



North Ayrshire Council
Comhairle Siorrachd Àir a Tuath

Local Review Body

A meeting of the **Local Review Body** of North Ayrshire Council will be held remotely on **Wednesday, 01 December 2021** at **14:15** to consider the undernoted business.

Arrangements in Terms of COVID-19

In light of the current COVID-19 pandemic, this meeting will be held remotely in accordance with the provisions of the Local Government (Scotland) Act 2003. Where possible, the meeting will be live-streamed and available to view at <https://north-ayrshire.public-i.tv/core/portal/home>. In the event that live-streaming is not possible, a recording of the meeting will instead be available to view at this location.

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 Local Review Body held on 3 November 2021 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 Notice of Review: 21/00633/PP - Mount Pleasant Farm, Mount Pleasant, Lamlash, Arran

Submit report by the Head of Democratic Services on a Notice of Review by the applicant requesting that Condition 4 of the planning permission granted be removed (copy enclosed).

4 Urgent Items

Any other items which the Chair considers to be urgent.

Webcasting - Virtual Meeting

Please note: this meeting may be recorded/live-streamed to the Council's internet site, where it will be capable of repeated viewing. At the start of the meeting, the Provost/Chair will confirm if all or part of the meeting is being recorded/live-streamed.

You should be aware that the Council is a Data Controller under the Data Protection Act 2018. Data collected during the webcast will be retained in accordance with the Council's published policy, including, but not limited to, for the purpose of keeping historical records and making those records available via the Council's internet site.

If you are participating in this meeting by invitation, you are consenting to being filmed and consenting to the use and storage of those images and sound recordings and any information pertaining to you contained in the them live-streaming/recording or training purposes and for the purpose of keeping historical records and making those records available to the public. If you do not wish to participate in a recording, you should leave the 'virtual meeting'. This will constitute your revocation of consent.

If you have any queries regarding this, please contact dataprotectionofficer@north-ayrshire.gov.uk.

Local Review Body Sederunt

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

Chair:

Apologies:

Attending:

At a Meeting of the Local Review Body of North Ayrshire Council at 2.25 p.m. involving participation by remote electronic means.

Present

Tom Marshall, Timothy Billings, Robert Barr, Ian Clarkson, Robert Foster, Christina Larsen, Shaun Macaulay, Ellen McMaster, Ronnie McNicol and Donald Reid.

In Attendance

J. Miller, Chief Planning Officer, I. Davies and A. Hume, Senior Development Management Officers, L. Dempster and K. Gee, Technicians (Planning) (Economic Development and Regeneration); J. Law, Solicitor (Legal Services) and A. Little and H. Clancy, Committee Services Officers (Chief Executive's Service).

Chair

Councillor Marshall in the Chair.

1. Order of Business

The Chair, in terms of Standing Order 9.4, agreed to vary the order of business to allow consideration of Agenda Item 4 (Notice of Review: 21/00542/PPP 4 Lilybank Lane, Fairlie) prior to Agenda Item 3 (Notice of Review: 21/00419/PP 33 Blairlands Drive, Dalry).

2. Declarations of Interest

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

3. Minutes

The Minutes of the meeting of the Local Review Body held on 29 September 2021 were confirmed and the Minutes signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

4. Notice of Review: 21/00542/PPP 4 Lilybank Lane, Fairlie

Submitted report by the Head of Service (Democratic) on a Notice of Review by the applicant in respect of a planning application refused by officers under delegated powers.

The Notice of Review documentation, Planning Officer's Report of Handling, Location Plan, Planning decision notice, further representations by interested parties and the applicant's response to the further representations were provided as appendices to the report.

The Planning Adviser to the Local Review Body summarised the Notice of Review submitted by the applicant, the Report of Handling submitted by the appointed officer, the representations received and policies affecting the application. Photographs and plans of the site were displayed. The Planning Adviser referred to the applicant's request for a site visit

The Local Review Body unanimously agreed that enough information had been provided to determine the review request without a site visit.

Councillor Marshall, seconded by Councillor Barr, moved that the Local Review Body uphold the officer's decision to refuse the application for the reasons outlined in the Decision Notice.

There being no amendment the motion was declared carried.

Councillor Larsen left the meeting at this point.

5. Notice of Review: 21/00419/PP 33 Blairlands Drive, Dalry

Submitted report by the Head of Service (Democratic) on a Notice of Review by the applicant in respect of a planning application refused by officers under delegated powers.

At its meeting on 29 September 2021, the Local Review Body agreed that a site visit should be undertaken before the review request was determined. A site familiarisation visit was duly held on 19 October 2021, attended by Councillors Marshall, Barr, Clarkson, Larsen, McNicol and D. Reid. Only those Members of the LRB who attended the site visit would be eligible to participate in the determination of the review request.

Councillors Billings, Foster, Macaulay and McMaster left the meeting at this point.

The Notice of Review documentation, Planning Officer's Report of Handling, Location Plan, and Planning Decision Notice were provided as appendices to the report.

The Planning Advisor to the Local Review Body, introduced the matter under review, confirming that the Notice of Review had been submitted timeously by the applicant and that only those Members who had attended the site familiarisation visit were eligible to participate in the determination of the review request. Photographs and plans of the proposed development were displayed and the Planning Advisor provided the LRB with a verbal summary of the review documents.

Councillor Clarkson, seconded by Councillor McNicol, moved that the Local Review Body uphold the officer's decision to refuse the application for the reasons outlined in the Decision Notice.

There being no amendment the motion was declared carried.

The Meeting ended at 2.55 p.m.

NORTH AYRSHIRE COUNCIL

1 December 2021

Local Review Body

Title: **Notice of Review: 21/00633/PP - Mount Pleasant Farm, Mount Pleasant, Lamlash, Arran**

Purpose: To submit, for consideration of the Local Review Body, a Notice of Review by the applicant that Condition 4 of the planning permission granted for the redevelopment of the farm-steading to provide three detached dwellinghouses and garage including demolition of existing attached dwellinghouses and agricultural buildings be removed, for the reason outlined in Appendix 1 to the report.

Recommendation: That the Local Review Body considers the Notice of Review.

1. Executive Summary

- 1.1 The Town and Country Planning (Scotland) Act 1997, as amended by the Planning (Scotland) Act 2006, provides for certain categories of planning application for "local" developments to be determined by appointed officers under delegated powers. Where such an application is refused, granted subject to conditions or not determined within the prescribed period of 2 months, the applicant may submit a Notice of Review to require the Planning Authority to review the case. Notices of Review in relation to refusals must be submitted within 3 months of the date of the Decision Notice.

2. Background

- 2.1 A Notice of Review was submitted in respect of Planning Application 21/00633/PP - Mount Pleasant Farm, Mount Pleasant, Lamlash, Arran, that Condition 4 of the planning permission granted for the redevelopment of the farm-steading to provide three detached dwellinghouses and garage including demolition of existing attached dwellinghouses and agricultural buildings be removed, for the reason outlined in Appendix 1 to the report.
- 2.2 The application was approved subject to conditions by appointed officers under delegated powers, detailed in the Decision Notice.
- 2.3 The following related documents are set out in the appendices to the report: -
- Appendix 1 - Notice of Review documentation;
 - Appendix 2 - Report of Handling;
 - Appendix 3 - Location Plan; and
 - Appendix 4 - Planning Decision Notice

3. Proposals

3.1 The Local Review Body is invited to consider the Notice of Review.

4. Implications/Socio-economic Duty

Financial

4.1 None arising from the recommendation of this report.

Human Resources

4.2 None arising from the recommendation of this report.

Legal

4.3 The Notice of Review requires to be considered in terms of the Town and Country Planning (Scotland) Act 1997, as amended by the Planning (Scotland) Act 2006, and the Town and Country Planning (Schemes of Delegation and Local Review Procedure) (Scotland) Regulations 2013.

Equality/Socio-economic

4.4 None arising from the recommendation of this report.

Environmental and Sustainability

4.5 None arising from the recommendation of this report.

Key Priorities

4.6 None arising from the recommendation of this report.

Community Benefits

4.7 None arising from the recommendation of this report.

5. Consultation

5.1 Interested parties (both objectors to the planning application and statutory consultees) were invited to submit representations in terms of the Notice of Review and there were no further representations.

Craig Hatton
Chief Executive

For further information please contact **Angela Little, Committee Services Officer**, on **01294 324132**.

Background Papers

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Cunninghame House Friars Croft Irvine KA12 8EE Email: eplanning@north-ayrshire.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100320754-003

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

Applicant or Agent Details

Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

☐ Applicant ☒ Agent

Agent Details

Please enter Agent details

Company/Organisation:	John Lamb Architect		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	John	Building Name:	
Last Name: *	Lamb	Building Number:	70
Telephone Number: *		Address 1 (Street): *	Woodside Drive
Extension Number:		Address 2:	Waterfoot
Mobile Number:		Town/City: *	Glasgow
Fax Number:		Country: *	UK
		Postcode: *	G76 0HD
Email Address: *			

Is the applicant an individual or an organisation/corporate entity? *

☒ Individual ☐ Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Other"/>	You must enter a Building Name or Number, or both: *
Other Title:	<input type="text" value="Mr & Mrs"/>	Building Name: <input type="text"/>
First Name: *	<input type="text" value="Alistair & Carol"/>	Building Number: <input type="text"/>
Last Name: *	<input type="text" value="Crawford & Boag"/>	Address 1 (Street): * <input type="text"/>
Company/Organisation	<input type="text"/>	Address 2: <input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: * <input type="text"/>
Extension Number:	<input type="text"/>	Country: * <input type="text"/>
Mobile Number:	<input type="text"/>	Postcode: * <input type="text"/>
Fax Number:	<input type="text"/>	
Email Address: *	<input type="text" value="REDACTED"/>	

Site Address Details

Planning Authority:	<input type="text" value="North Ayrshire Council"/>
Full postal address of the site (including postcode where available):	
Address 1:	<input type="text" value="MOUNT PLEASANT FARM"/>
Address 2:	<input type="text" value="MOUNT PLEASANT"/>
Address 3:	<input type="text" value="LAMLASH"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text" value="BRODICK"/>
Post Code:	<input type="text" value="KA27 8LH"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="632253"/>	Easting	<input type="text" value="203935"/>
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Description of Proposal

Please provide a description of your proposal to which your review relates. The description should be the same as given in the application form, or as amended with the agreement of the planning authority: *
(Max 500 characters)

Redevelopment of farm-steading to provide three detached dwellinghouses and garage including demolition of existing attached dwellinghouses and agricultural buildings

Type of Application

What type of application did you submit to the planning authority? *

- ☒ Application for planning permission (including householder application but excluding application to work minerals).
- ☐ Application for planning permission in principle.
- ☐ Further application.
- ☐ Application for approval of matters specified in conditions.

What does your review relate to? *

- ☐ Refusal Notice.
- ☒ Grant of permission with Conditions imposed.
- ☐ No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.

Statement of reasons for seeking review

You must state in full, why you are seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: * (Max 500 characters)

Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.

You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.

See separate supporting document

Have you raised any matters which were not before the appointed officer at the time the Determination on your application was made? *

☐ Yes ☒ No

If yes, you should explain in the box below, why you are raising the new matter, why it was not raised with the appointed officer before your application was determined and why you consider it should be considered in your review: * (Max 500 characters)

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review. You can attach these documents electronically later in the process: * (Max 500 characters)

Supporting Document setting out Reasons for Seeking Review

Application Details

Please provide the application reference no. given to you by your planning authority for your previous application.

21/00633/PP

What date was the application submitted to the planning authority? *

22/06/2021

What date was the decision issued by the planning authority? *

01/09/2021

Review Procedure

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Can this review continue to a conclusion, in your opinion, based on a review of the relevant information provided by yourself and other parties only, without any further procedures? For example, written submission, hearing session, site inspection. *

☒ Yes ☐ No

In the event that the Local Review Body appointed to consider your application decides to inspect the site, in your opinion:

Can the site be clearly seen from a road or public land? *

☒ Yes ☐ No

Is it possible for the site to be accessed safely and without barriers to entry? *

☒ Yes ☐ No

Checklist – Application for Notice of Review

Please complete the following checklist to make sure you have provided all the necessary information in support of your appeal. Failure to submit all this information may result in your appeal being deemed invalid.

Have you provided the name and address of the applicant? *

☒ Yes ☐ No

Have you provided the date and reference number of the application which is the subject of this review? *

☒ Yes ☐ No

If you are the agent, acting on behalf of the applicant, have you provided details of your name and address and indicated whether any notice or correspondence required in connection with the review should be sent to you or the applicant? *

☒ Yes ☐ No ☐ N/A

Have you provided a statement setting out your reasons for requiring a review and by what procedure (or combination of procedures) you wish the review to be conducted? *

☒ Yes ☐ No

Note: You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. You may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

Please attach a copy of all documents, material and evidence which you intend to rely on (e.g. plans and Drawings) which are now the subject of this review *

☒ Yes ☐ No

Note: Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice (if any) from the earlier consent.

Declare – Notice of Review

I/We the applicant/agent certify that this is an application for review on the grounds stated.

Declaration Name: Mr John Lamb

Declaration Date: 10/10/2021

Redevelopment of Farm Steading at Mount Pleasant, Lamlash, Isle of Arran (21/00633/PP)

Reasons for Seeking Review

BACKGROUND

On the 1st September, 2021, North Ayrshire Council granted detailed planning permission for the “Redevelopment of farm-steading to provide three detached dwellinghouses and garage including demolition of existing attached dwellinghouses and agricultural buildings” (application reference no. 21/00633/PP).

Condition 4 of the granted permission states “That, prior to the occupation of the first dwellinghouse: (i) the access road shall be upgraded to adoptable rural standard from the end of the existing adopted section to the proposed turning area; and (ii) that the first 2m of the proposed driveways shall be surfaced so as to prevent any loose materials or surface water entering the public road, all to the satisfaction of North Ayrshire Council as planning authority. Roads Construction Consent shall be obtained by the developer for the above.”

The Applicants wish this condition to be removed as it is inappropriate and unreasonable for the following reasons:

REASON 1: Nation Roads Development Policy

The National Roads Development Guide for Scotland states:

“2.1.4 Design Guidance and Adoption Standards Construction Consent should be granted only where proposals for the layout and construction of roads, structures, road drainage and lighting meet the guidance as detailed in this document and any variations permitted by the Local Authority.”

Generally 5 or fewer dwellings (more if a ‘brownfield site’, eg redeveloped farm steadings) will be served by a ‘private access’ which, as there is no right of public access, will not require Construction Consent and will not be available for adoption.”

In the Report of Handling produced by the Planning Department, it is stated that: “The layout replicates the existing L-shaped plan of the farm-steading”.

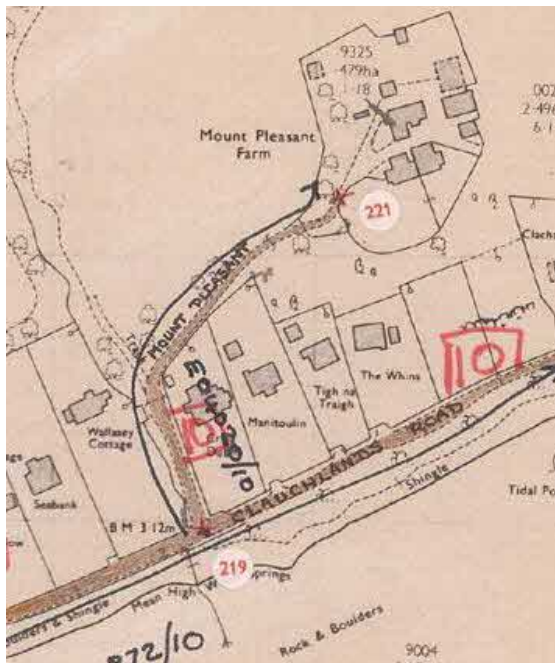
The Applicants therefore maintain that the access road should not be adopted because:

- a) The proposed development is for the redevelopment of a farm steading as confirmed in the official description of the planning permission and in the Report Of Handling.
- b) The National Roads Development Guide for Scotland clearly states that 5 or fewer dwellings will be served by a private access and specifically refers to the redevelopment of a farm steading.

REASON 2: Inappropriate Quality of Adopted Section of Road

Condition 4 of the planning permission requires the access road “to be to adoptable rural standard from the end of the existing adopted section...”

The extent of the adopted section of road is clearly shown shaded brown on the following plan.



The following photographs show the quality of the adopted section of the existing access road.





Although originally surfaced, the road has had no maintenance for many years leading to the break-up of the surface and the encroachment and growth of vegetation. The width is less than that required for adoption in a rural setting and there are no passing places. The road is little better than a “dirt track”.

The Applicants therefore maintain that to be required to build the new section of road, within the redeveloped farm steading, to an adoptable standard would be completely unreasonable as it would be served by a significantly lesser quality section of adopted road outwith their control and furthermore, that the requirement of a Road Bond in connection with a Road Construction Consent would be wholly unjustified in the absence of a similar Road Bond being lodged with them by the Council to ensure that the existing adopted section of road is brought up to an appropriate adoptable standard by the Council.

REASON 3: Requirements of Roads Construction Consent

The current unadopted roadway and courtyard within the site is unsurfaced and porous, allowing the free drainage of rainwater landing on the road and courtyard. This allows for a natural even percolation of rainwater into the ground where it is dispersed over the whole area of road and courtyard. However, North Ayrshire Council Roads, unlike most other roads authorities in Scotland, do not permit the use of permeable self-draining block paviers in adopted roads. This would mean that the Applicants would need to incorporate a drainage system into the new road, if it was to an adoptable standard, leading to the collection of surface water and discharge of this water in a soakaway at one centralized point.

Several objectors to the planning application raised concerns about the run-off from the development site of surface water which they claimed would be detrimental to their own properties further down the hill. The requirement to collect all the surface water at a central discharge point, rather than allow it to disperse naturally over the whole area of road, would exacerbate any flooding issues as perceived by these objectors, a situation which the Applicants wish to avoid but on which they would have no choice given the conditions that would attach to a Road Construction Consent were the road to be to an adoptable standard.

Another of the requirements of any Roads Construction Consent would be the provision of a street lighting design and the provision of ducts to carry the cabling for this lighting, which is a standard requirement of North Ayrshire Council, even in situations where there is no existing street lighting in rural locations.

One of the objections made against the planning application was that street lighting on the access road would be detrimental to the rural amenity of the location and assurance were given during the planning process by the Applicants that there were no plans to provide any street lighting.

The requirement for the applicants to pay for the design of a street lighting scheme and then pay for the installation of ductwork for it would therefore not only be contrary to the undertaking given by them during the planning process but also be a completely unjustified expense.

SUMMARY

The Applicants request that Condition 4 of the Planning Permission be removed because:

- a) The requirement of the Condition is contrary to National Roads Development policy because the permission is for the redevelopment of a farm steading consisting of less than 5 dwellings, which is specifically included as a “private access” in that document.
- b) To construct the new section of road within the site to an adoptable standard would be completely anomalous given the extremely poor state of repair of the adopted section of road, its width and the lack of passing places. The requirement for Road Construction Consent would involve the payment of a Road Bond for the Applicant’s section of road and the requirement to construct their section of road to a much higher standard than that section adopted by the Council, without any assurance or guarantee that the Council would similarly upgrade the adopted section of road to a similar standard.
- c) The requirements of North Ayrshire Council Roads in any Road Construction Consent would potentially exacerbate any flooding issues and require expense associated with street lighting, both of which are unnecessary and inappropriate but which would also require the Applicants to renege on commitments given by them to the Planning Department in response to objections received from the owners of neighbouring properties during the planning process and included in the Report Of Handling.

Proposal Details

Proposal Name	100320754
Proposal Description	Replacement of 3 attached houses and detached barns with 3 detached houses
Address	MOUNT PLEASANT FARM, MOUNT PLEASANT, LAMLASH, BRODICK, KA27 8LH
Local Authority	North Ayrshire Council
Application Online Reference	100320754-003

Application Status

Form	complete
Main Details	complete
Checklist	complete
Declaration	complete
Supporting Documentation	complete
Email Notification	complete

Attachment Details

Notice of Review	System	A4
Reasons for Seeking Review	Attached	A4
Notice_of_Review-2.pdf	Attached	A0
Application_Summary.pdf	Attached	A0
Notice of Review-003.xml	Attached	A0

REPORT OF HANDLING



North Ayrshire Council
Comhairle Siorrachd Àir a Tuath

Reference No:	21/00633/PP
Proposal:	Redevelopment of farm-steading to provide three detached dwellinghouses and garage including demolition of existing attached dwellinghouses and agricultural buildings
Location:	Mount Pleasant Farm, Mount Pleasant, Lamlash, Brodick Ayrshire
LDP Allocation:	Countryside/Rural Community
LDP Policies:	SP1 - The Countryside Objective / Strategic Policy 2 / Detailed Policy 26 - Digital Infrastruct /
Consultations:	Yes
Neighbour Notification:	Neighbour Notification carried out on 25.06.2021 Neighbour Notification expired on 16.07.2021
Advert:	Regulation 20 (1) Advert Published on:- 09.07.2021 Expired on:- 30.07.2021
Previous Applications:	20/00981/PP for Redevelopment of farmsteading to provide three detached dwellinghouses including demolition of existing attached dwellinghouses Application Withdrawn on 23.02.2021
Appeal History Of Site:	None

Relevant Development Plan Policies

SP1 - The Countryside Objective
The Countryside Objective

We recognise that our countryside areas play an important role in providing homes, employment and leisure opportunities for our rural communities. We need to protect our valuable environmental assets in the countryside while promoting sustainable development which can result in positive social and economic outcomes.

We want to encourage opportunities for our existing rural communities and businesses to grow, particularly on Arran and Cumbrae, and to support these areas so that they flourish.

We also recognise that, in general, countryside areas are less well suited to unplanned residential and other developments because of their lack of access to services, employment and established communities. We will seek to protect our prime and locally important agricultural land from development except where proposals align with this spatial strategy.

In principle, we will support proposals outwith our identified towns and villages for:

- a) expansions to existing rural businesses and uses such as expansions to the brewery and distillery based enterprises in the area.
- b) ancillary development for existing rural businesses and uses, including housing for workers engaged in agriculture or forestry.
- c) developments with a demonstrable specific locational need including developments for renewable energy production i.e. wind turbines, hydroelectric schemes and solar farms.
- d) tourism and leisure uses, where they would promote economic activity, diversification and sustainable development, particularly where they develop our coastal tourism offer/ infrastructure.
- e) developments which result in the reuse or rehabilitation of derelict land or buildings (as recognised by the Vacant and Derelict Land Survey) for uses which contribute to the Green and Blue Network such as habitat creation, new forestry, paths and cycle networks.
- f) sensitive infilling of gap sites consolidating existing developments where it would define/provide a defensible boundary for further expansion.
- g) small-scale expansion of settlements on Arran and Cumbrae for community led proposals for housing for people employed on the island, where a delivery plan is included, and infrastructure capacity is sufficient or can be addressed by the development and where the proposal meets an identified deficiency in the housing stock and is required at that location. All proposals will be expected to demonstrate the identified housing need cannot be met from the existing housing land supply.
- h) new housing in the countryside where it is a replacement or converted building or it is a house of exceptional design quality.
- i) sympathetic additions to existing well-defined nucleated groups of four or more houses (including conversions) in close proximity to one another and visually identifiable as a group with some common feature e.g. shared access. Additions will be limited to 50% of dwellings existing in that group as of January 2005 up to a maximum of four new housing units (rounded down where applicable).

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 26 - Digital Infrastructure Policy 26:

Digital Infrastructure and New Communications Equipment

We want to encourage the provision of digital infrastructure to new homes and business premises to create a universal world class network that is future-proofed in line with the Scottish Government's World Class 2020 document and the roll-out

plans of digital communications operators, community groups and others, such as the Scottish Government and the UK Government.

We will support proposals for new communication equipment, particularly those addressing areas with low or no connectivity capacity or coverage, where they;

- i) Would deliver new services or provide technological improvements
 - ii) Would not physically obstruct aerodrome operations, technical sites or existing transmitter/receiver facilities. and;
 - iii) are sited and designed to keep environmental impacts to a minimum.
- Providers of communications equipment will require to adequately demonstrate that the following options have been considered in site selection and design of a base station(s):

- i) Mast or site sharing.
- ii) Installation on buildings or other existing structures.
- iii) Installing the smallest suitable equipment, commensurate with technological requirements.
- iv) Concealing or disguising masts, antennas, equipment housing and cable runs using design camouflage techniques where appropriate.
- v) Installation of ground-based masts.

Sufficient information should be provided in order to demonstrate that the proposal is in an appropriate location and designed to not have any unacceptable adverse effects. The types of information required to be submitted with a planning application could include;

- o An explanation of how the proposed equipment fits into the wider network
- o A description of the siting options (primarily for new sites) and design options which satisfy operational requirements, alternatives considered, and the reasons for the chosen solution
- o Details of the design, including height, materials and all components of the proposal
- o Details of adverse effects on aerodrome operations, technical sites existing transmitter/receiver facilities and proposed mitigation
- o Details of any proposed landscaping and screen planting, where appropriate
- o An assessment of the cumulative effects of the proposed development in combination with existing equipment in the area
- o A declaration that the equipment and installation is designed to be in full compliance with the appropriate ICNIRP guidelines for public exposure to radiofrequency radiation
- o An assessment of visual impact (including cumulative effects), if relevant

Description

This application is essentially a re-submission of a previously withdrawn proposal for the re-development of a former farm-steading in the countryside at the edge of Lamblash for three houses.

The previous proposal (20/00981/PP) was withdrawn by the applicants in February 2021 pending the Council's introduction of new Housing in the Countryside Guidance, which was subsequently adopted at the planning committee of June 21/00633/PP

2021. The current application is essentially for the same development layout as previous with a Design and Access Statement expanded to reflect how the proposals accord with the newly adopted Guidance.

Mount Pleasant Farm is no longer operational, and the surrounding fields have been leased to a neighbouring farmer. The remaining buildings on the site are grouped towards the south-east corner of the site and comprise: a c.334m² residential building facing south; two disused byres with a combined floor area of 317m²; and a smaller, derelict brick-built former farm storage shed in the centre of the site.

The applicants have inherited the property and the main building is claimed to be three separate dwellings formed over time by internal sub-division. No documentary evidence has been submitted in this regard and the Council Tax record indicates only two houses (Mount Pleasant Farm and Cottage 1 Mount Pleasant). This application has been made to replace those two houses with two properties at approximately the same position as the previous building, albeit detached with House 1 sited further to the west, and to replace the redundant agricultural buildings at the east boundary with a third detached house at essentially the same position but set further to the north.

The Proposal

It is proposed to remove the existing buildings from the site and to replace them with three detached houses of contemporary design, more suitable for modern living requirements.

The new houses would be arranged in essentially the same L-shaped pattern as the existing buildings, albeit the 334m² main building would be replaced by two detached houses set c.0.5m further north than the previous row of attached houses, being c.42m from the south site boundary.

House 1 would be 14m to the west of the existing buildings; House 2 would be largely sited on the position of the existing residential building, albeit 4m to the west; and House 3 would be set 9m further back than the byres it would replace at the east side of the plot. The houses have been individually designed for each plot.

House 1 would be a three bedroom 1 1/2 storey house with a footprint of some 140m² and a pitched roof some 6.6m high at the ridge. The house design would feature: full height (4.85m) glazing on a front projecting gable and an enclosed wall-head pitched roof balcony on the front (south) elevation; a flat roofed 2.7m high rear entrance portal and a flat roofed 6.5m wide wall-head dormer on the rear elevation; and 820mm wide windows on both side elevations. The external finishes would be from a palette of contemporary materials, including: zinc main roof in anthracite colour, and sedum rear single storey roof; white silicon render walls with zinc and Siberian larch timber cladding details; aluminium windows and timber door frames, each finished in anthracite grey colour; and grey cast stone cills and copings.

House 2 would be a four bedroom 2 storey house with a footprint of some 124m² and a zinc roof of varying pitches, 7.1m high at the highest point. The house design would feature: extensive feature glazing and a 'Brise Soleil' controllable sun canopy projecting 0.7m above the ground level windows on the front (south) elevation; a 2.1m wide upper floor cantilevered window extension which would project 1m from the east elevation at first floor level and would have a pitched roof; and vertically proportioned and narrow upper and lower level windows on the east and west

elevations. The external finishes would be taken from the same palette of contemporary materials as House 1 but including natural stone details to the walls. House 2 would also have a detached 39m² single storey garage, sited 1.25m from its rear (north) elevation. The garage would have an anthracite coloured aluminium garage door on the north elevation and would be externally finished to match the house with a flat sedum roof.

House 3 would be a three bedroom 1 1/2 storey house with a footprint of some 116m² on a rectangular plan and a pitched roof, between 6.8m and 8m high at the ridge given the sloping adjacent ground level from north to south. The house design would feature: extensive glazing on the east elevation; a cantilevered ground floor terrace, some 1.2m above ground and enclosed by a 1m high glazed handrail, which would wrap around the south-east corner of the house; a 2.5m wide first floor balcony enclosed by a 1m high glazed handrail on the south elevation; and narrow vertically proportioned windows on the west elevation. The external finishes would match those of House 1.

The public adopted road rising from Shore Road ends at the site entrance at the west of the site and the existing private access track within the site would be improved with parking driveways provided at each house. The development proposes to replace the existing buildings towards the south-east corner with the remainder of the site being landscaped as common shared amenity space for the three houses. The extensive lawn to the south of the existing houses would be retained. No detailed landscaping proposals are included but the applicants indicate that there are no proposals to remove any significant trees on the site.

Drainage from the properties would be to a sewage treatment plant at the south-east boundary and a soakaway in the adjoining field which is in the same ownership. No boundary enclosures between the houses or the perimeter are proposed. The post and wire field boundary fence around the rear shared area would be renewed and the front (south) of the site at the top of a slope is un-enclosed.

The site

The site covers around 1 hectare and is located adjacent to the north boundary of Lamdash at its eastern end. The access is from Claulands Road/Shore Road to the south and is an adopted road along its length as far up as the farmyard. The site itself is now relatively clear, other than the buildings detailed previously, mature trees at the west side around the access road and site entrance and at the south east corner. The rear areas have previously been largely cleared of vegetation.

The site slopes down from the rear (north) to the south, while to the front of the existing houses is an extensive (c.30m wide) flat mown lawn which then steeply slopes down to the rear of houses on Shore Road below which are c.55-60m from the houses at Mount Pleasant.

There is evidence of several large trees at the west side of the top of the intervening slope which have been previously felled, apparently some years before, given the moss and growth evident on the remaining stumps. The site is not subject to any tree protection orders and so planning consent would not have been required for that felling. The site is otherwise bounded to the north, east and west by agricultural land.

The application was supported by:

21/00633/PP

- a Design Statement, including sectional drawings through the site and expanded from the previous proposal to address the new design guidance;
- a Structural Report from 2015 which recommended demolition and re-build;
- a Valuation Report from 2013 which refers to three houses;
- an undated aerial photo of the former farm-steading (appearing to date from the 1970s or 1980's and showing another large house at the rear of the surviving houses in this application); and
- an undated Survey which was submitted as evidence of the presence of three houses for Inheritance Tax purposes.

The Design Statement (DS) details the history of the site, its characteristics and principal views out to the south to Lamash Bay and Holy Isle, and how the design responds to the design brief to deliver public rooms and main bedrooms which are light and oriented to take advantage of these commanding views without requiring to remove the mature deciduous trees to both sides of the steading. It details how the grouping of the houses is consistent with the existing layout of the site as well as delivering modern standards of residential amenity for the houses without unnecessary additional impacts on the properties below.

It contains examples of how farm-steadings typically comprise simple geometric shapes, linked together to reduce mass and form shelter from the elements and also gives examples of types of materials which can create an appropriate contemporary aesthetic for rural settings.

The DS further states that there is no prevailing architectural style to the houses along Shore Road at the lower level on which to base the design, and concludes that the proposed mix of traditional roof pitches and modern rural finishing materials with more contemporary features, like the extensive south facing glazing to maximise views and solar gain, are appropriate to this site.

It also addresses some of the public comments made to the previous withdrawn application in relation to overlooking, drainage, trees and light / noise pollution. It includes a photomontage showing overlooking from the existing houses and states that windows will be at the same positions as before. In relation to drainage, it states that the overall building footprints on the site will be reduced and the new drainage installation will be installed to SEPA certification, thereby improving on the current situation. It claims there would be no increase in the number of properties and therefore no increase in light or noise issues.

A further drawing indicating the proposed buildings overlaid on the existing in both plan and elevation views was also submitted to clarify this issue.

The site is within the Countryside, as identified in the North Ayrshire Council Local Development Plan ("the LDP"), adopted in 2019. Within the LDP, the main relevant policies are: Strategic Policy 1: the Countryside Objective; Strategic Policy 2: Placemaking; and Policy 29: Energy Infrastructure Development. There are no historic or natural landscape protection designations within the site.

Planning History

The applicants inherited the site, decided that the existing houses were not of an acceptable standard for modern living and approached Planning Services around

2016 to discuss options for developing the site for houses, with the intention being to provide at least two houses for themselves and others for sale on the open market.

The advice given at the time was that existing houses could be replaced but the then LDP policies on Housing in the Countryside did not support further housing development beyond that. The applicants thereafter pursued the inclusion of the site within the settlement boundary through the next LDP preparation process which was ultimately rejected by the LDP Examiner who felt that the site did not form a part of the settlement and that any proposed housing development should be addressed through the Housing in the Countryside Policies in the proposed 2019 LDP.

Further pre-application discussions with Planning Services then took place and advice was given that the Adopted LDP policies in principle support houses formed by appropriate replacement or conversion. The current application was then submitted for replacement of two houses and formation of a third house by conversion/replacement of disused byres.

Consultations and Representations

Neighbour notification procedures were followed and the application was advertised in the local press (Arran Banner). The six objections received to the previously withdrawn proposal are considered material to this application and four of these were re-submitted in response to the new application. The various objections raise similar points which are summarised below. The agent amended the Design Statement for the re-submission to address the objections and this informs the responses below.

OBJECTION 1: Privacy/Overlooking - The proposed houses will be larger, higher and closer to the properties below than the existing and will consequently overlook them to the detriment of privacy and amenity. The chimney pots of the existing buildings are visible from the windows of nearby houses and any increase in scale may jeopardise the topographical obscurity.

Planning Response: As detailed on the submitted plans, the new houses would not be larger and would be set in line with, or marginally further back than the existing houses. As per the information supplied by the agent, the highest point of the roof of House 1 would be 888mm lower than the existing 7m high buildings and for House 2, would be 278mm higher. Drawings have been submitted to clarify this.

It is noted that there would be glazing higher up on the frontage of the new houses than on the existing traditional small dormer windows but on each of the two 'front' houses, this high level glazing would be partially to allow more light to voids over lower internal rooms with only one upper front window to a room on each, essentially replicating the positions of the existing upper windows. House 3 would be set further back into the site and would not affect the houses below.

Given that the new houses would be of a similar height and would be set marginally further back than those being replaced, and that the separation distance between windows of the neighbouring properties would remain in excess of 55m, albeit at a higher level, it is not agreed that the new houses would present a significant additional adverse impact on the privacy of the neighbouring houses. Siting and design are considered in the following section of this report.

OBJECTION 2: Trees - Request for confirmation that no further trees would be felled given the screening they provide and that the building works should not affect the roots or stability of any trees. The number of intervening trees has been misrepresented on the plans.

Response: The existing trees on-site are not protected by a tree preservation order. The agent advised that there are no proposals to fell trees but a planning condition could be applied requiring a landscaping plan for the site to be submitted and approved including details of trees to be retained or planted in order to address this point. It is considered the information provided in respect of trees is sufficient for the determination of this application.

OBJECTION 3: Road/Traffic - The access road to the site is little more than a track, could it cope with an increase in traffic? Shore Road itself is mainly single track and the verges are often damaged which would be worsened by further traffic.

Response: The proposal is for three properties to replace existing houses and would not intrinsically lead to any major increase in traffic levels. The use of Shore Road from the village as far as the site is out of the control of the applicants. Shore Road and the access track up to the site form part of the adopted public road network. Active Travel and Transport was consulted on the application and did not object. The response of AT&T is covered in the next section of this report.

OBJECTION 4: Noise and light pollution.

Response: The proposal is for three properties to replace existing residences and would not intrinsically lead to any increase in noise or light pollution levels. No permanent external lighting of the development is proposed.

OBJECTION 5: Drainage - A soakaway to the adjoining field is indicated but these houses could have many more residents than the existing and the increased drainage can only add to the water descending the slope towards the properties on Shore Road. Loss of vegetation on the intervening slope exacerbates this problem. What happens if the proposed sewage treatment plant fails or overloads?

Response: A basic drainage layout is indicated in the plans. A planning condition requiring full details and certification of compliance with SEPA standards by an appropriate person to be submitted and approved prior to any works could be applied to any permission. If approved the drainage details would also be further assessed in the building warrant process. Notwithstanding this, it is noted that the owners of any land generally remain responsible for any damage caused by their property, although this would be a legal consideration and not a planning matter.

OBJECTION 6: Inaccuracies - Photos of trees shown and referred to in the Design Statement are 7 or 8 years old and many of the trees shown are already cut down.

Response: The information submitted is sufficient to determine the application. A planning site visit was conducted for the application, the conditions on-site were noted and the application requires to be determined on the basis of the existing situation and not on photographs supplied.

OBJECTION 7: LDP - The application site was previously removed from the Lamlash settlement boundary at the examination stage of the proposed LDP2 by the Scottish Government LDP Reporter. The Reporter noted only one dwelling "the

former farmhouse and associated agricultural buildings" but this application claims it would replace three dwellinghouses.

Response: This point has been covered earlier in this report. The purpose of the Reporter's visit was for familiarisation with the location of the site and not to survey the buildings, internally or externally. From planning site visits, while from a distance the building onsite appears to be one large house, on external inspection there are three entrance doors although no internal inspection could be conducted. Given that Council Tax records show only two dwellinghouses, that is taken as the number of existing properties. The Countryside Objective of the LDP also makes provision for houses to be formed by conversion or replacement of existing buildings. The application falls to be considered on its merits under the Countryside policy, as referred to by the Reporter in their examination of the LDP rather than as housing development within the settlement.

OBJECTION 8: NEW DESIGN GUIDANCE - The proposals do not accord with the new guidance as a one and a half storey farmhouse, counted as two properties for Council Tax, would be replaced by three substantial detached houses. They do not accord with the guidance which states that visual impact must not be any more detrimental than what is currently on the site.

RESPONSE: The proposals are considered against the relevant LDP policies and guidance in the following Analysis.

OBJECTION 9: North Ayrshire Council's notification of the previous withdrawal indicated that a re-submission could be made within three months. This deadline was missed by several weeks.

RESPONSE: This appears to have been a misunderstanding. The notification referred to only advised that previous objectors would be automatically notified of any re-submission within three months. Outwith that period a planning application can still be submitted at any time and the statutory neighbour notification regulations would apply.

CONSULTATIONS

It is noted that the proposals are not materially changed from the previous withdrawn proposal and the consultee comments from 20/00981/PP are therefore still material.

NAC Active Travel and Transport: No objection subject to conditions. The road is adopted up to the site boundary. The private access road beyond that should be brought up to adoptable rural standard and the proposed driveways should be hard surfaced to prevent loose materials from being deposited onto the public road. Roads Construction Consent (RCC) will be required.

Response: All noted. An appropriate condition and an informative note to contact AT&T regarding RCC could be applied regarding these matters.

Scottish Water: No objection. The development would be fed from Balmichael Water Treatment Works and serviced by Lamblash Waste Water Treatment Works. The applicant should contact SW regarding future connections.

Response: Noted. An informative note to contact SW could be applied to any permission.

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Environmental Health: No objection. The presence of any significant unexpected contamination during development should be brought to the attention of EH for the agreement of suitable investigation. The drainage and sewage arrangements should be sufficient and properly managed in order to avoid nuisance. A letter has been sent to the applicant and agent regarding these and other matters which are not material planning matters.

Response: All noted. Conditions can be applied regarding contaminated land and drainage.

Analysis

Section 37 of the Town and Country Planning (Scotland) Act 1997 requires that applications for planning permission shall be determined having regard to the Development Plan in place and to any other material planning considerations.

The determining issue in this application is whether the development proposal complies with the policies of the North Ayrshire Council Local Development Plan (adopted 2019) and whether there are any other material considerations.

In terms of Strategic Policy 1: the Countryside Objective, replacement of existing houses in the countryside is acceptable in principle and criteria (h) allows new housing where it is a replacement or converted building or is a house of exceptional design quality.

As addressed previously in this report, the applicants inherited the property and believed that it comprised three registered houses as they claim that it had previously been occupied in that way by family members. However, they were unable to provide evidence to substantiate this and Council Tax records show the existence of only two official dwellinghouses.

The proposal is therefore to replace two houses at the front and to form a third by conversion/replacement of the former byres at the eastern boundary. House 3 would be 116m² to replace the combined 173m² byres at the same position and of similar scale and massing and it is therefore considered that the overall proposal complies with the aims of the Countryside Objective.

Strategic Policy 2: Placemaking expects that development shall avoid unnecessary adverse environmental or amenity impacts and shall meet the six qualities of successful places outlined in the policy. The site is not within any designated wildlife or environmental protection areas.

Again, as covered previously, this site, while in the allocated countryside, adjoins the edge of the settlement at a higher level than existing properties on Shore Road below and it is considered that the design process has considered the relationship of the development to the surrounding landscape and built environment to ensure that the proposal relates well to its location.

The design concept has been discussed with Planning Services at various stages during the pre-application design process. At all stages, the guidance was that the development should follow the existing pattern of the building footprints on-site and be similar in scale and massing as far as possible.

While the roof massing differs from the traditional slate roofs to be replaced, the heights are similar and the higher degree of glazing on the front roofs is mainly to light internal voids with proposed windows replicating the placement of existing dormer windows at similar heights.

The proposed plot sizes are also similar to the nearby properties on Shore Road, responding to the topography and the landscape would not be impacted any more than its current state.

The designs have been amended throughout the process, with the main planning considerations being that the proposals should retain the general building line, heights and separation distances of the buildings to be replaced. The applicants' considerations were for buildings of a contemporary standard taking advantage of natural light and views out from the site and it is considered that the proposal combines both of these elements satisfactorily.

It is therefore considered that the concept to replace the existing buildings around the south-east corner of the site has successfully delivered the quality 'distinctive'.

The proposals would significantly improve the visual amenity of the site from its current state of dilapidation, would enhance their environment without detracting from local landscape landmarks and so would therefore demonstrate the quality 'welcoming.' The Design Statement confirms that the houses would be heated by heat pumps and will adopt other renewable technologies where possible, thereby demonstrating the quality 'Resource Efficient'.

The layout replicates the existing L-shaped plan of the farm-steading, the height of existing buildings would not be materially increased and the revised roof massing allows a greater degree of internal light and solar gain in terms of sustainability. The greater degree of glazing at the front of the development would not significantly alter the character of either the rural environment or the settlement, given the location and would only be more readily visible from out on the sea, from where it would be incorporated within the wider views of the settlement within which there are many examples of glazed properties on the 'raised beach'.

The site is not readily accessible or visible from outwith its boundary. House 1 and House 2 would each have ample garden ground to the front and House 3 would have garden ground to the north as well as shared private amenity in the remaining site. The development would remain in the control of the applicants and the houses would provide a good level of amenity to future occupiers resulting from the shared private amenity garden ground, good connectivity to the village and its amenities and the coastal views of Lamlash Bay.

Given the 55-60m separation distances between the properties and neighbours below, it is not considered that there would be a significant additional detrimental impact on residential amenity by way of overlooking and there would be no overshadowing. A condition for confirmation of a landscaping scheme would further mitigate against potential impacts in this regard.

The submitted drawings showing the outline of the proposed houses overlaid on the existing houses indicate that the proposals are an appropriate re-development of the dilapidated farm-steading without significant adverse effects on neighbouring properties.

The overall development demonstrates the six qualities of a successful place identified in the policy and therefore complies with Strategic Policy 2: Placemaking.

In the Council's Adopted Housing in the Countryside Guidance, in relation to a house being formed by a replacement or a converted building, the main consideration is the impact of the proposed building both relative to the one being replaced or converted and as a building within the setting in its own right with the key question being: is it suitable for the local context and character? In this context, it is considered that the application accords with the six qualities of a successful place and that the replacement of the existing building structures is a more viable and sustainable option in this instance than direct conversion.

In terms of Policy 29: Energy Infrastructure Development which concerns compliance with energy reductions emissions required by Scottish Building Standards, the Design Statement identifies that the homes would be heated by low carbon generating technologies to ensure that the required reductions are met.

While this would be delivered through the building warrant process and the Design Statement gives a commitment to this, a planning condition should also be applied requiring confirmation of the details.

In summary, this proposal represents an acceptable development for this location which would follow the principles of the Adopted Housing in the Countryside Guidance.

It would not present any significant environmental issues and the site layout would effectively replicate the layout of the former farm. It would represent a significant visual improvement on the deteriorating farmyard buildings and would positively contribute to the visual amenity of the area without unacceptable adverse impacts on the residential amenity of existing properties.

The proposals thereby comply with the relevant provisions of the LDP and there are no other material considerations. Planning permission can therefore be granted subject to the conditions and notes identified in this report confirming materials: drainage arrangements, landscaping, site levels etc.

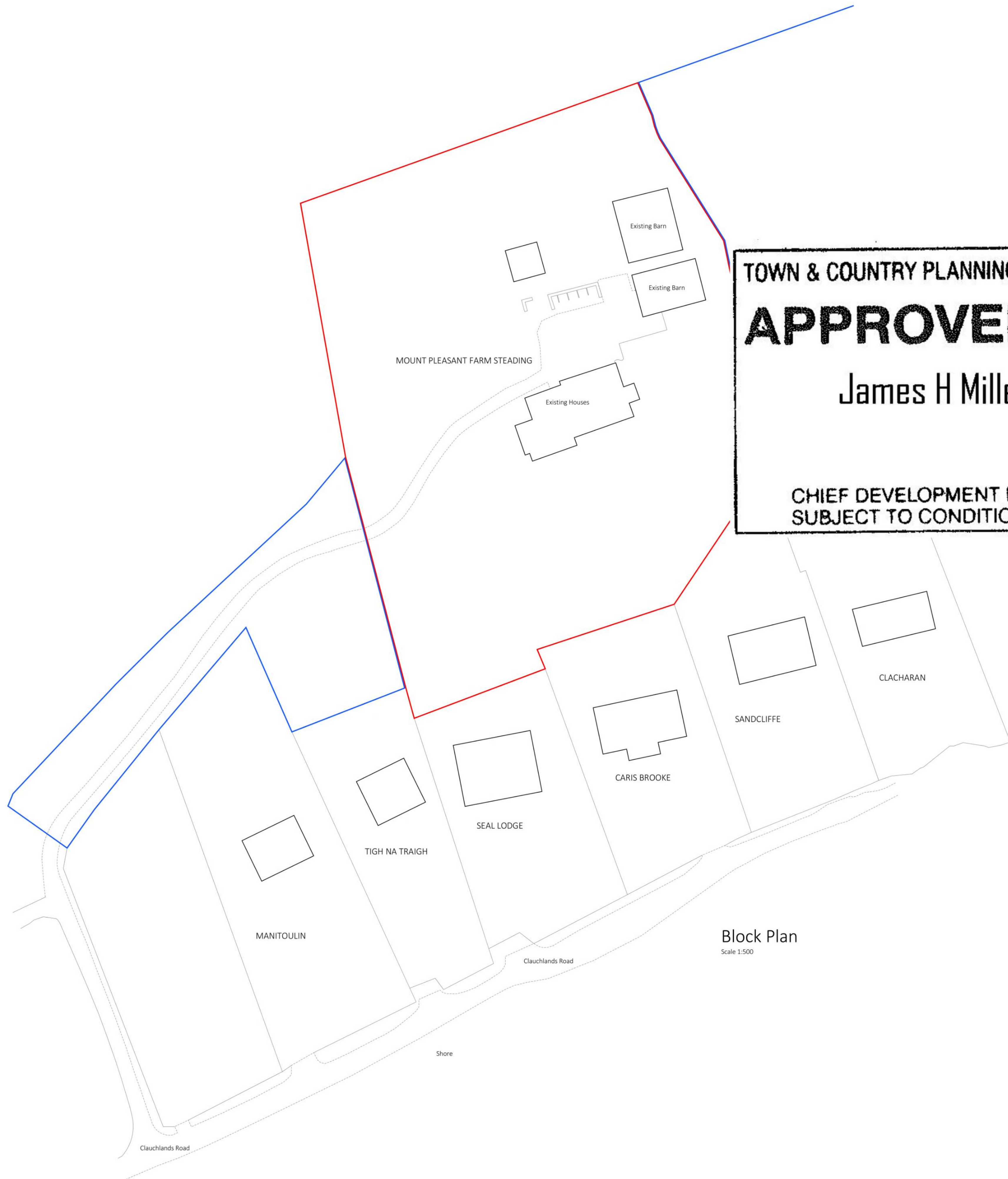
Decision

Approved subject to Conditions

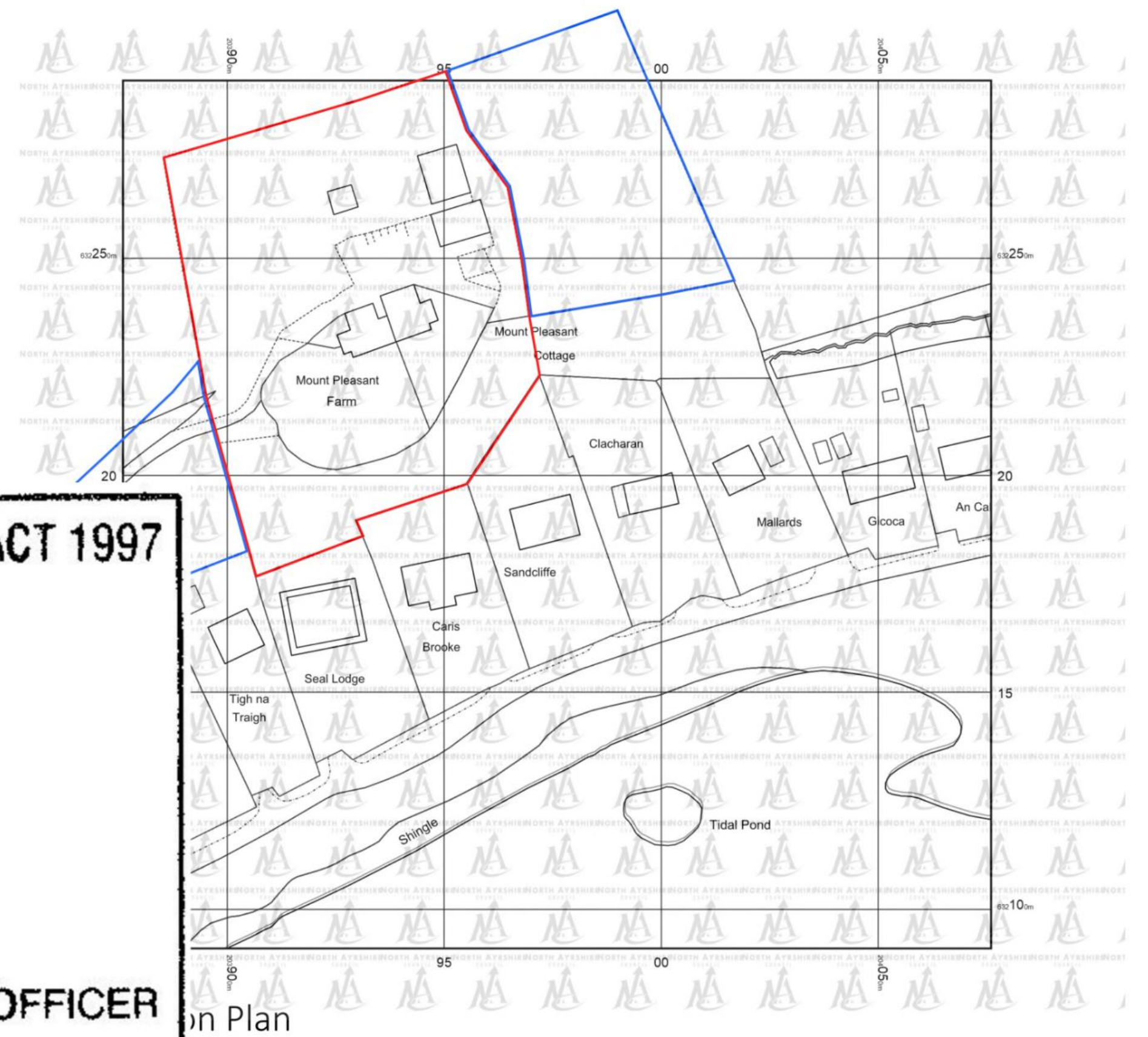
Case Officer - Mr Neil McAteer

Appendix 1 - Drawings relating to decision

Drawing Title	Drawing Reference (if applicable)	Drawing Version (if applicable)
Block Plan / Site Plan	20.01.01	Existing
Block Plan / Site Plan	20.01.02	Proposed
Proposed Floor Plans	20.01.03	House 1
Proposed Elevations	20.01.04	House 1
Proposed Floor Plans	20.01.05	House 2
Proposed Elevations	20.01.06	House 2
Proposed Floor Plans	20.01.07	House 3
Proposed Elevations	20.01.08	House 3
Location and Block Plan	20.01.09	
Proposed Plans and Elevations		Overlays



Block Plan
Scale 1:500



Location Plan



JOHN LAMB
Architect

70 Woodside Drive
Waterfoot
Glasgow
G76 0HD

0141 644 2777
info@johnlambarchitect.com
www.johnlambarchitect.com

PROJECT Development of 3 Houses

LOCATION Mount Pleasant Farm,
Lamlash, Isle of Arran

TITLE Block and Location Plans

DATE October 2020

SCALE As Shown

DRAWING No. **20.01.09**

REVISION

TO SCALE WHEN PRINTED AT A1 SIZE



North Ayrshire Council
Comhairle Siorrachd Àir a Tuath

Caitriona McAuley : Head Of Service (Economic Development & Regeneration)

No N/21/00633/PP

(Original Application No. N/100430893-001)

CONDITIONAL PLANNING PERMISSION

Type of Application: Local Application

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT, 1997,
AS AMENDED BY THE PLANNING ETC (SCOTLAND) ACT 2006.
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATIONS
2013

To : Mr Alistair Crawford & Mrs Carol Boag
c/o John Lamb Architect F.a.o John Lamb
70 Woodside Drive
Waterfoot
Glasgow
G76 0HD

With reference to your application received on 22 June 2021 for planning permission under the above mentioned Acts and Orders for :-

Redevelopment of farm-steading to provide three detached dwellinghouses and garage including demolition of existing attached dwellinghouses and agricultural buildings

at Mount Pleasant Farm
Mount Pleasant
Lamlash
Brodict
Ayrshire
KA27 8LH

North Ayrshire Council in exercise of their powers under the above-mentioned Acts and Orders hereby grant planning permission, in accordance with the plan(s) docquetted as relative hereto and the particulars given in the application, subject to the following conditions and associated reasons :-

- | | | |
|-----------|----|--|
| Condition | 1. | That prior to the commencement of the development hereby approved, full details of: (i) all external finishing materials of the dwellinghouses; (ii) all internal and external boundary enclosures including bin enclosures; (iii) any proposed external lighting; and (iv) all hard and soft landscaping including any trees to be retained or planted, shall be submitted for the written approval of the Planning Authority, and that the development shall thereafter be completed only in accordance with such details as may be approved.

For the avoidance of doubt, any such approved planting which fails within five years shall be re-instated, all to the satisfaction of North Ayrshire Council as Planning Authority. |
| Reason | 1. | To ensure that the development is completed satisfactorily in the interests of the visual amenity of the wider area |
| Condition | 2. | That the details of the proposed drainage and private foul sewer arrangements, 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. The proposed design and 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 and maintained thereafter, all to the satisfaction of North Ayrshire Council as planning authority. |
| Reason | 2. | To ensure that the arrangements are adequate to serve the development in the interests of the proper planning of the area. |
| Condition | 3. | That, prior to the commencement of the development hereby approved, details of the existing site levels and the finished floor level of the dwellinghouses hereby approved shall be submitted for the |

No N/21/00633/PP

written approval of the Planning Authority. The development shall thereafter be carried out only in accordance with such details as may be approved by North Ayrshire Council as Planning Authority.

Reason 3. In the interests of the visual amenity of the wider area

Condition 4. That, prior to the occupation of the first dwellinghouse: (i) the access road shall be upgraded to adoptable rural standard from the end of the existing adopted section to the proposed turning area; and (ii) that the first 2m of the proposed driveways shall be surfaced so as to prevent any loose materials or surface water entering the public road, all to the satisfaction of North Ayrshire Council as planning authority. Roads Construction Consent shall be obtained by the developer for the above.

Reason 4. To meet the requirements of the Roads Authority in the interests of road safety and public amenity

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 the 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 5. In the interests of environmental protection in accordance with Policy 29 of the adopted Local Development Plan

Condition 6. That the presence of any significant unsuspected contamination that becomes evident during the development of the site shall be brought to the attention of Environmental Health. Thereafter a suitable investigation strategy as agreed with North Ayrshire Council shall be implemented and any necessary remediation works carried out prior to any further development taking place on the site, all to the satisfaction of North Ayrshire Council as Planning Authority.

Reason 6. To meet the requirements of Environmental Health.

Reason(s) for approval 1. The proposal complies with the relevant provisions of the current adopted Local Development Plan and there are no other material considerations that indicate otherwise. This is determined following an assessment which has had regard to the provisions of the development plan, so far as material to the application, and to any other material considerations.

Dated this : 1 September 2021



.....
for the North Ayrshire Council

Drawings relating to decision

Drawing Title	Drawing Reference	Drawing Version
Block Plan / Site Plan	20.01.01	Existing
Block Plan / Site Plan	20.01.02	Proposed
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Proposed Floor Plans	20.01.07	House 3
Proposed Elevations	20.01.08	House 3
Location and Block Plan	20.01.09	
Proposed Plans and Elevations		Overlays

(See accompanying notes.) (The applicant's attention is particularly drawn to note 5 (limit of duration of planning permission))

Mount Pleasant Farm Mount Pleasant Lamlash Brodick Ayrshire
KA27 8LH

No N/21/00633/PP

The applicant is advised to consult the following authorities prior to the commencement of the development hereby approved :-

1. Development Planning Services (Roads), North Ayrshire Council, Cunninghame House, Irvine, KA12 8EE with regards to obtaining Roads Construction Consent
2. Scottish Water, Asset Demand Planning Team Floor 2 North, The Bridge, Buchanan Gate Business Park, Stepps, G33 6FBD with regard to obtaining connections to water and drainage infrastructure



NOTIFICATION OF INITIATION OF DEVELOPMENT

Please return notice when you intend to commence development

1 September 2021

TO:

Enforcement Officer
 Planning Services
 Cunninghame House
 Irvine
 North Ayrshire
 KA12 8EE

Our Ref: N/21/00633/PP

Decision: Approved subject to Conditions

Decision Date: 1 September 2021

DETAILS OF APPLICANT AND/OR DEVELOPER	DETAILS OF OWNER	DETAILS OF AGENT IF APPLICABLE
		John Lamb Architect F.a.o John Lamb 70 Woodside Drive Waterfoot Glasgow G76 0HD

Description of Development: Redevelopment of farm-steading to provide three detached dwellinghouses and garage including demolition of existing attached dwellinghouses and agricultural buildings

Location of Development: Mount Pleasant Farm Mount Pleasant Lamlash Brodick Ayrshire
 KA27 8LH

Date when work commences: _____

Signed: _____

Applicant/Agent* _____

* Delete where applicable

Please read the following and retain for your information.

1. Work must be carried out in accordance with the relevant docquetted plans and any conditions on the decision notice.
2. A grant of Planning Permission does not authorise work under the Building (Scotland) Act 2003.
3. A separate Building Warrant may be required. Please contact (01294) 324348 to ascertain the need for a warrant.
4. Should the docquetted plans not correspond with what you intend to construct/build, you must seek the Authority of the Council before proceeding.
5. If the development you intend to undertake is either a national or major development and of a type specified in Schedule 3 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013 you will be required to display a site notice.

ECONOMIC DEVELOPMENT & REGENERATION

Caitriona McAuley (Head of Service)
 Cunninghame House, Irvine KA12 8EE
 Tel: 01294 310000
www.north-ayrshire.gov.uk



North Ayrshire Council
 Comhairle Siorrachd Àir a Tuath

NOTIFICATION OF COMPLETION OF DEVELOPMENT

Please return notice when you have completed the development

1 September 2021

TO:

Enforcement Officer
 Planning Services
 Cunninghame House
 Irvine
 North Ayrshire
 KA12 8EE

Our Ref: N/21/00633/PP

Decision: Approved subject to Conditions

Decision Date: 1 September 2021

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North Ayrshire Council
Comhairle Siorrachd Àir a Tuath

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997
AS AMENDED BY THE PLANNING ETC (SCOTLAND) ACT 2006.
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATIONS
2013 – REGULATION 28

Caitriona McAuley : Head Of Service (Economic Development & Regeneration)

FORM 2

1. If the applicant is aggrieved by the decision to refuse permission for or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may require the planning authority to review the case under section 43A of the Town and Country Planning (Scotland) Act 1997 within three months from the date of this notice. The notice of review should be addressed to Committee Services, Committee Services, Chief Executive's Department, Cunninghame House, Irvine, North Ayrshire, KA12 8EE.
2. If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.