



North Ayrshire Council  
Comhairle Siorrachd Àir a Tuath

Cunninghame House,  
Irvine.

18 June 2015

## 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 24 JUNE 2015** 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**

The accuracy of the Minutes of meeting of the Committee held on 3 June 2015 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. Ardrossan, Saltcoats and Stevenston**

Submit report on the following applications:

**3.1 13/00509/MSCM : Ardrossan Harbour, Montgomerie Street, Ardrossan**

Construction of the road, coastal wall and revetment works at Ardrossan Harbour (copy enclosed).

**3.2 14/00485/MSCM : Ardrossan Harbour, Montgomerie Street, Ardrossan**

Erection of 106 dwelling units and associated infrastructure (copy enclosed).



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## Planning Committee

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Sederunt: Matthew Brown  
John Ferguson  
Robert Barr  
John Bell  
John Bruce  
Ian Clarkson  
Joe Cullinane  
Ronnie McNicol  
Tom Marshall  
Robert Steel

(Chair)  
(Vice-Chair)

Chair:

Attending:

Apologies:

Meeting Ended:



Planning Committee  
3 June 2015

**IRVINE, 3 June 2015** - 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, Ronnie McNicol and Robert Steel

**In Attendance**

J. Miller, Senior Manager (Planning) (Economy and Communities); and J. Law, Solicitor (Contracts and Licensing) and M. Anderson, Acting Committee Services Manager (Chief Executive's Service).

**Chair**

Councillor Brown in the Chair.

**1. Declarations of Interest**

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

**2. Minutes**

The accuracy of the Minutes of the Committee held on 18 March 2015 was confirmed and the Minutes signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

**3. Isle of Arran**

**3.1 14/00631/DCMS: Bogary Quarry**

John Thomson Construction Limited, Lamlash, Isle of Arran, has applied for a periodic review of the mining site at Bogary Quarry, Slidery, Isle of Arran in accordance with the Review of Old Mineral Permissions (ROMP) procedure.

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

1. That the development hereby permitted shall be in complete accordance with the approved plans and specification.
2. That the development hereby permitted shall be discontinued on or before 30 June 2024.

3. That, on expiry of the planning permission hereby granted or on such earlier date as the operator may have discontinued quarrying operations, the site and the terraced quarry face shall be left in a condition satisfactory to North Ayrshire Council as Planning Authority.
4. That the use hereby permitted except in an emergency shall operate between the hours of 0700 and 1900 hours Monday to Friday, 0700 and 1600 hours on a Saturday and shall not operate on a Sunday or public holidays.
5. That noise levels measured at least 3.5 metres in front of the facade of any dwellinghouse facing the quarry shall not exceed 55dB LAeq, 1h during the working hours specified above and 42dB LAeq, 1h at all other times, to the satisfaction of North Ayrshire Council as Planning Authority.
6. That adequate wheel washing facilities shall be provided and open vehicles carrying materials shall be sheeted before leaving the site, to ensure that vehicles leaving the site shall not deposit deleterious material on public roads.
7. That blasting shall take place only on weekdays between 1000 and 1600 hours, excluding April to July inclusive, unless agreed otherwise in writing with North Ayrshire Council as Planning Authority. That there shall be a maximum of three blasts on any day and that each blast shall be designed so that no more than 10% of blasts exceeds ground vibration of 8.5mm per second and no blast exceeds 12.7mm per second, all to the satisfaction of North Ayrshire Council as Planning Authority.
8. That the drainage arrangements shall comply with the method statement agreed by the Scottish Environment Protection Agency, including cut off drains in the land surrounding the quarry, to the satisfaction of North Ayrshire Council as Planning Authority.
9. That the renewed drainage pipe across the quarry entrance shall be maintained to its current standard, to the satisfaction of North Ayrshire Council as Planning Authority.
10. That no fixed plant or buildings shall be located on site without the benefit of a separate planning permission.
11. That, prior to the first blasting operation after the date of this permission, the applicant shall give 7 days notice to North Ayrshire Council as Planning Authority.
12. That extractive waste at this quarry will be managed in accordance with the extractive waste management plan. This plan will be reviewed by the operator no later than 30 April 2017 and every 5 years thereafter or in the event of substantial changes to the extractive waste, area, or waste facility, or waste deposited. Any amendments to the extractive waste management plan, whether as a result of a review or otherwise, shall be notified to North Ayrshire Council as Planning Authority.

### **3.2 15/00233/PP: Site to East of Grianan**

Mr and Mrs Mann, T/A Grianan Holidays, 3 Chemin des Voirons, 1296 Switzerland, have applied for planning permission for the erection of a dwellinghouse to the east of Kildonan Road, Kildonan, Isle of Arran. Two letters of objection have been received, as detailed in the report. Details of a consultation response from Isle of Arran Community Council, together with a response to the issues raised, were circulated at the meeting.

The Committee, having considered the terms of the objections and consultation response, agreed to grant the application, subject to (a) no significant objections being received before 5 June 2015 and (b) the following conditions:-

1. That, prior to the commencement of the development, details of the boundary enclosures shall be submitted for the written approval of North Ayrshire Council as Planning Authority. Thereafter, any such details which may be agreed shall be implemented prior to the occupation of the dwellinghouse and thereafter maintained, all to the satisfaction of North Ayrshire Council as Planning Authority.
2. That, prior to the occupation of the dwellinghouse, hereby approved, the access/driveway shall be designed in such a way that no surface water shall issue onto the public road, to the satisfaction of North Ayrshire Council as Planning Authority.
3. That, prior to occupation, the dwellinghouse hereby approved shall be provided with an adequate and wholesome water supply, details of which shall be submitted to and have received the written approval of North Ayrshire Council as Planning Authority prior to the commencement of the development.

### **4. Garnock Valley**

#### **15/00103/PPPM: Blairland Farm, Dalry**

The Blair Trust Company Limited, c/o Edinburgh Quay, 133 Fountainbridge, Edinburgh has applied for planning permission in principle for a residential development at Blairland Farm, Dalry. Eight letters of representation expressing objections and points of concern have been received, as detailed in the report.

The Committee, having considered the terms of the objections and representations, agreed, Councillor Barr dissenting, to grant the application, subject to the following conditions:-

1. That, prior to the submission of the first application for the approval of matters specified in conditions (MSC), further intrusive site investigations shall be undertaken to establish the location and condition of the recorded mine entries, the results of which shall inform the layout of the detailed masterplan required by Condition 5 and any subsequent remediation works which may be required. Confirmation shall be submitted in writing to North Ayrshire Council as Planning Authority and certified by a suitably qualified person that the required site investigations and any subsequent remedial works have been undertaken.

2. That, prior to the submission of the first application for the approval of matters specified in conditions (MSC), a programme of archaeological works in accordance with a written scheme of investigation, the results of which shall inform the layout of the detailed masterplan required by Condition 5, shall be submitted for the approval of North Ayrshire Council as Planning Authority. Thereafter, the developer shall ensure that the approved programme of archaeological works is fully implemented and that all recording and recovery of archaeological resources within the development site is undertaken to the satisfaction of North Ayrshire Council as Planning Authority.

3. That, prior to the submission of the first application for approval of matters specified in conditions (MSC), a scheme to treat the surface water arising from the site in accordance with the principles and practices contained in CIRIA's "Sustainable Urban Drainage Systems Manual", (March 2007), the results of which shall inform the layout of the detailed masterplan required by Condition 5, shall be submitted for the written approval of North Ayrshire Council as Planning Authority. For the avoidance of doubt:

- there shall be no drainage connections to the trunk road drainage system;
- all foul water arising from the development must be collected and diverted away from operational railway land;
- all surface water arising from the development must be collected and discharged no closer than 10 metres from operational railway land; and,
- the SuDS scheme shall not be sited within 10 metres of railway infrastructure.

Thereafter, the scheme as may be approved shall be implemented during the course of development (taking phasing into account) and maintained thereafter to the satisfaction of North Ayrshire Council as Planning Authority.

4. That, prior to the submission of the first application for the approval of matters specified in conditions (MSC), a detailed flood risk assessment (FRA) which identifies the areas of the site at risk of flooding, taking into account the impact of the development on flood risk elsewhere, shall be submitted for the approval of North Ayrshire Council as Planning Authority. Thereafter, the FRA as may be approved shall inform the layout of the detailed masterplan required by Condition 5. For the avoidance of any doubt, no built development or infrastructure should be located within the 1 in 200 year functional floodplain.



5. That, prior to the submission of the first application for the approval of matters specified in conditions (MSC), a detailed masterplan for the site in general accordance with the concept masterplan prepared by McCreadie Design (drawing ref. L(90)002) 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 the further intrusive site investigations, archaeological investigations, the detailed SuDS scheme and flood risk assessments required by conditions 1, 2, 3 and 4 respectively, and shall generally accord with the concept masterplan in relation to:

- the means of access to the site, including at least two vehicular connections from the public road network into the site and multi-user links including a link to the railway station and through the site to Blair Road (Core Path GV 13);
- the street layout;
- structural landscaping;
- areas of open space; and
- areas for children's play.

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 the MSC 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.

6. That application(s) for the approval of matters specified in conditions (MSC) shall include a scheme of mitigation measures for the design and construction of the houses to ensure that the noise levels at each plot shall not exceed the following:

- (a) Daytime external level, 50-55dB LAeq 16hrs (0700-2300);
- (b) Night time internal level, 30dB LAeq 8hrs (2300-0700); and
- (c) Night time internal level, 45dB LA Max (2300-0700).

Thereafter, the development shall be implemented only in accordance with the approved scheme of noise mitigation measures unless North Ayrshire Council as Planning Authority gives written consent to any variation.

7. That, prior to the commencement of the development hereby approved, the developer shall implement the recommendations contained within the "Preliminary Geo-Environmental Risk Assessment including Coal Mining Risk Assessment Report" dated March 2014 by Waterman (document reference EED14275-100-R-1-2-1-JLD-PERA) and also the recommendations contained within the "Preliminary Slag Analysis Report" by Waterman dated 7th July 2014 (document reference EED14275-100-C-001-SC-HW) in order to assess the likelihood of any ground contamination present at the site. Remediation proposals shall also be presented to North Ayrshire Council as Planning Authority in relation to any significant findings. All documentation shall meet BS 10175:2011 and shall be verified by a suitably qualified environmental consultant. Thereafter, the presence of

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

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

9. That, prior to the commencement of the development hereby approved, the developer shall submit a Phasing Plan for the written approval of North Ayrshire Council as Planning Authority to include all land within the application site, and the development shall progress in accordance with the approved Phasing Plan unless North Ayrshire Council as Planning Authority gives written consent to any variation.

10. That, prior to the commencement of the development hereby approved, the developer shall submit details of the lighting within the site for the written approval of North Ayrshire Council as Planning Authority, after consultation with Transport Scotland TRBO.

11. That, prior to the commencement of the development hereby approved, the developer shall submit details of the frontage landscaping treatment along the boundary with the proposed A737 Dalry bypass trunk road for the written approval of North Ayrshire Council as Planning Authority, after consultation with Transport Scotland TRBO.

12. That, prior to the occupation of any dwellings within the development, a barrier/boundary feature of a type to be approved in writing by North Ayrshire Council as Planning Authority in consultation with Transport Scotland TRBO shall be erected and maintained along the proposed boundary of the site with the proposed A737 Dalry Bypass trunk road. In addition, the developer shall provide a suitable trespass proof fence of at least 1.8 metres in height adjacent to Network Rail's boundary, which shall include provision for access to facilitate future maintenance and renewal.

13. That the recommendations of the "Bat Survey Report" (ref. EED14275-100-R-2-2-1) and "Preliminary Ecological Survey" (ref. EED14275-100\_R\_1\_1\_2\_WE) by Waterman shall be taken into account during the MSC stage and implemented during the course of the development to the satisfaction of North Ayrshire Council as Planning Authority.

14. That the development shall initially be limited to a maximum of 20 house completions per annum unless otherwise agreed in writing between the developer and North Ayrshire Council as Planning Authority. Thereafter, at 2 yearly intervals following the commencement of the development until its completion, a review of the build rate shall be undertaken by the developer to consider new house completions, new house sales and local primary school capacity. Each review shall propose the number of houses that can be completed during the following 2 year period (at a rate of not less than 20 units per annum), and shall be submitted for the consideration and written approval of North Ayrshire Council as Planning Authority.

**5. Notice under Regulation 24 of the Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984: Beith: 83 Eglinton Street**

Submitted report by Executive Director (Economy and Communities) on a proposed Notice under Regulation 24 of the Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984 requiring removal of unauthorised advertisements at 83 Eglinton Street, Beith.

The advertisements at 83 Eglinton Street, Beith were installed without consent following the commencement of the shop use in December 2014. An application to retain the advertisements, and others on the premises, was submitted February 2015. The application was partially approved and partially refused on 9 April 2015. The refused advertisements include internally illuminated fascia signs, already in situ, sited on the front (north) elevation. By virtue of their size, including excessive combined width, bulky return depth and internal illumination, they are considered to have an adverse impact on local amenity, neither preserving nor enhancing the adjacent Beith Conservation Area and having an adverse impact upon its setting. They are also contrary to Policy A3 in the Adopted North Ayrshire Local Development Plan, as they do not comply with the Council's approved Control of Advertisements Policy.

The Committee agreed, in the interest of the amenity of the area, to approve the serving of a Notice under Regulation 24 of the Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984 to secure the removal of the internally illuminated fascia signs from the front (north) elevation at 83 Eglinton Street, Beith.

**6. Tree Preservation Order: North of Glen Road, Fairlie**

Submitted report by Executive Director (Economy and Communities) on a proposed Tree Preservation Order (TPO) for trees and woodland on some 2 hectares of land situated to north of Glen Road, Fairlie which are potentially under threat from residential development.

In June 2014, an planning application for the erection of two detached dwellinghouses at the site was received. This application was subsequently withdrawn to enable the applicant to undertake the preparation of a tree survey of the site, which was required to consider the arboricultural impacts of the proposed development, including any proposed tree works. A further planning application for the erection of two detached dwellinghouses at the site has been submitted, but remains invalid pending the submission of the required tree survey.

The Order to protect existing trees and woodland in the interests of amenity and their historic or cultural significance would be effective from the date of service and would continue to be enforced until the end of six months or until the Order is confirmed.

The Committee agreed to serve a Tree Preservation Order on all the trees and woodland on land to the north of Glen Road, Fairlie within the boundary outlined in the plan at Appendix 1 to the report in order to protect existing trees and woodland in the interests of amenity and their cultural and historical significance.

The Meeting ended at 2.40 p.m.

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**NORTH AYRSHIRE COUNCIL**

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**Agenda Item 3.1**

Planning Committee

**24 June 2015**

Planning Area

**Ardrossan Saltcoats and  
Stevenston**

Reference

**13/00509/MSCM**

Application

**18th October 2013**

Registered

Decision Due

**18th December 2013**

Ward

**Ardrossan and Arran**

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

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**Location**Ardrossan Harbour, Montgomerie Street,  
Ardrossan**Applicant**Ardrossan North Shore LLP, c/o Irvine Bay  
Regeneration Company, 2 Cockburn Place, Irvine**Proposal**Approval of matters specified in Condition 1 (in  
part) and 5 of Planning Permission Reference  
11/00685/PPPM as it relates to the construction of  
the road, coastal wall and revetment works.

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**1. Description**

On 7 February 2012, Planning Permission in Principle (PPP) was granted for a mixed use development comprising residential units, nursing home, commercial units, distributor road and coastal defence works at Ardrossan Harbour (Ref. 11/00685/PPPM). This application seeks approval of matters specified in the conditions of the PPP in respect of Conditions No. 1 and 5.

Condition 1 of the PPP states "that the approval of North Ayrshire Council as Planning Authority with regard to the siting, design and external appearance of, landscaping and means of access to the proposed development shall be obtained before the development is commenced." This application seeks the approval of part of Condition 1, in respect of the construction of an access road to serve the site, which would extend some 230 metres, from a new 'T' junction on North Crescent Road, located some 40 metres south of its junction with Harvey Street.

Condition 5 of the PPP states "that prior to the commencement of the development hereby approved the applicant shall submit for the written approval of North Ayrshire Council's Planning Authority proposals for the implementation of the proposed coastal defence works including details of the ownership, management and inspection and maintenance measures." This application seeks approval of Condition 5. The application includes details of a coastal wall and revetment (flood defence) works and that, in terms of the ownership, management and inspection and maintenance measures, it is proposed that North Ayrshire Council would take on this responsibility.

The PPP was found to accord with the relevant Local Plan policies at that time. Since the PPP was granted, the Local Plan was replaced by the Local Development Plan (LDP) in May 2014. Policies PI 1 (Walking, Cycling and Public Transport) and PI 8 (Drainage, SUDS and Flooding) are relevant to the assessment of this application. The proposal also requires to be considered against the relevant criteria of the General Policy of the LDP, in this case criteria (a) siting, design and external appearance; (b) amenity; and (d) access, road layout and parking provision.

In addition to the PPP, the application site also forms part of a larger site for which outline planning permission was granted in 2004 for the redevelopment of the wider Ardrossan Harbour area (ref. 01/00753/OPP). In April 2014, the Planning Committee approved the 'Ardrossan North Shore: Draft Design Principles to guide the development of the larger area, in addition to the Policies of the LDP.

## **2. Consultations and Representations**

The statutory neighbour notification procedure was carried out and the application was also advertised for neighbour notification purposes in the Local Press on 30 October 2013. A total of 15 letters of objection and three letters of representation were submitted, which can be summarised as follows:

1. The Transportation Assessment used at the time of the original planning permission is now outdated and North Crescent Road is no longer considered to be capable of supporting the additional traffic that would be generated by the development of the site. Also request traffic calming on the "Shell bridge" to slow vehicles entering North Crescent Road from Montgomerie Street.

*Response - North Ayrshire Council Transportation disagree with the above points (see below).*

2. Consider that the proposed new T junction at North Crescent Road should be redesigned either to be a roundabout or widened to include landscaping in order to provide a more prominent and attractive entrance to the site.

*Response - The proposed junction location and geometry is considered acceptable by North Ayrshire Council Transportation. The junction design is considered to be suitable as it is not intended as a main route to the town centre.*

3. The submitted plans do not include any provision for tourist parking.

*Response - The original plans contained proposals for the entire section of roadway linking North Crescent Road to the existing roundabout on Montgomerie Street, however following discussions with North Ayrshire Council Transportation, the plans were subsequently revised to now only include detailed proposals for the section of road fronting the first phase of residential development and by Persimmon Homes (Ref. 14/00485/MSCM), which is also the subject of a Report to this Committee. The approved 'Ardrossan North Shore: Draft Design Principles makes provision for appropriate visitor parking within later phases of development at the site.*

4. The submitted plans indicate a proposed roadway and carpark within the Persimmon Homes development site.

*Response - This proposals has now been revised and these elements deleted from the proposal.*

5. The existing children's play area at Dawnlight Circle will be too close to what will eventually be a very busy access route through the development site.

*Response - This matter relates to a later phase of development and was raised at the time of the PPP application, and was not considered to be of concern by North Ayrshire Council Transportation. Full details of the road design at this particular point will require to be considered at the time of any subsequent applications.*

6. Question why a condition of the PPP prohibits any new road connection to Mariners View.

*Response - This condition is not directly related to the current application however North Ayrshire Council Transportation considered it more appropriate for the new section of roadway to connect to existing road network at the Montgomerie Street roundabout.*

7. Concerns regarding flooding of the site.

*Response - This application has been submitted in order to provide full details of the proposed flood defence scheme to enable the development of the site and has been considered by the Council's Flooding Officer to be acceptable to provide proper flood defences.*

8. The proposed plans do not contain details of the proposed wall design to be incorporated in the revetment.

*Response - These details have now been provided.*

9. The proposed revetment should be designed as part of a wide promenade at this location.

*Response - The applicant has now amended the revetment design to incorporate a low wall along its length and which would be adjacent to a footpath/cycle path running adjacent to this for the most part of the length of the revetment structure.*

10. Concern regarding the proposed incremental provision of the flood defences, footpath, cycle path and open space areas. These should be formed at the outset of the development and would give subsequent developers/house purchasers a better impression of the overall development site.



*Response - While it be desirable to have each of these components provided at the outset, the applicant has stated that the considerable cost implications of constructing some 850 metres of revetment dictates that this can only be provided incrementally at each phase of development. North Ayrshire Council Flooding Officer has confirmed that while it is less desirable to have the revetment formed in this incremental manner, it can still be achieved without increasing flood risk to other properties.*

11. The application proposes that the Council adopt the flood defences and the Council should therefore have a bigger say in the quality of the design.

*Response - The applicant has already amended the proposed design of the revetment to incorporate a wall along its length which, while not required to serve as a flood defence, was considered desirable by the Council in terms of the design of the promenade. A footpath/cycle path adjacent to the wall has also been added to the proposed design, following discussion with Officers to improve access to the coastal edge.*

12. Concerns regarding the future maintenance of the revetment.

*Response - The applicant proposes that North Ayrshire Council take on the maintenance responsibility for the revetment which would be considered separately by the appropriate Service of the Council, failing which details of a private factoring arrangement would be required by condition.*

13. Concern that the older buildings on North Crescent Road could suffer structural damage due to increased heavy traffic resulting from the proposed development.

*Response - This is not a matter for consideration under the terms of this application.*

14. Concern regarding noise disturbance due to increased traffic in North Crescent Road.

*Response - This is not a matter for consideration under the terms of this application.*

15. The proposed open space areas should be within individual phases of development and not located on the Seafront and it is also considered that the proposed level open space fails to meet North Ayrshire Council standards.

*Response - These are not matters under consideration in this application. The PPP contains a condition requiring the applicants to submit full details of an open space strategy for the development, which would be considered as part of a further application.*

16. The proposed play area and parking areas are outwith the application site.

*Response - These are not matters for consideration under the terms of this application. The approved 'Ardrossan North Shore: Draft Design Principles' makes provision for appropriate play areas and parking within later phases of development at the site.*

17. The application site has not been fully decontaminated and this should be done prior to the building/selling of any homes on the site given the considerable disturbance to nearby residents arising from the first phase of decontamination.

*Response - This is not a matter under consideration in this application. The decontamination of the site is being carried out under a separate planning permission and is progressing in accordance with that permission and in consultation with North Ayrshire Council Environmental Health.*

18. Concerns that the PPP states that Mariners View should be used as a benchmark for flats within the site.

*Response - This application relates solely to the proposed formation of the revetment/flood defences and a section of access road.*

## **Consultations**

SEPA: No objections. Consider that the majority of issues relating to flood risk have been met with the exception being the long term maintenance regime and management of residual risk.

*Response: The applicants have proposed that the Council take on the responsibility for the future maintenance of the revetment and this is being considered by the relevant Service of the Council. Should the Council fail to reach agreement on this matter the applicant would require to submit alternative proposals for approval. The residual flood risk referred to is not directly relevant to this application and requires to be addressed in each of the applications for the phases of residential and commercial developments within the site.*

North Ayrshire Council Transportation: No objections to the amended road layout now being proposed.

*Response : A condition is attached to require the approved section of road to be fully constructed prior to the occupation of any houses within the adjacent residential development.*

North Ayrshire Council Flooding: No objections. The revetment proposal provides adequate flood protection. A low wall, as required by North Ayrshire Council Design Guidance, has also now been included in the amended proposal and is considered to provide a suitable delineation between the revetment and adjacent uses. From an adoption point of view It is considered that it would be beneficial to have the wall closer to the top of the slope thereby removing the flat section to reduce future maintenance.

*Response : Noted. The matter of adoption is being considered by the appropriate Council Service separate from this application.*

Scottish Water: No Objections.

### **3 Analysis**

Planning Permission in Principle (PPP) was granted in April 2013, being considered to accord with the relevant planning policies at that time. The current application seeks approval of only some of the matters specified in the conditions to the PPP, which require to be assessed against the relevant policies of the Adopted Local Development Plan (LDP) of May 2014. Policy PI 1 (Walking, Cycling and Public Transport) in relation to both the road and revetment proposals, and policy PI 8 (Drainage, SUDS and Flooding) in relation to the specification and design of the revetment as a flood defence structure.

The proposals also require assessment against the General Policy of the LDP, the relevant criteria in this case (a) siting, design and external appearance, (b) amenity and (d) access, road layout and parking provision.

Following the grant of PPP in March 2013 and in recognition of the high profile coastal location of the site and the likelihood that the site would be developed in phases over a long timescale by multiple developers, a guidance document "Ardrossan North Shore Design Principles" was approved by the Planning Committee in April 2014. The purpose of this document was to guide developers in working up detailed proposals for future phases of the development and the proposals contained in the current application require assessment against this guidance document.

An indicative "development framework" plan was submitted with the application for PPP which indicated the principle of the perimeter road along the coastal edge of the site connecting North Crescent Road to the roundabout on Montgomerie Street. The applicant has now submitted full details for the initial length of access road extending for some 230 metres into the site from North Crescent Road and intended to serve the first proposed phase of adjacent housing development. The design of this section of road has been arrived at following discussions between the applicants, NAC Transportation and Persimmon Homes and is now considered to be acceptable in terms of junction design, road geometry and to provide a suitable standard for subsequent phases of development along the coastal edge. A condition should be attached to require this section of roadway to be completed prior to the occupation of any of the dwellinghouses within the adjacent housing phase.

The PPP submission also contained supporting information on the extent of flood protection works required arising from a detailed flood risk assessment as required by the Council's Flood Officer. The details now submitted indicate the installation of a rock armour revetment formed along the coastal edge of the site from the north side of the Mariners View access road and extending northwards over a total length of some 850 metres to the existing coastal grassland frontage at North Crescent Road. The rock armour would be some 2 metres thick and constructed of large boulders with a 25 degree sloping face over a length of some 10 to 15 metres to a flat top section, which would be 10 metres wide for most of its length. On the original plans the top, flat, section of rock armour would have abutted an area of open space area. However, following negotiation with the applicants, the plans have now been amended to incorporate a low wall along most of its length, to form a visual and more practical and attractive delineation between these two distinctly different surfaces. The revised plans also show the revetment structure incorporating a footpath/cycle path adjacent to the low wall, in accordance with the guidance contained in the "design principles". The applicants propose that the revetment structure be built in a phased manner corresponding to the phases of development. The principle of this approach has been accepted by the North Ayrshire Council Flood Officer, as technically possible, without resulting in any additional flood risk to adjacent properties. The proposed design of the structure would also allow the coastal frontage of the site to be developed in accordance with the "design principles" and a condition would require the applicant to submit details for each phase to be completed, prior to the occupation of houses on the corresponding residential development phase(s).

In view of the above, the proposed development is considered to comply with the requirements of policies PI 1 and PI 8 of the LDP and also with the relevant criteria of the General Policy of the LDP, being of acceptable design and appearance and providing adequate flood protection and it is therefore considered that the matters submitted in response to the conditions of PPP ref 11/00685/PPPM are acceptable subject to the conditions contained in Appendix 1.



KAREN YEOMANS  
Executive Director (Economy and Communities)

Cunninghame House, Irvine  
9 June 2015

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

**RECOMMENDATION FOR PLANNING APPLICATION REF NO 13/00509/MSCM**

Grant subject to the following conditions:-

1. That, in the event of the applicant failing to reach a formal agreement on the proposed ownership, management and maintenance measures for the proposed revetment submitted with this application, the applicant shall submit alternative proposals for the written approval of North Ayrshire Council as Planning Authority prior to the commencement of any works on the revetment.
2. That the section of roadway hereby approved and the corresponding section of revetment shall be constructed to the satisfaction of North Ayrshire Council as Planning Authority prior to the occupation of any dwellinghouse within the adjacent 'Phase 1' residential development.
3. That, prior to the commencement of the development hereby approved, the applicant shall submit full details of the proposed finishes for the wall and for the surfaces of the road, cycle path and footpaths.

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

1. To ensure full compliance with the terms of Condition 5 of the Planning Permission in Principle.
2. To ensure adequate access is provided to adjacent residential development.
3. To secure further details under the terms of Condition 1 of the Planning Permission in Principle.



# Committee Plans

13/00509/MSCM



North Ayrshire Council  
Comhairle Siorrachd Air a Tuath

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**NORTH AYRSHIRE COUNCIL**

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**Agenda Item 3.2**

Planning Committee

**24 June 2015**

Planning Area

**Ardrossan Saltcoats and  
Stevenston**

Reference

**14/00485/MSCM**

Application

**11th February 2015**

Registered

Decision Due

**11th April 2015**

Ward

**Ardrossan and Arran**

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

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**Location**Ardrossan Harbour, Montgomerie Street,  
Ardrossan**Applicant**Persimmon Homes Ltd, 180 Findochty Street,  
Garthamlock, Glasgow**Proposal**Erection of 106 dwelling units and associated  
infrastructure.

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**1. Description**

On 24th April 2013, Planning Permission in Principle (PPP) was granted for the erection of a mixed use development comprising residential units, nursing home, commercial units, distributor road and coastal defence works at Ardrossan Harbour, Ardrossan (Ref 11/00685/PPPM). The current application seeks approval of matters specified in conditions attached to the PPP, of which there were 13 conditions in total.

The applicants seek approval of matters specified in conditions 1,6,7,9 and have addressed the conditions as follows:

**Condition 1 - That the approval of North Ayrshire Council as Planning Authority with regard to the siting, design and external appearance of, landscaping and means of access to the proposed development shall be obtained before the development is commenced.**

Detailed plans of the full planning layout, siting, design, external appearance and landscaping of the development have been submitted for Phase 1 of the approved master plan. These indicate that the proposal would provide 106 dwellings of which ten would be 2-bed, fifty one would be 3-bed, thirty four would be 4-bed and eleven would be 5-bed. All buildings would appear as 2 storeys with a range of terraced, semi-detached and detached typologies. The proposals include indicative landscape plans showing that much of the hard surfacing would be tarmac. Outline details of soft landscaping have been submitted and include trees and structural planting.

The development would be located to the south west of North Crescent Road. Access would be provided to those proposed units fronting North Crescent Road with the remaining units served by a new access road that will serve the entire North Harbour Masterplan development, the design of which is subject to a separate Report to this Committee (Ref 13/00509/MSCM).

**Condition 6 - That the further application(s) for approval under the terms of Condition 1 shall be accompanied by a scheme to treat the surface water arising from the site in accordance with the principles and practices contained in CIRIA's "Sustainable Urban Drainage Systems Manual", published in March 2007, shall be submitted to, and approved by North Ayrshire Council as Planning Authority. Thereafter any scheme that may be approved shall be implemented prior to the completion of the development and maintained thereafter to the satisfaction of North Ayrshire Council as Planning Authority.**

The applicant has provided draft drainage details which indicate that water run off would be connected into the drainage system to be laid within the proposed access road, under consideration through Ref 13/00509/MSCM. Surface water is proposed to be discharged into the sea, and foul drainage into an existing combined sewer. No details of SUDS have been provided with the application.

**Condition 7 - That the further application(s) for approval under the terms of Condition 1 shall be accompanied by (i) supplementary Transportation Assessments; and (ii) Flood Risk Assessments.**

A Transport and Access Statement has been submitted by the applicants that provides information on existing walking and public transport links and an assessment of expected traffic generation and impacts. A Flood Risk Assessment has been provided. The assessment concludes that the setting back of buildings from the proposed coastal revetments would protect the development from a 1/200 year event with any localised flooding being contained within the proposed road and coastal park proposed as part of planning reference 13/00509/MSCM. Other sources of flooding such as overland flow and sewer flooding would be resolved through ground profiling away from structures.

**Condition 9 - The proposed development shall be designed in accordance with the principles of the Scottish Government's "Designing Streets" and "Designing Places" policy documents and North Ayrshire Council's Neighbourhood and Coastal Design Guidance to the satisfaction of North Ayrshire Council as Planning Authority.**

A detailed layout plan has been submitted with the application. Through revisions the proposal has been designed in accordance with the above principles and reflects the aspirations of the Council's design guidance.

As indicated above, PPP has been granted for the proposed redevelopment of the wider Ardrossan Harbour and was considered to accord with the relevant Local Plan policies.

In the Adopted Local Development Plan (LDP) the application site is allocated for residential purposes where Policies RES2 (13) and RES9 apply.

Policy RES2 (Additional Housing Sites) identifies sites for market housing of which Ardrossan Harbour whereby the overall indicative capacity for the site is 440 units.

Policy RES9 (Large Scale Regeneration Opportunities) identifies the need for comprehensive masterplans to be prepared for sites at Ardrossan Harbour.

In addition to the above site specific policies, the following general policies are also relevant to the determination of the application.

- PI 8 (Drainage, SUDS and Flooding), requiring appropriate assessment to be submitted together with any required mitigation measures;
- PI 1 (Walking, Cycling and Public Transport), requiring all developments with significant trip generation to take account of and provide for all forms of travel; and

-RES 8 (Open Space and Play Provision in New Housing Developments), which sets out requirements for open space and play provision for residential development.

The proposed development also requires to be assessed against the General Policy of the LDP, the relevant criteria in this case being (a) siting, design and external appearance; (b) amenity; and (d) access, road layout and parking provision.

## **2. Consultations and Representations**

The statutory neighbour notification procedure was carried out and the application was also advertised in the local press on 18th February 2015 for neighbour notification purposes. A total of 16 letters of representation were received, all of which were objections and are summarised below.

- 1) Concern regarding a lack of soft landscaping and significant level of development on the site suggesting overdevelopment. Type and design of housing is out of character with surrounding area and not what you would expect in a coastal location.

*Response - Noted. It is proposed to request a detailed landscaping plan through a planning condition. Matters regarding design and form are considered within the analysis below.*

- 2) Lack of detail regarding coastal defence, design of promenade and lack of visitor parking to serve the new promenade.

*Response - Matters regarding the proposed new promenade and revetment are addressed within a separate Report to this Committee (Ref. 13/00509/MSCM).*

- 3) Concerns regarding risk of flooding within the site and risk of flooding as a result of water run-off from the development.

*Response - A Flood Risk Assessment has been submitted with the application and is considered to be acceptable by NAC Flooding. This Assessment confirms that the proposed development would not be affected by either potential sea or still water flooding.*

- 4) The proposal would result in increased traffic and concerns regarding the safety of the junction at North Crescent Road, as well as the proposed development of driveways accessed from North Crescent Road. Comments were also raised regarding the validity of the Transport and Access Statement.

*Response - Refer to Analysis below.*

- 5) Comments regarding the lack of open space and children's play areas.

*Response - Refer to Analysis below.*

- 6) Concerns regarding the expected increase of school children within the area and the impact this may have on the existing capacity of local schools.

*Response - NAC Education have confirmed that they have no objection to the proposed development.*

- 7) Impact on privacy, overshadowing and daylighting as a result of new development on North Crescent Road.

*Response - Refer to analysis below.*

- 8) Concerns regarding impact on public health as a result of development on a contaminated site.

*Response - Environmental Health has raised no objection to the proposal. The former Shell site has been the subject of two previous planning permissions in relation to addressing the problem of contamination from previous uses on the site. In 2005 planning permission (05/00670/PP) was granted at the southern end of the site for the deposit, storage and bio-remediation of contaminated soils to allow trials to be undertaken to establish a suitable means of decontaminating the site. In October 2010 planning permission (10/00483/PP) was granted for engineering operations to secure the remediation of contaminated land. To date remediation works have only taken place over part of the site and it is this area that is subject to this proposal.*

Other non-material planning objections were raised and included concerns regarding the perceived impact on the structural integrity of neighbouring buildings as a result of construction and traffic movements, and concerns regarding disturbance as a result of construction.

### **Consultations**

Environmental Health - No objections subject to comments regarding validity of previous planning conditions regarding contamination and comments regarding site levels.

*Response - These matters are subject to the previous permissions relating to the decontamination of the site.*

NAC Flooding Officer - No objections. SUDS proposals were not included in the submission and the proposed drainage strategy does not conform to the previously stated desire of Scottish Water to have separate systems for foul and surface water sewers. Further information on proposed drainage should be submitted.

*Response - There is no requirement for a SUDS system as the site is in a coastal location. An appropriate condition further details of drainage is attached.*

NAC Transportation - No objections.

*Response - Noted.*

NAC Education - No Objections. The roll projection for the 4 catchment schools show that there is education capacity to provide school places for pupils from the development.

*Response - Noted.*

SEPA, Scottish Water - No responses received.

### **3. Analysis**

Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 require that planning decisions taken by Planning Authorities shall be in accordance with the Development Plan unless material considerations indicate otherwise. As noted above PPP has been granted for the proposed redevelopment of Ardrossan Harbour providing mixed use development comprising residential units nursing home commercial units, distributor road and coastal defence works, which was found to be in accordance with the relevant Local Plan Policies. The current application seeks part approval of the matters specified in the planning conditions attached to the PPP (Ref. 11/00685/PPPM).

Information in response to conditions 1, 6, 7 and 9 of the PPP has been submitted by the applicants. The information has been examined by various consultees, none of whom have objected.

The matters specified in the planning conditions require to be assessed against the relevant LDP policies, namely RES2, RES9, PI 1, PI 8 and RES8, and the relevant criteria of the General Policy of the LDP.

With regard to policies Policy RES 2 and RES 9, the principle of the development has been established through the LDP, and the previous planning consent (Ref. 11/00685/PPPM). The application proposes the development of 105 residential units, therefore the development would comply with the approved masterplan and these policies.

In addition to the above site specific policies, the following general policies are also relevant in the determination of the application.

PI 8 (Drainage, SUDS and Flooding), the applicant has provided a Flood Risk Assessment and proposed drainage plans. The assessment confirms that the proposed development would not be at risk from coastal or still water flooding with much protection offered through the proposed revetment wall (Ref 13/00509/MSCM). NAC Flooding has however expressed concerns about the lack of SUDS information and highlighted that the proposed drainage system conflicts with previous requirements of Scottish Water. The Ardrossan North Shore Design Principles state that given the coastal location of the masterplan area, a SUDS scheme would likely not be required as surface water from development would discharge straight to coastal waters. SEPA has not objected to the proposal. Subject to a condition to require the submission of additional information on drainage these matters, the proposals would comply with PI 8.

PI 1 (Walking, Cycling and Public Transport), the applicant has submitted a Transport and Access Statement which provides information on existing walking and public transport links and an assessment of expected traffic generation and impacts of this proposed phase. Concern has been raised regarding the validity of this Statement. This proposal would form part of a much larger masterplanned area. The Statement assesses the potential isolated impact of this proposed development on the local road network. The proposed road and access onto North Crescent Road is the subject of a separate Report to this Committee (Ref. 13/00509/MSCM). NAC Transportation has raised no objection to the proposal or the validity of the Transport and Access Statement. With respect to permeability the proposal includes a number of links through the site to adjoining sites which are yet to be developed, and the wider network, which demonstrates that account has been taken of the needs of walkers and cyclists. The proposals would comply with PI 1.

Policy RES 8 (Open Space and Play Provision in New Housing Developments): The approved Ardrossan North Shore Design Principles require that a large area of open space be provided along the coastal frontage rather than within individual phases of development. The principles also indicate that equipped play should be provided within those areas and there would be no requirement for equipped play elsewhere in the site. With this in mind the general provision of open space and play provision within this phase of the development would not be required. As such the general terms of this policy would not apply to this development although they will be achieved over the whole North Shore masterplan area.

The proposals require to be assessed against the General Policy criteria:

a) Siting, design and external appearance

The proposed site layout is broadly similar to existing residential streets in the immediate area although some additional 'Designing Streets' elements have been incorporated. The siting of large detached dwellings along the frontage, created by the new promenade, would relate to the appearance of North Crescent Road, which is characterised partly by large dwellings with driveways to the front. In the case of this proposal, driveways would be located to the side, allowing the proposed detached villas to be sited with minimal set back from the heel of the pavement, creating an attractive and active frontage.

The dwellinghouses fronting North Crescent Road have been amended to further reduce the dominance of parking by amended house types with side parking, front boundary walls and soft landscaping. The introduction of a variety of housing types on this frontage would reflect the wide range of existing house types along this entire frontage.

Within the development a range of building types and sizes are proposed. The visual effects would be compatible with the development types in the surrounding areas, being of similar size, scale, form, massing, height and density. In addition the external design and finishes would complement the existing built form. Significant improvements to the design and layout of the proposal, particularly the North Crescent Road frontage, have been achieved through negotiations by Officers, during the processing of the application, including re-alignments of streets and accesses, passing places, pathways, landscaping, and revised surfaces. The design and appearance of the proposed houses are considered to be satisfactory. The proposed houses would enjoy a suitable level of outlook, particularly those on the proposed promenade frontage.

Concern has been raised regarding the lack of public open space and play areas for children. However the Ardrossan North Shore Design Principles do indicate that large areas of open space would be developed throughout the masterplan area and that there would be no requirement for equipped play elsewhere in this site. The level of private garden ground would offer an acceptable standard of residential amenity, the promenade, which would be landscaped, would also address such concerns.

Accordingly the siting, design and external appearance of the development are considered to be acceptable.



b) Amenity

Due to the siting and layout of the dwellings, as well as the distance to neighbouring properties particularly on North Crescent Road, there would be no significant adverse impacts on residential amenity, by reason of loss of privacy, sunlight or daylight, and there would not be any significant adverse implications for visual amenity.

d) Road layout and Parking Provision

The proposals have been assessed by NAC Transportation who following minor amendments, have no objections, noting that the proposed driveway accesses onto North Crescent Road reflect the design of current dwellings on this frontage and would not raise any road safety concerns. Further revisions by the applicant has marked a clear road hierarchy with a main road offering connections to subsequent phases of development and secondary streets creating linkages and permeability through the site. Sections of shared space would aid in reducing traffic speeds and provide informal parking and unequipped play areas. The design of the proposed roads would reflect the aspirations of Designing Streets ensuring that an attractive and integrative layout would be achieved.

In view of the foregoing, it is considered that the proposal accords with the relevant LDP policies, General Policy and the Council's design principles for the overall masterplan area and accordingly it is therefore considered that the matters submitted in response to the conditions of PPP ref 11/00685/PPPM are acceptable subject to the conditions contained in Appendix 1.



KAREN YEOMANS  
Executive Director (Economy and Communities)

Cunninghame House, Irvine  
10 June 2015

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



**RECOMMENDATION FOR PLANNING APPLICATION REF NO 14/00485/MSCM**

Grant subject to the following conditions:-

1. 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.
2. 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.
3. That details of the boundary enclosures shall be agreed in writing with North Ayrshire Council as Planning Authority prior to the commencement of any works. Thereafter any such details, which may be agreed, shall be implemented prior to the occupation of each house and thereafter maintained all to the satisfaction of North Ayrshire Council as Planning Authority.
4. That, prior to the commencement of the development, the applicant shall submit for the written approval of North Ayrshire Council as Planning Authority detailed proposals to deal with all site drainage.
5. 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 external finishes of the dwellinghouses and the proposed surface treatment of roads and other areas of hardstanding within the site.

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

1. To secure a landscaping scheme in the interest of amenity.
2. To secure the proper completion of the development in the interest of amenity.
3. In the interest of the amenity of the area.
4. To meet the requirements of Scottish Water.
5. In the interest of the amenity of the area.



# Committee Plans

14/00485/MSCM



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