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## NORTH AYRSHIRE COUNCIL

16th June 2021

### Planning Committee

Locality	Isle of Arran
Reference	21/00055/PP
Application Registered	28th January 2021
Decision Due	28th March 2021
Ward	Ardrossan And Arran

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<b>Recommendation</b>	Approved subject to Conditions
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<b>Location</b>	Fir Trees Lamlash Brodick Ayrshire KA27 8JN
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<b>Applicant</b>	Ms Penny Albrich
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<b>Proposal</b>	Erection of 2 detached dwelling houses
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### 1. Description

Planning permission is sought for the erection of two four-bedroom detached dwellinghouses on the c.3250m<sup>2</sup> site of a former bungalow in Lamlash. The houses would be of identical two storey design and would be arranged side by side towards the front (east) of the site with House 1 to the south set 2.5m further back than House 2. House 2 would be 13m back from the road at the front and 3.2m from the north boundary; House 2 would be 5.8m from the south site boundary at the closest point and there would be a gap of 3.8m between the two houses. The houses would be over 50m from the rear of the site.

Each house would have a footprint of 110m<sup>2</sup>, and each would feature dual roof ridges, 8m and 7.4m high respectively, oriented east - west and separated by a valley gutter. The houses would have upper and lower windows to both front and rear and the south side elevation; roof lights to the 'internal' roof slope facing the valley gutter; and balconies to front and rear. Each would have three bedrooms and a family room on the ground level and one bedroom and a kitchen, dining room and sitting room on the upper level.

The houses would be externally finished in a palette of contemporary materials, including smooth white render and natural stone details to the lower walls, light grey cement weatherboard cladding to the upper levels, glass balustrades to the balconies, anthracite

grey doors and window frames and slate roofs. The north balconies to the front would be enclosed by the house walls.

Each house would have an area c.185m<sup>2</sup> of private amenity garden space to the front; access would be from the existing gate and driveway from Shore Road which also appears to have been a historic access to Blairbeg House to the rear. Parking provision would be directly to the rear of the two houses and the remaining site to the rear (c.1600m<sup>2</sup>) would also provide private garden ground for the two houses.

A detailed drainage assessment has not been submitted but the plans indicate that surface water from the dwellings would be detained in soakaways prior to discharge into the existing open drainage ditch along the north-east site boundary which is culverted under the road to the front and discharges to the beach. Foul drainage would connect to the existing private sewer.

The site is generally level but slopes upwards at its rear (northwest) end. It is adjoined by residential properties on three sides and by the A841 and shore to the south east. The rear boundary is enclosed by shrubs and the north east boundary by a hedge and a burn/ drainage ditch culverted under the A841 road to the front. The front and west boundaries are enclosed by a stone wall.

This application is a re-submission following a previous refusal of planning permission in 2020 (Ref. 20/00010/PP). A Structural Report and Design Statement were submitted with the previous application. The structural appraisal of the previous Fir Trees concluded that the costs of required remedial works and repairs throughout would outweigh the value of the property and so recommended demolition and rebuild of a property to meet current standards. A building warrant was obtained, and the building has since been demolished.

The 2020 design statement outlined the site characteristics and history of the property, believed to have originally been as part of the grounds of Blairbeg House to the rear (northwest) but a separate curtilage since the post war years.

The site is located within the settlement boundary of Lamlash, as identified within the Adopted 2019 North Ayrshire Council Local Development Plan ("the LDP") and is unaffected by any site-specific policies or proposals therein. Strategic Policy 1: (the Towns and Villages Objective) of the LDP is relevant, as are Strategic Policy 2: (Placemaking), Policy 16: Protection of our Designated Sites and Policy 29 (Energy Infrastructure Development).

The bungalow previously on the site has been demolished and the material mounded in the centre of the site which is protected by Heras fencing. The material is proposed to be re-used where possible in the construction process and the formation of parking areas.

A previous planning application (20/00010/PP) for three houses on the site, two at the front and one at the rear, was refused as being contrary to Strategic Policy 2: Placemaking of the LDP as a result of the 'backland' nature of the development and internal overlooking of the various garden spaces within the site. The refusal was subsequently upheld by the Local Review Board of the Council in September 2020. The LRB discussions found that two houses side by side at the front of the site would have been a more acceptable layout for the site rather than three houses including development towards the rear of the site.

This application was initially made for two houses on the site in a 'back and front' arrangement which would have allowed an independent outlook for the house at the rear, in an attempt to address the 'backland development' reason for the previous refusal. The house at the front in that proposal would also have featured a self-contained 'granny annexe' apartment. The application proposal was subsequently revised to the current simple layout of two houses side by side at the front of the site following discussions with Planning Services.

An extension of the determination period of the application awaiting the submission of revised layout plans was agreed with the applicant and it was advised that the application would be determined by Planning Committee rather than under delegated powers, due to the previous application and review history.

A late representation submitted direct to the case officer regarding the potential presence of protected species on the site resulted in a further delay for a walkover survey to be conducted and the advice of NatureScot to be sought.

## **Relevant Development Plan Policies**

### **SP1 - Towns and Villages Objective** Towns and Villages Objective

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

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

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

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

## Strategic Policy 2

### Placemaking

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

#### Six qualities of a successful place

##### Distinctive

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

##### Welcoming

The proposal considers the future users of the site and helps people to find their way around, for example, by accentuating existing landmarks to create or improve views (including sea views), locating a distinctive work of art in a notable place or making the most of gateway features to and from the development. It should also ensure that appropriate signage and lighting is used to improve safety and illuminate attractive buildings.

##### Safe and Pleasant

The proposal creates attractive places by providing a sense of security, including by encouraging activity, considering crime rates, providing a clear distinction between private and public space, creating active frontages, and considering the benefits of natural surveillance for streets, paths and open spaces.

The proposal creates a pleasant, positive sense of place by promoting visual quality, encouraging social and economic interaction and activity, and by considering the place before vehicle movement.

The proposal respects the amenity of existing and future users in terms of noise, privacy, sunlight/daylight, smells, vibrations, glare, traffic generation, and parking. The proposal sufficiently investigates and responds to any issues of ground instability.

##### Adaptable

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

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

#### Resource Efficient

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

#### Easy to Move Around and Beyond

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

### Detailed Policy 29 - Energy Infrastructure Development

#### Policy 29:

##### Energy Infrastructure Development

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

##### Environmental

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

##### Community

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

##### Public Safety

- o Greenhouse gas emissions;
- o Aviation and defence interests and seismological recording;

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

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

#### Buildings: Low and Zero Carbon Generating Technology

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

This requirement will not apply to:

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

### Detailed Policy 16- Protection of our Designated Sites

#### Policy 16:

##### Protection of our Designated Sites

We will support development which would not have an unacceptable adverse effect on our valuable natural environment as defined by the following legislative and planning designations;

#### a) Nature Conservation Sites of International Importance

Where an assessment is unable to conclude that a development will not adversely affect the integrity of a site, development will only be permitted where there are no alternative solutions; there are imperative reasons of overriding public interest; and suitable

compensatory measures are provided to ensure that the overall coherence of the Natura Network is protected.

b) Nature Conservation Sites of National Importance

Development affecting Sites of Special Scientific Interest will not be permitted unless it can be demonstrated that the overall objectives of the designation and the overall integrity of the designated area would not be compromised, or any adverse effects are clearly outweighed by social, environmental or economic benefits of national importance.

c) Nature Conservation Sites of Local Importance

Development adversely affecting Local Nature Reserves or Local Nature Conservation Sites will generally not be permitted unless it can be demonstrated the overall objectives of the designation and the overall integrity of the designated area would not be compromised, or any adverse effects are clearly outweighed by social, environmental or economic benefits of local importance.

d) Marine Protected Areas

Development likely to have an adverse effect on the protected features of South Arran MPA will not be supported. Proposals are also required to consult with the Clyde Marine Planning Partnership (CMPP).

e) Biodiversity Action Plan Habitats and Species

Development adversely affecting priority habitats or species set out in the North Ayrshire Local Biodiversity Action Plan will not be permitted unless it can be demonstrated the impacts are clearly outweighed by social or economic benefits of local importance.

f) Protected Species

Development likely to have an unacceptable adverse effect on;

i) European Protected Species (see Schedules 2 & 4 of the Habitats Regulations 1994 (as amended) for definition); Birds, Animals and Plants listed on Schedules 1, 5 and 8 (respectively) of the Wildlife and Countryside Act 1981 (as amended); or badgers, will only be permitted where the applicant can demonstrate that a species licence is likely to be granted.

ii) The Scottish Biodiversity List (SBL) of animals, plants and habitats that Scottish Ministers considered to be of principle importance for biodiversity conservation in Scotland.

## **2. Consultations and Representations**

The statutory neighbour notification was carried out and there was no requirement to advertise the application. The agent supplied the details of the 7 supporters of the previous 2020 refused application who each separately confirmed to Planning that they were happy for their support for the revised development plans to be expressed.

Six objections were initially received, addressing largely similar points regarding development of the site as in the objections to the previously refused 2020 application.

It is noted that all six of these objections were received against the initially proposed 'back and front' layout of the site and that, since the layout was revised and the amended plans added to the publicly available planning file, only two comments have been received, one being further comments of one of the objectors and the other a new allegation that the site is

used by otters, a European Protected Species. The various points of the various objections can be summarised as follows:

1: Overdevelopment of the site. One of the buildings appears to contain two separate dwellings. The proposal is therefore essentially still for three properties, as previously refused, and which is out of keeping with this portion of the village.

*Response: As above, the site layout was subsequently revised following the receipt of comments, to have two houses with no 'granny annexe'. Matters of siting, development density and layout are considered in the following Analysis.*

2: Siting, design, layout, and amenity: (i) the houses are large in scale, out of character and the frontage would dominate surrounding properties. They are not sympathetic to an area close to the Lamlash Conservation Area; (ii) the siting of the house to the rear, right up against the raised cliff at the back of the site at Blairbeg House, would involve the excavation of the natural raised beach wall with an attendant risk of landslip; (iii) the garden ground for all would be very limited.

*Response: As above, the plans were revised, and the proposal is now for two houses at the front of the site. The site is not within the Conservation Area, nor does it adjoin it. It is noted that there are a variety of house-types and scales within the CA. Matters of design and siting and compliance with the various LDP policies and supporting guidance are considered in the following Analysis.*

3: Garden ground: The proposed future use of the undeveloped rear area should be confirmed. It should not be proposed for future housing. The unsightly spoil from the previous demolition should also be removed from the site.

*Response: The agent has confirmed that the rear area would form amenity garden ground of the two houses and the site plans were amended to indicate this. It is also indicated that the unused spoil would be removed from the site. Whilst it is noted that planning permission would not be required for the open storage of building materials within the curtilage of a house for use within the curtilage, it is considered that details of any material to be used or retained onsite could be addressed within a planning condition requiring details of landscaping of the site.*

4: Access rights. Both Blairbeg House and Blairbeg Lodge have a legal right of access through this site and this should be acknowledged in the application.

*Response: Legal access rights are not a material planning consideration. Notwithstanding this, the historic access track would not be blocked by the proposals.*

5: Road safety. Parking for six vehicles, in addition to those from Blairbeg House entitled to use this drive, would create serious safety issues for vehicles exiting and entering the main road close to a sharp bend.

*Response: Active Travel and Transport was consulted and did not object on road safety grounds. The access up to Blairbeg House, although still available, is overgrown by moss and does not appear to have been used by significant vehicular traffic for many years.*



6: Japanese Knotweed. There are local areas of JK at the rear bank of the site which have been contained by chemical treatment in past years but would be affected by the proposal.

*Response: The site layout has subsequently been amended and there would be no development within 50 metres of the rear bank. Control of Japanese Knotweed is subject to regulation by SEPA rather than planning legislation. Notwithstanding this, the comments have been passed to the applicant via the agent and an informative note could be added to any planning permission advising the owner to contact SEPA regarding any JK encountered.*

7: Protected Species Habitats. Evidence of otter habitats within and near the site.

*Response: A Walkover Otter Survey was commissioned by the applicant in response to this point which indicated evidence of previous but no recent use of the site by otters.*

*The Report made recommendations for the safeguarding of protected species during any development works including that all vegetation associated with the unnamed watercourse on the site be retained wherever possible, that no artificial light be introduced and that construction works be restricted to daylight hours.*

*It further recommends that an update survey of a buffer or 100m from the site be conducted at least ten weeks prior to the commencement of works and that any evidence of habitat use shall require a mandatory licence be obtained from NatureScot.*

*Although the scale of the proposed development falls below the threshold inviting formal consultation with NatureScot, the findings were shared with them and informal advice on the findings was sought. NS indicated that the survey appeared to be fit for purpose and agreed with its recommendations. NS also agreed that it was appropriate that conditions be applied requiring compliance with the survey recommendations and that an ecological consultant should be engaged in the preparation of the landscaping scheme for the site.*

**NAC Active Travel and Transportation:** No objection, subject to conditions regarding driveway design and visibility splays and details of a bin pickup area at the junction with the public road. A Road Opening Permit will be required.

*Response: Noted. Appropriate planning conditions and an informative note could be applied to any planning permission.*

**West of Scotland Archaeology Service:** WOSAS was consulted on the earlier 2020 application and had no objection subject to an archaeological watching brief being obtained to ensure that archaeological sensitivities in the area are protected.

*Response: Noted. An appropriate condition could be applied to any planning permission.*

**Arran Community Council:** No objection. Note the objector comments that one of the properties could conceivably be split into two properties in future and regarding the access rights and future restoration of the driveway to Blairbeg which is a matter for the respective owners to consider.

*Response: Comments all noted. As above, the layout has since been revised to remove the 'granny annexe' although it is noted that its use as a separate property would have required separate planning permission in any case. Access rights are a private legal matter and not a material planning consideration.*

The informal advice and guidance provided by **NatureScot** detailed in the previous section is also noted.

### **3. Analysis**

Section 39 of the Town and Country Planning (Scotland) Act 1997, as amended, requires that, in dealing with planning applications, the planning authority shall have regard to the development plan and to any other material considerations. Pre-application advice for development of the site was initially sought in 2019. The advice provided by Planning Services was that residential development of the site would be acceptable in principle and that the site appeared to be more suitable for two houses rather than three. This application for two houses follows an application for a three-house layout which was refused in 2020.

In terms of the LDP, the site is within the settlement of Lamlash. Strategic Policy 1: Spatial Strategy: the Towns and Villages Objective indicates that residential development within the General Urban Area of settlements shall accord with the Plan in principle, subject to compliance with the other policies of the LDP.

Strategic Policy 2: Placemaking aims to safeguard and enhance environmental quality by avoidance of unacceptable adverse environmental or amenity impacts. It expects all development proposals to meet the six qualities of successful places contained within the policy.

The criteria 'distinctive' in the Placemaking Policy requires proposals to reflect characteristics of the surrounding area in terms of topography, skylines, scales, building forms and materials etc to create places with a sense of identity. The site is adjoined by a traditional hip roofed bungalow 'Briarbank' to the south and by 'Seabreeze' a house within the Kinneil Park development to the north which has a dominant gable and balcony to the roadside, although this is an extension to the rear of that property.

Sectional Survey drawings submitted with the application indicate that the roof of the seaward gable section of the proposed houses would be marginally (750mm) higher than the roofs of both adjoining properties, given differing ground levels. It is also noted that the development would respect the building line and set-back from the road dictated by these neighbouring sites.

The scale of the 110m<sup>2</sup> houses within the large site would be of a relatively low development density which would not be out of keeping with the surrounding area. It is considered that this reduction in scale and the removal of the 'backland' house to the rear results in a development which relates to the surrounding built forms.

The design reflects the traditional roof pitches and materials of the area while also reflecting the more contemporary design of Seabreeze to the north. The scale and siting of the properties would not obscure the view of the traditional Blairbeg House at a higher level to the rear or significantly detract from the visual amenity of the wider area when viewed from

coastal positions. It is considered that the design process has therefore adequately addressed the reasons for refusal of the previous 2020 layout proposal.

With regards to residential amenity, the houses would benefit from a significant level of private garden ground and residential amenity would also arise from the coastal location and sea-views. House 1 has been set back behind House 2 in order to reduce any risk of overlooking between the two from the rear balconies. This aspect accords with the criteria 'welcoming' in SP2: Placemaking.

In terms of effects of neighbouring houses, the front balconies would be enclosed to the north side and the rear 'morning balcony' of House 2 would be 10m from Seabreeze to the north across the planted common boundary and would not result in direct overlooking of windows. There would be no significant adverse overlooking or privacy impacts to Seabreeze. The rear balconies would be over 90m from the houses at the rear on the raised beach with no subsequent significant effects.

The rear 'afternoon balcony' of House 1 would be 21m from Briarbank and 16.5m from Briarbank Cottage across the intervening access roads of the respective properties. While there would be fairly significant separation between the properties, a planning condition should be applied requiring details of obscured screening to the south side of the balconies to be adequate to prevent any excessive adverse effects on the privacy of those properties. It is noted that no objections have been received on privacy grounds.

Subject to a condition requiring confirmation of landscaping proposals for the site, the overall proposals would comply with the Council's Neighbourhood Design Guidance and the requirements of SP2: Placemaking under the quality of 'Safe and Pleasant' to respect the amenity of future users in terms of privacy.

Criteria (f) of Policy 16: Protection of our Designated Sites indicates that development shall not be supported where it has an unacceptable adverse impact on European Protected Species. A representation was made late in the application process that the site may be used by otters due to the proximity to the shore.

Advice was taken from NatureScot that an initial Walkover Survey of the site should be conducted to confirm this. This was instructed by the applicant and the survey findings were discussed with NatureScot as addressed above. There are no issues conflicting with the policy, subject to conditions requiring the conclusions of the survey report to be adhered to and an ecological consultant to be engaged in the preparation of the landscaping plans.

In terms of Policy 29: Energy Infrastructure Development, proposals for new buildings require to demonstrate how the carbon emissions reductions targets set by Scottish Building Standards shall be met. This is not specifically indicated within the submission and while the delivery of the measures would be monitored by the Building Warrant process, a planning condition should be applied requiring submission of the details of the heating and power systems for approval prior to commencement of the development.

In conclusion and given the foregoing assessment, the proposed development accords with the relevant provisions of the LDP and planning guidance. There are no other material considerations and it is therefore recommended that planning permission can be granted subject to the various conditions and notes identified in this report.

#### **4. Full Recommendation**

Approved subject to Conditions

#### **Reasons for Decision**

##### **Condition**

1. That, prior to the occupation of the first of the houses hereby approved: (i) the first 2 metres of the access measured from the junction with the public road shall be hard surfaced and designed in such a way as to prevent the discharge of surface water or loose materials onto the surface of the public road; (ii) sufficient visibility splays to both sides of the access shall be provided and maintained thereafter on land within the developers control; and (iii) a Road Opening Permit shall be obtained by the developer prior to these works. All of the above shall be to the satisfaction of North Ayrshire Council as planning authority.

##### **Reason**

To meet the requirements of North Ayrshire Council as Roads Authority.

##### **Condition**

2. That, prior to the commencement of the development hereby approved, details of an appropriate storage and collection point for refuse from the development shall be submitted for the written approval of the planning authority. The development shall not commence until written approval of the details has been received and the development shall thereafter be completed only in accordance with the approved details, all to the satisfaction of North Ayrshire Council as planning authority.

##### **Reason**

In the interest of the amenity of the area.

##### **Condition**

3. That the developer shall secure the implementation of an archaeological watching brief, to be carried out by an archaeological organisation acceptable to North Ayrshire Council as Planning Authority, during all ground disturbance. The retained archaeological organisation shall be afforded access at all reasonable times and allowed to record and recover items of interest and finds. Terms of Reference for the watching brief will be supplied by West of Scotland Archaeology Service. The name of the archaeological organisation retained by the developer shall be given to North Ayrshire Council as Planning Authority in writing not less than 14 days before the development commences.

##### **Reason**

In recognition of the archaeological significance of the site.

##### **Condition**

4. That, prior to the commencement of the development hereby approved, details of obscured glazed screening to the north and south sides of the rear balconies and the south sides of the front balconies of both properties, which shall be adequate to protect the privacy of neighbouring properties to the south, shall be submitted for the written approval of the planning authority and that the development shall thereafter be completed and maintained, only in accordance with the approved details, all to the satisfaction of North Ayrshire Council as planning authority.

**Reason**

In the interest of the amenity of the area.

**Condition**

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

**Reason**

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

**Condition**

6. That prior to the commencement of the development hereby approved, full details of: (i) all boundary treatments; and (ii) any proposed artificial lighting to be installed on the site shall be submitted for the written approval of the planning authority. The development shall thereafter be completed only in accordance with such details as may be approved and maintained as such unless the written agreement of the planning authority is obtained, all to the satisfaction of North Ayrshire Council as planning authority.

**Reason**

To ensure that the development is visually appropriate to the visual amenity of the wider area.

**Condition**

7. That, prior to the commencement of the development hereby approved, full details of a scheme of landscaping for the site, including details of the proposed use of or removal from the site of the mounded demolition spoil in the centre of the site, shall be submitted for the written approval of North Ayrshire Council as planning authority. For the avoidance of doubt, an ecological consultant shall be engaged in the preparation of the landscaping scheme to ensure that the habitat features, including the watercourse, of the site are protected and maintained.

**Reason**

In the interests of visual amenity and ecological protection

**Condition**

8. That the details of the proposed drainage and private foul sewer arrangements for the houses, certified by an appropriately qualified person, shall be provided for the written agreement of the planning authority prior to the commencement of the development hereby approved and that the siting and outflow of sewage shall take account of advice received from SEPA and be completed to the satisfaction of North Ayrshire Council as planning authority prior to the occupation of the dwellinghouses hereby approved.

**Reason**

To ensure that the drainage arrangements are appropriate for the development approved.

**Condition**

9. That the Recommendations in Section 4.2 2 of the Otter Survey Report dated 17th May 2021 and prepared by Erik Paterson of EP Ecology Ltd shall be followed and fully adhered to in the construction phase of the development hereby approved and that the presence of any Protected Species encountered shall be reported to NatureScot for licensing or action as required, all to the satisfaction of North Ayrshire Council as planning authority.

**Reason**

To ensure that the presence of any Protected Species on-site is adequately addressed

James Miller  
Chief Planning Officer

For further information please contact Mr Neil McAteer Planning Officer on 01294 324316.

## Appendix 1 – Location Plan

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