDP, we may use planning obligations to mitigate the impact of development on existing infrastructure and/or secure contributions towards affordable housing provision. Contributions can enable proposed development to be acceptable in planning terms, as well as secure wider benefits for communities.

We have produced the following planning guidance explaining how planning obligations are used and setting out the expectations from development in terms of contributions:

- Affordable Housing Policy: North Ayrshire Mainland Supplementary Guidance for Developers
- Affordable Housing Policy: Isle of Arran Supplementary Guidance for Developers
- North Ayrshire Council Policy on the Provision and Maintenance of Landscaping, Open Space and Play Areas in New Housing Developments

Contributions may be sought for other matters e.g. roads and education provision. The need for contributions will be considered on a case by case basis and on individual planning merits.

We have also produced planning guidance documents on other topics, including wind energy, shopfronts, conservation, rural, coastal and town centre design. You can view all our guidance on our website at www.north-ayrshire.gov.uk/localplans .

1.5 Contact Us

We strongly encourage pre-application discussions to enable, as far as possible, the potential issues associated with a proposal to be identified and resolved at an early stage. Such discussions can greatly benefit both applicants and us, improving certainty as well as saving time and costs in the planning process.

Our contact details are provided below, if you wish to obtain further advice about our LDP and planning guidance or to arrange pre-application discussions with us:

By phone: 01294 324319

By email: e-planning@north-ayrshire.gov.uk

In person or by post: Planning Services, North Ayrshire Council, Cunninghame House,
Irvine, KA12 8EE

2.1 Vision and Spatial Strategy

Ref	Policy	Policy aim	Key actions	Lead Partners	August 2016 update
STRAT1	STRAT 1: Population	Stimulate population growth by providing land and infrastructure to deliver 7,500 new homes	<ul style="list-style-type: none"> • Prepare and update development briefs and masterplans as appropriate • Monitor phasing and building completions through the housing land audit process • Maintain a 5 year effective housing land supply at all times • Guide new residential development towards appropriate locations. • Facilitate infrastructure delivery to support growth 	NAC, developers, landowners.	<ul style="list-style-type: none"> • Housing Land Audit 2016 is underdevelopment • Private housing development secured planning consents (subject to a Section 75 agreement in some cases) at the following housing land allocations: Irvine & Kilwinning - Montgomerie Park, North Newmoor, West Byrehill, Middleton Road, North Gailes, Middleton Road The Three Towns - Ardrossan Harbour, Lundholm Road, Sharpill Garnock Valley - Blairland Farm, West Bankside, Longbar, Auldlea Road • In the North Coast area, a planning application for housing development at Ardrossan Road, West Kilbride is under consideration
STRAT2	STRAT 2: Employment	Facilitate development to help achieve the Council's creation target of 13,000 new jobs in North Ayrshire by 2020	<ul style="list-style-type: none"> • Continue to safeguard key business and industrial sites from inappropriate alternative uses • Monitor the take up of employment land • Explore ways to maximise potential for economic development at Hunterston, Ardeer, Lochshore, and the Irvine Enterprise Area. • Guide major business development toward Strategic Business Locations • Encourage new economic activity by implementing positive policies facilitating new employment development and the reuse, refurbishment, and redevelopment of employment land 	NAC, developers, landowners, businesses, Scottish Enterprise, IBRC.	<ul style="list-style-type: none"> • NAC/IBRC successfully made case to Scottish Government for identification of i3 Business Park as an Enterprise Area, which came into effect in April 2012 • Completion of 2013 Competitive Advantage Study identifying potential uses for Hunterston • NAC secured 'Energy Hub' status for Hunterston within revised NPF 3 • New employment uses secured consent at Ardrossan Harbour, Nethermains, South and North Newmoor and West Byrehill (subject to S75 agreement in some cases)

Ref	Policy	Policy aim	Key actions	Lead Partners	August 2016 update
STRAT3	STRAT 3: Regeneration	Deliver transformational change in our towns and villages.	<ul style="list-style-type: none"> • Implement planning guidance to improve design quality across North Ayrshire. • Facilitate regeneration and reuse of existing buildings and the regeneration of previously developed land • Promote centres as the focus of retail, commercial leisure development and community infrastructure • Monitor levels of vacant and derelict land 	NAC, developers, landowners, Historic Scotland, CSGN, IBRC.	<p>The following lists key transformation projects securing planning consent:</p> <ul style="list-style-type: none"> • New Irvine community, cultural and leisure centre, 'the Hub' which will form a key part of Irvine Town Centre's on-going revival • Redevelopment of Ardrossan Harbour, comprising housing, nursing home, commercial units, distributor road and coastal defence works • Alternative uses, including residential, secured consent at major brownfield sites e.g. North Newmoor and West Byrehill • Internal and external refurbishment of the historic Saltcoats Town Hall • New education and sports campus in Glengarnock • Redevelopment and extension of Sportscotland's Inverclyde National Sports Training Centre, Largs • New educational campus comprising nursery, primary and secondary schools at Alexander Avenue, Largs • Hotel refurbishment and enabling residential development at Menzies Hotel, Irvine <p>Other progress:</p> <ul style="list-style-type: none"> • Vacant and Derelict Land 2015 Survey completed providing an up-to-date picture of the extent and state of vacant and derelict land in North Ayrshire. • New shopfront guidance has been in April 2016 published to facilitate higher quality shopfronts in our town centres

Ref	Policy	Policy aim	Key actions	Lead Partners	August 2016 update
STRAT4	STRAT 4: Tourism	Improve the range and quality of tourist facilities within North Ayrshire.	<ul style="list-style-type: none"> • Prepare development briefs as appropriate • Facilitate tourism proposals across North Ayrshire, building on our well established golf and marine assets 	NAC, developers, landowners, Visit Scotland.	<p>Key tourism projects, facilitated by LDP and granted consent, include:</p> <ul style="list-style-type: none"> • 18 hole links golf course with associated residential development consisting of spa hotel and 176 apartments at Irvine Beach Park • Extension to golf course and leisure facilities, residential development and upgrading of nature reserve at North Gailes, subject to S75 agreement • Redevelopment and extension of Inverclyde National Sports Training Centre, Largs • New residential and tourist accommodation adjacent to Dundonald Links • Various consents granted for new camping and caravan sites across Arran • Proposals for new Wild Arran Adventure Park within Brodick Castle comprising elevated walkways, slides and lookout towers <p>Other progress:</p> <ul style="list-style-type: none"> • A planning application is to be determined for a new distillery, visitor centre and bonded warehousing near Clachaig Farm, Arran

Ref	Policy	Policy aim	Key actions	Lead Partners	August 2016 update
STRAT5	STRAT 5: Environment	Facilitate appropriate development which retains and attracts people and investment to rural, coastal and island locations.	<ul style="list-style-type: none"> • Support enhancements to the Ayrshire Central Scotland Green Network • Steer new development towards appropriate locations within the countryside • Monitor the effectiveness of supplementary guidance for wind turbines, coastal and rural design 	NAC, developers, landowners, SNH, CSGN, FCS.	<ul style="list-style-type: none"> • Completion of projects under the CSGN banner, including path network upgrades at Beach Park, New Town Trail and Ardeer Quarry, as well as tree planting, wildflower meadows and access improvements within Irvine Enterprise Area • Review of North Ayrshire's Local Nature Conservation sites nearing completion • Review of TPOs to commence • Preparation of new local biodiversity planning guidance is underway • NAC's membership of the Clyde Marine Planning Partnership accepted – and the Partnership will develop a statutory Clyde Marine Plan for the sustainable use of our coastal marine assets
STRAT6	STRAT 6: Transport	Improve strategic transport links	<ul style="list-style-type: none"> • Support delivery of the Dalry A737 bypass by continuing to safeguard the corridor required for this major transport project • Facilitate improved park and ride provision, where appropriate. • Seek opportunities for incorporating sustainable travel within new development. • Continue to lobby for further improvements to the A737, A78 and the Arran road network 	NAC, Transport Scotland, developers, landowners, SPT.	<ul style="list-style-type: none"> • Extensions to park and ride delivered at Irvine and Kilwinning • NAC allocated £2 million within its 10 year Capital Plan to fund improvements to the Pennyburn Roundabout, if needed to mitigate the cumulative impact of future housing development provided for by the LDP • In 2014, NAC signed a Minute of Agreement with Transport Scotland to cooperate together over the strategic road interventions Protocol published to achieve a consistent approach to considering planning applications which could trigger the need for delivery of the interventions • Publication of the LTS in March 2015 • Brodick Harbour Redevelopment commenced with traffic management works • Update continued on page 11

Ref	Policy	Policy aim	Key actions	Lead Partners	August 2016 update
STRAT6 cont'd					<p>Ayrshire Growth Deal Prospectus published in March 2016, listing transport projects that the three Ayrshire Councils wish to develop into a business case for attracting private/public sector investment (Q1 2016). Projects include:</p> <ul style="list-style-type: none"> • improvements to road and rail infrastructure, including A77, A70 and A737 • investment in strategic ports • investment at Bellfield Interchange to unlock development across Ayrshire <p>Other progress:</p> <ul style="list-style-type: none"> • In December 2015, Scottish Ministers gave notice to proceed with the A737 Dalry by-pass. Various Road and Compulsory Purchase Orders have been published in connection with the scheme
STRAT7	STRAT 7: Delivery	Establish mechanisms to facilitate development of stalled sites.	<ul style="list-style-type: none"> • Devise proposals to stimulate physical development, enabling market recovery. 	NAC, developers, landowners	Consultant appointed to determine appropriate means of stimulating development activity. This completed work has prompted other specific actions, including deferred payment of purchase price of sites owned by the Council to facilitate housing building activity

2.2 Economic Development & Regeneration

Ref	Proposal	Key actions	Lead Partners	August 2016 update
ED1	Ardrossan Harbour, Ardrossan	<ul style="list-style-type: none"> Secure comprehensive masterplan, guiding residential led development, incorporating leisure, local retail, café, office, and hotel Masterplan to include links with housing development opportunity at Montgomerie Street Safeguard land for commercial port related use with direct access to the local road network Implement development in accordance with planning consent and Ardrossan North Shore Design Principles 	NAC, developers, IBRC	<ul style="list-style-type: none"> PPPM consent secured for redevelopment of Ardrossan Harbour, comprising housing, nursing home, commercial units, distributor road and coastal defence works The proposed extension to Ardrossan Marina, including new marina facilities and improved pedestrian links, secured permission The constabulary building has been transformed into a 10,000 sq. ft. health centre Pre-application discussion ongoing with a developer in relation to the residential element of proposal 3 storey office block complete with flexible accommodation offered for rent 15/00639/PPM approved for the erection of 70 social houses by Cunninghame Housing Association
ED2	Ardeer Energetics Cluster	<ul style="list-style-type: none"> Ensure proposals take account of major safeguarding zone restrictions Investigate ways in which the potential of this site could be maximised 	NAC, developers, IBRC	<ul style="list-style-type: none"> Safeguarding zone restrictions ongoing through planning application decisions for neighbouring uses.
ED3	Irvine Riverside Business Park	<ul style="list-style-type: none"> Implement planning policy safeguarding site from non-conforming uses Continue to market the site as strategic business location Implement business plan for Enterprise Area Continue to implement protocol for fast tracking planning applications 	NAC, IBRC, Scottish Enterprise, businesses	<ul style="list-style-type: none"> Identification of i3 Business Park as an Enterprise Area, which came into effect April 2012 Annickbank phase 1 complete and occupied in 2015. Phase 2 under construction early 2016 14/00628/PP granted for construction of a spine road and servicing for new units at Riverside Business Park Various renewable energy schemes approved and installed at GSK site

Ref	Proposal	Key actions	Lead Partners	August 2016 update
ED4	Hunterston	<ul style="list-style-type: none"> Market the site as an 'Energy Hub' Articulate the case for improvements to the B714, A78, A737 and the rail network to support and facilitate development 	NAC, Clydeport, Scottish Government, Scottish Enterprise, NDA, EDF	<ul style="list-style-type: none"> Completion of Hunterston Competitive Advantage Study Opportunities for renewable energy sector to be explored through implementation of International Strategy and Renewables Strategy 15/00487/PP approved for 5MW solar farm 16/00060/PP for erection of replacement 220m to blade tip wind turbine under consideration
ED5	North Newmoor, Irvine	<ul style="list-style-type: none"> Agree development mix within development brief/masterplan Demonstrate an element of retained employment use, the nature of which to be agreed with reference to a business plan Employment uses to be located on-site, unless suitably alternative provision can be provided off-site Retail development to serve local need in accordance with Policy TC5 Improve access across B7080 (Long drive) and A78 to improve connectivity to adjacent areas and provide safer routes to school Prepare drainage impact/flood risk assessment. Secure contributions toward AH 	NAC, landowners, developers	<ul style="list-style-type: none"> 16/00070/PPM consented for residential development by Dawn Homes
ED6	South Newmoor, Irvine	<ul style="list-style-type: none"> Implement development in accordance with 13/00040/PPPM Submission of further applications for matters specified in conditions 	NAC, landowners, developers	<ul style="list-style-type: none"> Awaiting further action from landowners/developers
ED7	West Byrehill, Kilwinning	<ul style="list-style-type: none"> Agree Section 75 agreement between landowner and NAC Submission of further applications for matters specified in conditions Implement development in accordance with 13/00038/PPPM 	NAC, landowners, developers	<ul style="list-style-type: none"> Awaiting further action from landowners/developers
ED8	Irvine Industrial Estate, Irvine	<ul style="list-style-type: none"> Market remaining sites/vacancies within business park Implement planning policy safeguarding site from non-conforming uses. 	NAC, landowners, developers	<ul style="list-style-type: none"> No update

Ref	Proposal	Key actions	Lead Partners	August 2016 update
ED9	Nethermain, Kilwinning	<ul style="list-style-type: none"> Implement development in accordance with 13/00040/PPPM Submission of further applications for matters specified in conditions. 	NAC, landowners, developers	<ul style="list-style-type: none"> Awaiting further action from landowners/developers
ED10	Tournament Park, Irvine	<ul style="list-style-type: none"> Agree development mix within development brief/masterplan Demonstrate an element of retained employment use, the nature of which to be negotiated with reference to a business plan Employment uses to be located on-site, unless suitably alternative provision can be provided off-site Secondary access route to site to be provided by development of 250th unit Proposed Core Path IK50 requires to be constructed through site. Development to include links with adjacent Ayrshire Central Hospital site Undertake drainage impact assessment Retail development to serve local need in accordance with Policy TC5 Secure contributions toward AH 	NAC, landowners, developers	<ul style="list-style-type: none"> Awaiting further action from landowners/developers
ED11	Lochshore North, Glengarnock	<ul style="list-style-type: none"> Agree development mix within a comprehensive masterplan Masterplan to propose links with Kilbirnie Town Centre, and a well-connected network of green infrastructure Development at Caledonian Road should consider links to wider masterplan area Secure contributions toward Town Centre Regeneration Fund and improvements to existing business/industrial development at Lochshore South, which may include its rationalisation/consolidation 	NAC, Scottish Enterprise, developers	<ul style="list-style-type: none"> Awaiting further action from landowners/developers
ED12	Lochshore South, Glengarnock	<ul style="list-style-type: none"> Market remaining sites/vacancies within business park Implement planning policy safeguarding site from non-conforming uses 	NAC, landowners, developers	<ul style="list-style-type: none"> 15/00545/PP granted in October 2015 for the first phase of an extension to a steel fabricating facility, comprising industrial warehouses and creating an additional 7,200 sqm of floorspace
ED13	Market Road, Brodick	<ul style="list-style-type: none"> Implement planning policy safeguarding site from non-conforming uses Ensure remediation information is provided with applications, if relevant 	NAC, landowners developers	<ul style="list-style-type: none"> No further action

Ref	Proposal	Key actions	Lead Partners	August 2016 update
ED14	Irvine Beach Park, Irvine	<ul style="list-style-type: none"> Implement proposals for golf course with associated residential development consisting of hotel and 176 apartments in accordance with 13/00015/PPM Submission of further applications for matters specified in conditions 	NAC, developers, IBRC	<ul style="list-style-type: none"> 13/00015/PPM approved for golf course with associated residential development consisting of hotel and 176 apartments Awaiting further action from landowners/developers
ED15	Auchrannie, Brodick	<ul style="list-style-type: none"> Devise and agree masterplan for future expansion of Auchrannie Hotel & Spa 	NAC, developers	<ul style="list-style-type: none"> Extension to Hotel and Playbarn complete in June 2015 Further discussions regarding 11/00140/PPPM application for further tourist and staff accommodation
ED16	Largs Yacht Haven, Largs	<ul style="list-style-type: none"> Secure consolidation and appropriate development of facilities Ensure proposals complement existing marina uses 	NAC, developers	<ul style="list-style-type: none"> Awaiting further action from landowners/developers
ED17	Whitehouse, Lamlash	<ul style="list-style-type: none"> Agree detail of design and layout for hotel development and related timeshare/residential at site 	NAC, developers	<ul style="list-style-type: none"> Awaiting further action from landowners/developers
ED18	Lochranza Youth Hostel, Lochranza.	<ul style="list-style-type: none"> Agree detail of enabling development, including design and layout, subject to satisfactory demonstration of need through a business plan Secure funds from enabling development (up to 3 dwellings) to cross subsidise extension to hostel 	NAC, developers	<ul style="list-style-type: none"> Awaiting further action from landowners/developers.
ED19	Home Farm & Cladach, Brodick	<ul style="list-style-type: none"> Ensure new uses and development complement existing rural business/craft development Ensure the development of Claddach has regard to the historic and environment sensitivities of the area 	NAC, developers	<ul style="list-style-type: none"> Awaiting further action from landowners/developers

2.3 Housing Opportunity Sites

Ref	Proposal	Key actions	Lead Partners	August 2016 update
Irvine				
Irv1	Tournament Park	<ul style="list-style-type: none"> See Page 15, ED9 	NAC, developers, landowners	<ul style="list-style-type: none"> See Page 15, ED9

Irv2	Harbourside	<ul style="list-style-type: none"> Submission of further applications for matters specified in conditions Implement development in accordance with 09/00690/PPPM 	NAC, IBRC, developer	<ul style="list-style-type: none"> Awaiting further action from landowners/developers
Irv3	Middleton Road, Perceton	<ul style="list-style-type: none"> Implement housing development in accordance with 13/00667/PPM 	NAC, developers	<ul style="list-style-type: none"> 13/00667/PPM granted consent for 48 new homes, which are currently under construction
Irv4	Church Street	<ul style="list-style-type: none"> Develop proposals and agree development mix Demonstrate an element of retained employment use, the nature of which to be negotiated with reference to a business plan. Acceptable employment uses include residential, office, hotel/leisure Undertake flood risk assessment Incorporate links to and along River Irvine Secure contributions toward AH 	NAC, landowners, developers	<ul style="list-style-type: none"> Awaiting further action from landowners/developers
Irv5	North Newmoor	<ul style="list-style-type: none"> Implement development in accordance with 16/00070/PPM 	NAC, landowners, developers	<ul style="list-style-type: none"> 16/00070/PPM granted for the erection of 144 houses

Ref	Proposal	Key actions	Lead Partners	August 2016 update
Irvine				
Irv6	Fencedyke	<ul style="list-style-type: none"> Planning input into Council housing proposal 	NAC	<ul style="list-style-type: none"> 15/00346/BW under consideration for the erection of 34 dwellings

Irv7	North Gailes	<ul style="list-style-type: none"> Implement development in accordance with 13/00408/PPPM. Submission of further applications for matters specified in conditions 	NAC, developers	<ul style="list-style-type: none"> 13/00408/PPPM granted consent for extension to golf course and leisure facilities, residential development and upgrading of nature reserve Awaiting further action from landowners/developers
Irv8	Perceton House	<ul style="list-style-type: none"> Develop proposals in accordance with Perceton House Development Brief Secure contributions toward AH 	NAC, developers	<ul style="list-style-type: none"> Development brief approved for site in May 2013 (Q2 2013). Site sold in 2015; the Council is in the process of vacating the offices Pre-application discussions for a new housing development are on-going
Irv9	John Galt	<ul style="list-style-type: none"> Proposal completed –no further actions 	NAC	<ul style="list-style-type: none"> Construction of 80 homes completed between 2014 and 2015.

Kilwinning

Kil1	Longford Avenue, Nethermains	<ul style="list-style-type: none"> Develop proposals Flood risk to be examined as part of overall drainage assessment Secure contributions toward AH 	NAC, landowners developers	<ul style="list-style-type: none"> Awaiting further action from landowners/developers
Kil2	Nethermains	<ul style="list-style-type: none"> See Page 15, ED9 	NAC, developers	<ul style="list-style-type: none"> See Page 15, ED9.
Kil3	West Byrehill	<ul style="list-style-type: none"> See Page 14, ED 7. 	NAC, developers	<ul style="list-style-type: none"> See Page 14, ED7
Kil4	Redstone	<ul style="list-style-type: none"> Proposal completed – no further actions 	NAC	<ul style="list-style-type: none"> Construction of 44 homes Council houses completed June 2014
Kil5	Hazeldene	<ul style="list-style-type: none"> Develop proposals 	NAC, landowners developers,	<ul style="list-style-type: none"> Awaiting further action from landowners/developers
Kil6	Mossculloch Farm	<ul style="list-style-type: none"> Develop proposals 	NAC, landowners developers	<ul style="list-style-type: none"> Awaiting further action from landowners/developers
Kil7	Corsehillhead	<ul style="list-style-type: none"> Develop proposals 	NAC, landowners developers	<ul style="list-style-type: none"> Awaiting further action from landowners/developers

Ref	Proposal	Key actions	Lead Partners	August 2016 update
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Three Towns

TT1/TT2	Ardrossan Harbour, and Montgomerie Street, Ardrossan	<ul style="list-style-type: none"> See Page 13, ED1. 	NAC, developers	<ul style="list-style-type: none"> See Page 13, ED1.
TT3/4	Sharphill West and East, Saltcoats	<ul style="list-style-type: none"> Secure access road to Sharphill West. Secure enabling link to new employment provision through phasing and business plan Secure contribution toward AH. Masterplan to consider integration with existing development and proposal to east, and to include central open space Secure structure planting to north of site Implement development in accordance with 14/00626/PPPM Submission of further applications for matters specified in conditions 	NAC, developers	<ul style="list-style-type: none"> 14/00626/PPPM approved for a mixed use development for the erection of housing, offices, manufacturing, production, warehousing facilities and so on Awaiting further action from landowners/developers
TT5	Former Kerelaw School, & Kerelaw South, Stevenston.	<ul style="list-style-type: none"> Undertake flood risk assessment Secure contribution toward AH Secure linkages between sites. Secure off-site road improvements on Kerelaw Road 	NAC, developers	<ul style="list-style-type: none"> Awaiting further action from landowners/developers
TT6	Lundholm Road, Stevenston	<ul style="list-style-type: none"> Implement development in accordance with 14/00626/PPPM Submission of further applications for matters specified in conditions 	NAC, developers	<ul style="list-style-type: none"> 14/00593/PPPM approved for erection of residential development associated access roads, landscaping and recontouring of site Awaiting further action from landowners/developers

Ref	Proposal	Key actions	Lead Partners	August 2016 update
Springside				
Spring 1	Springside Farm	<ul style="list-style-type: none"> Secure links to Core Path IK18 	NAC, developers	<ul style="list-style-type: none"> Ongoing pre-application discussions for a residential development

		<ul style="list-style-type: none"> Secure traffic calming on Overtoun and Station Roads Secure analysis of Overtoun/Crosshouse Road junction Secure contribution toward AH Agree structure planting in advance of future phased development to the west 		
Garnock Valley				
GV1	Blairland Farm, Dalry	<ul style="list-style-type: none"> Implement development in accordance with 15/00103/PPPM Submission of further applications for matters specified in conditions 	NAC, developers	<ul style="list-style-type: none"> 15/00103/PPPM approved for a residential development. Site continued to be marketed
GV2	Lomond Castings, Dalry	<ul style="list-style-type: none"> Investigate capacity issues at Dalry Primary School. Secure contributions for education, if needed, Secure links to Core Path network. Update Flood Risk Assessment, if necessary Secure gateway feature as part of development 	NAC, developers	<ul style="list-style-type: none"> Demolition building warrant under consideration for starting to clear the site
GV3	West Bankside	<ul style="list-style-type: none"> Implement development in accordance with 15/00778/PPM 	NAC, developers	<ul style="list-style-type: none"> 15/00778/PPM approved for the erection of 200 new dwellings, formation of associated roads, footpaths, SuDs pond and open space
GV4	Garnock Academy, Kilbirnie (site of)	<ul style="list-style-type: none"> Agree off site road improvements to School Road Undertake flood risk assessment Explore potential for new bridge access to Milton Road 	NAC, developers	<ul style="list-style-type: none"> New Garnock campus site identified, approved planning consent and under construction. The project expected to be complete early 2017.

Ref	Proposal	Key actions	Lead Partners	August 2016 update
Garnock Valley				

GV5	Garnock View, Glengarnock	<ul style="list-style-type: none"> • Devise proposals. • Undertake Flood Risk Assessment. 	NAC, developers.	<ul style="list-style-type: none"> • Awaiting further action from landowners/developers
GV6	Beith Road, Longbar	<ul style="list-style-type: none"> • Implement development in accordance with 13/00501/PPPM • Submission of further applications for matters specified in conditions 	NAC, developers.	<ul style="list-style-type: none"> • Awaiting further action from landowners/developers
GV7	Auldlea Road, Beith	<ul style="list-style-type: none"> • Secure principal access from Auldlea Road. • Secure off site traffic calming. • Undertake Flood Risk Assessment Wetland corridor along route of burn. • Secure landscape planting to ensure no impact on setting of Woodside House and Lodge. • Implement development in accordance with 15/00720/PP 	NAC, developers.	<ul style="list-style-type: none"> • 15/00720/PP approved for the erection of 46 dwellings
GV8	Lochshore North, Glengarnock	<ul style="list-style-type: none"> • See Page 15, ED11 	NAC, Scottish Enterprise, developers.	<ul style="list-style-type: none"> • See Page 15, ED11

Ref	Proposal	Key actions	Lead Partners	August 2016 update
North Coast				

NC1	Ardrossan Road, Seamill	<ul style="list-style-type: none"> Investigate capacity issues at St Peter's primary. Secure contribution toward education, if necessary Undertake analysis of cumulative impact on junction of Chapelton Road and A78 Agree vehicular access arrangements Secure contribution toward AH 	NAC, developers.	<ul style="list-style-type: none"> 16/00561/PPPM for erection of residential development with associated access roads, open space etc. under consideration
NC2	Lawhill Farm, West Kilbride	<ul style="list-style-type: none"> Investigate capacity issues at St Peter's primary. Secure contribution toward education, if necessary Agree vehicular access arrangements, potentially via Highthorne Crescent/Craufurd Avenue Undertake analysis of cumulative impact on junction of Chapelton Road and A78 	NAC, developers.	<ul style="list-style-type: none"> 16/00397/PPPM for Proposed Residential Development Zoning of Land To North & West of Ardrossan High Road under consideration
NC3	Ardrossan High Road, West Kilbride	<ul style="list-style-type: none"> Investigate capacity issues at St Peter's primary. Secure contribution toward education, if necessary Undertake analysis of cumulative impact on junction of Chapelton Road and A78 	NAC, developers.	<ul style="list-style-type: none"> Awaiting further action from landowners/developers
NC4	Southannan Road, Fairlie	<ul style="list-style-type: none"> Undertake Flood Risk Assessment, if necessary Undertake tree survey as site is covered by a Tree Preservation Order, and agree appropriate nature and extent of tree works, if necessary 	NAC, developers	<ul style="list-style-type: none"> Pre-application discussions ongoing
NC5	East of Golf Course Rd, Skelmorlie	<ul style="list-style-type: none"> Secure two road accesses required via Hillview and Golf Course Road Secure pedestrian/cycle route connecting to site at Skelmorlie Golf Club Undertake traffic assessment and secure off-road improvements, if required. Secure contribution toward AH 	NAC, developers	<ul style="list-style-type: none"> Awaiting further action from landowners/developers

Ref	Proposal	Key actions	Lead Partners	August 2016 update
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North Coast				
NC6	Land at Skelmorlie Golf Club, Sklormorlie	<ul style="list-style-type: none"> Secure access through land to west Secure pedestrian/cycle route connecting to site to East of Golf Course Road Undertake traffic assessment and secure off-site road improvements, if necessary Secure contribution toward AH 	NAC, developers.	<ul style="list-style-type: none"> Awaiting further action from landowners/developers
NC7	Alexander Avenue, Largs.	<ul style="list-style-type: none"> None 	NAC, developers.	<ul style="list-style-type: none"> No longer proposed for housing with construction of Largs Campus on the same
NC8	Copeland Crescent, Millport (now St. Beya Gardens).	<ul style="list-style-type: none"> None – project completed. 	NAC.	<ul style="list-style-type: none"> Construction of 12 amenity bungalows completed in 2013
NC9	Noddsdale Meadow, Largs	<ul style="list-style-type: none"> Secure analysis of junctions servicing Greenock Road or town centre via transport assessment Secure pedestrian footbridge across Noddsdale Burn at a point to be agreed Ensure development does not back onto floodplain (as with existing residential development to the east of Noddsdale Burn) Secure erection of a vehicular barrier along Noddleburn Road/Noddsdale Burn, the location and extent of which is to be agreed Secure substantial landscape buffer to provide a new, coherent edge to the settlement Secure contribution toward AH Update flood risk assessment, if necessary 	NAC, developers.	<ul style="list-style-type: none"> Awaiting further action from landowners/developers.

Ref	Proposal	Key actions	Lead Partners	August 2016 update
North Coast				

NC 10	Brisbane Glen Road, Largs.	<ul style="list-style-type: none"> Secure analysis of junctions servicing Greenock Road or town centre via transport assessment Secure substantial landscape buffer to provide a new, coherent edge to the settlement Install new 'cut-off drain' and sediment traps along the eastern boundary of the site and a new surface water culvert, connecting the site with the Noddsdale Burn. The design, siting and phasing of this infrastructure are to be agreed Update flood risk assessment, if necessary 	NAC, developers.	<ul style="list-style-type: none"> Awaiting further action from landowners/developers
Isle of Arran				
Arr1	Cairnhouse Farm	<ul style="list-style-type: none"> Secure contribution towards AH. Devise proposals. 	NAC, developers.	<ul style="list-style-type: none"> Awaiting further action from landowners/developers
Arr2	Benlister North, Lamlash	<ul style="list-style-type: none"> Secure contribution towards AH. Devise proposals. 	NAC, developers	<ul style="list-style-type: none"> Awaiting further action from landowners/developers
Arr3	Benlister South, Lamlash	<ul style="list-style-type: none"> Devise proposals. 	NAC, developers	<ul style="list-style-type: none"> Awaiting further action from landowners/developers
Arr4	Brathwic Terrace, Brodick	<ul style="list-style-type: none"> Devise proposals. 	NAC, developers	<ul style="list-style-type: none"> Awaiting further action from landowners/developers
Arr5	Montrose House, Brodick	<ul style="list-style-type: none"> Devise proposals. 	NAC, developers	<ul style="list-style-type: none"> 16/00045/PP consented in March 2016 to create staff accommodation
Arr6	S. of Golf Course Rd, Whiting Bay	<ul style="list-style-type: none"> Devise proposals. 	NAC, developers	<ul style="list-style-type: none"> Awaiting further action from landowners/developers
Arr7	Springbank, Brodick	<ul style="list-style-type: none"> Devise proposals. 	NAC developers	<ul style="list-style-type: none"> Awaiting further action from landowners/developers
Arr8	Ladeside Place, Shiskine	<ul style="list-style-type: none"> Devise proposals. 	NAC, developers.	<ul style="list-style-type: none"> Awaiting further action from landowners/developers

2.5 New LDP Guidance

Ref	Proposal	Lead Partners	Statutory/Non Statutory	August 2016 update
SG1	Trees and Development guidance	NAC	Non statutory	<ul style="list-style-type: none">Guidance published December 2015

SG2	Open Space (incorporating Green Network) guidance	NAC	Statutory	<ul style="list-style-type: none"> Preparation of guidance postponed pending preparation and approval of NAC Open Space Strategy
SG3	Shopfront Design Guidance	NAC	Non statutory	<ul style="list-style-type: none"> Guidance published April 2016
SG4	Guidance for Waste & Recycling Collection Services	NAC	Non statutory	<ul style="list-style-type: none"> Guidance published September 2015
SG5	Preparation of guidance on 'Hunterston', 'Developer Contributions', 'Hot Food Takeaways', 'Outdoor Access' and 'Drainage, SUDs & Flooding'	NAC	Statutory	<ul style="list-style-type: none"> The decision on whether and when to initiate preparation of these guidance documents is pending the outcome of LDP review
SG6	Planning for Nature guidance	NAC	Non statutory	<ul style="list-style-type: none"> Preparation underway
SG7	Ayrshire and Arran Woodland Strategy	Three Ayrshire Councils/FCS	Non statutory	<ul style="list-style-type: none"> Guidance published 2014
SG7	Landscape / Seascape Assessment of the Firth of Clyde	Firth of Clyde Forum	Non statutory	<ul style="list-style-type: none"> Guidance published 2013
SG8	Irvine Bay Transport Protocol	NAC	Non statutory	<ul style="list-style-type: none"> Guidance published 2014

Ref	Proposal	Lead Partners	Statutory/Non Statutory	August 2016 update
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SG9	Affordable Housing Policy: North Ayrshire Mainland Supplementary Guidance for Developers	NAC	Non statutory	<ul style="list-style-type: none"> Guidance published 2011
SG10	Affordable Housing Policy: Isle of Arran Supplementary Guidance for Developers	NAC	Non statutory	<ul style="list-style-type: none"> Guidance published 2009 and revised March 2011
SG11	Advice Note Window Design for Conservation Areas & Listed Buildings	NAC	Non statutory	<ul style="list-style-type: none"> Guidance published 2012
SG12	Perceton House Development Brief	NAC	Non statutory	<ul style="list-style-type: none"> Brief published 2013

Abbreviations

AH	Affordable Housing
CSGN	Central Scotland Green Network
EDF	Électricité de France
FCS	Forestry Commission Scotland
IBRC	Irvine Bay Regeneration Company
LDP	Local Development Plan
NAC	North Ayrshire Council
NDA	Nuclear Decommissioning Authority
NHS	National Health Service
NPF	National Planning Framework
NRIP	Nation Renewables Infrastructure Plan
PP	Planning Permission
PPM	Planning Permission Major
PPPM	Planning Permission in Principle Major
RSL	Registered Social Landlord
SEA	Strategic Environmental Assessment
SEPA	Scottish Environment Protection Agency
SNH	Scottish Natural Heritage
SPT	Strathclyde Passenger Transport
SUDs	Sustainable Urban Drainage Systems