



**North Ayrshire Council**  
Comhairle Siorrachd Àir a Tuath

## **Planning Committee**

A Meeting of the **Planning Committee** of North Ayrshire Council will be held in the **Council Chambers, Ground Floor, Cunninghame House, Irvine, KA12 8EE** on **Wednesday, 17 January 2018** at **14:00** 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 meetings of the Committee held on 6 December 2017 and will be confirmed and the Minutes signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973 (copy enclosed).

**3 Irvine**

Submit reports on the following applications:

**3.1 17/01096/PPM - Site To North Of Tarryholme Pond, Irvine**

Erection of 87 dwellinghouses to include the provision of associated infrastructure and landscaping (copy enclosed).

**4 Three Towns**

Submit reports on the following applications:

**4.1 17/01214/PP - 35 Caledonia Road, Saltcoats**

Erection of single storey extension to rear of semi-detached dwelling house (copy enclosed).

**5 Garnock Valley**

Submit reports on the following applications:

**5.1 1701206ALO - Townend Of Shutterflat Farm, Beith**

Discharge of Section 75 obligation in respect of planning permission 03/00011/PP for the tipping of inert material and land improvement.

**6 Urgent Items**

Any other items which the Chair considers to be urgent.

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## Planning Committee Sederunt

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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:

Planning Committee  
6 December 2017

**Irvine, 6 December 2017** - At a Meeting of the Planning Committee of North Ayrshire Council at 2.00 p.m.

**Present**

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

**In Attendance**

J. Miller, Senior Manager (Planning) (Economy and Communities); J. Law, Solicitor (Contracts and Licensing) (Legal Services), A. Little, Committee Services Officer (Chief Executive's).

**Chair**

Councillor Marshall in the Chair.

**Apologies for Absence**

Ian Clarkson.

**1. Declarations of Interest**

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

**2. Minutes**

The Minutes of meeting of the Committee held on 8 November 2017 were confirmed and the Minutes signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

**3. 17/01079/PP: 1A Park Road, Ardrossan**

Mr Martin Gray, 121 Argyle Road, Saltcoats has applied for a change of use of vacant yard and buildings to a tyre fitting and wash/valet centre at 1A Park Road Ardrossan. Four representations were received and were detailed in the report.

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

1. That the operation of the tyre fitting and car wash/valet centre hereby approved shall discontinue on or before 6 December 2018 unless North Ayrshire Council as Planning Authority gives written consent to any variation.
2. That the use hereby approved, shall not operation outwith the hours of 0900 to 1600 on Monday to Friday and 0900 to 1400 on Saturday, unless North Ayrshire Council as Planning Authority gives written consent to any variation.

3. That all works in connection with tyre fitting shall take place within the existing building, unless otherwise agreed in writing by North Ayrshire Council as Planning Authority.
  4. That prior to the operation of the tyre fitting and car was/valet centre hereby approved, full details of the proposed parking layout shall be submitted for consideration and approval in writing by North Ayrshire Council as Planning Authority. Thereafter, the layout as may be approved shall be implemented throughout the operation of the centre, to the satisfaction of North Ayrshire Council as Planning Authority.
- 4. Notice under Section 127 of the Town and Country Planning (Scotland) Act 1997: Site to West of Eglinton House, Kilwinning**

Submitted report by the Executive Director (Economy and Communities) on a Notice under Section 127 of the Town and Country Planning (Scotland) Act 1997 requiring cessation of the use and removal of the storage container at Site to West of Eglinton House, Kilwinning, also known as Ground at Garden Cottage, Eglinton, Kilwinning.

A storage container has been sited on land to the west of Eglinton House, Kilwinning. The container was placed on the land some time after 3 March 2015 for the storage of materials involved with management of the woodland. This was done as development not requiring planning permission on the basis that the container would be removed by the end of Summer 2015. The container was not removed and has been on site, to date, for up to 21 months. At March 2017 the owner considered that the woodland management works were ongoing. On this basis the Council requested that the container be removed by the end of August 2017. However, this action has not been done. As at the date of the Planning Committee, the development will have been in situ for approximately 21 months with no prospect of it being removed.

The development has been undertaken within the last 10 years without the necessary planning permission. The development has a negative visual impact on the area which is both countryside and part of a designed landscape. It is contrary to Policy ENV1, Policy HE5 and criterion (a) criterion (a) of the General Policy of the LDP

The Committee agreed, in the interest of visual amenity, to approve the service of a Notice under Section 127 of the Town and Country Planning (Scotland) Act 1997 requiring the removal of the storage container from the land.

The meeting ended at 2.10 p.m.

## NORTH AYRSHIRE COUNCIL

17th January 2018

### Planning Committee

Locality	Irvine
Reference	17/01096/PPM
Application Registered	19th October 2017
Decision Due	19th February 2018
Ward	Irvine South

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<b>Recommendation</b>	Approved subject to Conditions
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<b>Location</b>	Site To North Of Tarryholme Pond Irvine Ayrshire
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<b>Applicant</b>	Irvine Housing Association - McTaggart Construction
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<b>Proposal</b>	Erection of 87 dwellinghouses to include the provision of associated infrastructure and landscaping
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### 1. Description

Planning permission is sought for a major housing development consisting of the erection of 87 dwellinghouses together with the associated roads, footpaths and open spaces on a site located to the north of Tarryholme Pond, Irvine. The proposed dwellings would be owned and managed by the applicant, Irvine Housing Association, who is a registered social landlord. The development would consist of a mix of general needs housing together with amenity and wheelchair dwellings, featuring a variety of two storey and single storey designs, mostly semi-detached with some detached bungalows. Two, three and four bedroom houses are proposed.

The proposed layout incorporates a loop road network of varying widths creating a hierarchy for primary and secondary routes. A potential connection point into a future phase of development has been designed into the layout. Houses would face directly onto the adjacent roads in order to provide a conventional street frontage. There would be two access points into the site from St Andrews Way, opposite Lyle Gardens to the north of the site, and west of Tarryholme pond to the south west of the site.

A landscaped area of amenity open space would be formed in a central location with the front elevations of houses facing onto this area. Front elevations of dwellinghouses within the southern area of the site would be orientated towards a sustainable drainage (SuDS)

pond to provide informal surveillance over the area, as well as an attractive outlook from the housing. A footpath connection would be formed to connect the proposed development with the existing path around the pond. A footpath connection would also be formed to connect with the core path (IK15) to the west of the site.

Externally, the dwellings would be finished primarily using a white render with a mixture of facing brick and grey or red concrete roof tiles to provide variety. Each house would have a pitched gabled roof and facing brick details on the front elevation. Some of the houses would have front facing gables over bedroom windows. The front garden areas would be open plan, with 1.8m high fencing bounding rear garden areas.

The site comprises of grassland and scrub falling approx. 5m in level from the north-west to south-east. The western boundary of the site is screened from St Andrews Way by a landscaped strip within Council ownership containing woodland and shrubs. The southern area of the site has an open aspect facing Tarryholme Pond, grassland and trees. The site is located to the south of the A71 where earlier phases of housing development have taken place during the 1990s and early 2000s, mainly in cul-de-sac arrangements served from a spine road. The applicant indicated that there could be a potential second phase in the area to the east of the site which has an indicative capacity of 109 dwellings within the Housing Land Supply Audit.

In terms of the adopted Local Development Plan (LDP), the site is allocated for residential development purposes in terms of Policy RES 1 (Housing Allocations). This establishes the principle of residential development subject to other relevant policies in the LDP.

Policies PI 1 (Walking, Cycling and Public Transport), PI 4 (Core Path Network), PI 8 (Drainage, SuDS and Flooding), PI 13 (Carbon Emissions and New Buildings) and A3 (Supplementary Guidance) are also relevant. The General Policy must also be taken into account.

The application site, including the potential second phase, was included in the Council's Housing Land Supply Audit in 2001 and has been an allocated housing site in subsequent development plans since that time. The current LDP was adopted by the Council in May 2014 following external examination by Reporters appointed by the Scottish Government. The development of the site is also included in the Council's Strategic Housing Investment Plan (SHIP).

The following supporting documents form part of the application:

#### Pre-Application Consultation (PAC) Report

A PAC report is required by the Development Management Regulations for all major planning applications. The submitted report sets out details of the steps taken by the applicant to disseminate information about the proposed development, the public event, feedback received and how these comments were taken on board by the applicant in finalising the proposals.

#### Design and Access Statement

A Design and Access Statement is required by the Development Management Regulations for all major planning applications. The submitted Statement describes the design process

followed by the applicant in formulating the proposal, with reference to various design principles and reference sources.

Other supporting documents include a drainage assessment, ecological report, coal mining report, drainage statement and a transport statement.

The application was subject to pre-application discussions where, at the request of NAC Planning and Transportation officers, a second access was included in the proposal (opposite Lyle Gardens) in addition to various internal road layout changes and additional footpath connections, with the intention of significantly improving the permeability and connectivity of the site for pedestrians, cyclists and motorised traffic. Other changes included the re-orientation of dwellings to provide street frontage within the site.

### **Relevant Planning History**

None.

### **Relevant Development Plan Policies**

#### **POLICY RES 1 HOUSING ALLOCATION**

Proposals for residential development in areas allocated for housing on the LDP Maps shall accord with the LDP. Note: The Mainland Affordable Housing Policy (see Policy RES 4) will apply to applications for residential development within RES 1 allocations (that comply with the criteria set out in the policy) from a date to be prescribed, which will be on or after adoption of the LDP.

#### **POLICY PI 1 WALKING, CYCLING & PUBLIC TRANSPORT**

All development proposals which will result in significant trip generation shall require to demonstrate that account has been taken of the needs of walkers, cyclists and public transport users by demonstrating that:

- (a) the proposals reflect the principles of "Designing Streets" where applicable;
- (b) at an early design stage, consideration has been given to likely desire routes (public transport nodes, schools, town centres etc.) which shall inform the design of the development;
- (c) connectivity is maximised within and to the development site by providing direct routes to wider path networks where possible;
- (d) any paths through the site are clearly signposted, well lit and where possible overlooked;
- (e) secure cycle parking of a proportionate scale, in a visible and accessible location, is provided where the development will be used by a significant volume of visitors (including employees). Changing and shower facilities should also be provided where appropriate;
- (f) discussion with Strathclyde Partnership for Transport (SPT) has been undertaken to consider the provision of new or diverted bus route(s) to serve the development where the proposal is not within 400m of a public transport node. New/diverted routes may require to be subsidised by the developer where such schemes are not commercially viable; and



(g) proposals for national or major development (as defined by the Planning Etc. (Scotland) Act 2006) which will involve significant trip generation will require the preparation of a Travel Plan for the development.

A Transport Assessment may be required where development will involve significant trip generation.

#### POLICY PI 4 CORE PATH NETWORK

The existing Core Path network is identified on the LDP Maps. Development proposals impacting on an area occupied by a Core Path route, Right of Way, or other important route, must incorporate this route within the layout of the site, or alternatively agree a diversion route with the Council, as Access Authority. Development within close proximity to the Core Path network should provide suitable links to the Core Path network where appropriate. The route for an amended National Cycle Network (NCN) Route 7 off road route from Kilwinning to Kilbirnie is safeguarded from development by this policy and is identified on the LDP Map.

#### POLICY PI 8 DRAINAGE, SUDS & FLOODING

##### Water/Waste Water Treatment Infrastructure

1. Proposals for the expansion or development of new facilities for water supply or the treatment of waste water shall accord with the LDP, subject to satisfying the following criteria:

- (a) it can be demonstrated that a range of alternative sites have been examined and that the proposed development offers the solution with least environmental impact whilst at the same time being technically feasible and financially viable;
- (b) the proposal incorporates appropriate landscape buffering, screening and design, particularly in sensitive environments.

##### Drainage

Development shall normally require a comprehensive Drainage Assessment (see Supplementary Guidance: Drainage, SUDS & Flooding) to be submitted to the satisfaction of the Council's Flooding Risk Management section unless it can be otherwise demonstrated that the site can be satisfactorily drained.

2. Proposals where public sewage infrastructure is available should connect to the public network, instead of providing a private drainage solution.

3. Where a private drainage solution is proposed, this will only be acceptable subject to the criteria set out within Supporting Information Paper 9.

4. Any proposals for the culverting of a watercourse will be considered with reference to SEPA's position statement on culverting.

##### SUDS

5. All development, with the exception of single house developments and development discharging surface water run-off to coastal waters, shall require to incorporate SUDS techniques.

##### Flooding

6. Development on areas identified as at or greater than 0.5% risk of flooding annually (0.1% for essential civil infrastructure) on flood risk plans, or on areas of known or suspected incidences of flooding, shall not accord with the LDP, unless the following criteria can be satisfied:

(a) a Flood Risk Assessment, completed to the satisfaction of the Council's Flood Risk Management Section, has been submitted;

(b) the ability of any functional floodplain to store and convey water will not be impaired;

(c) the development will not increase the risk of flooding elsewhere or materially increase the number of buildings at risk of being damaged by flooding; AND

(d) the risk of flooding to the development itself can be mitigated satisfactorily (i.e. through an existing or planned flood protection scheme); OR

(e) where flood risk cannot be satisfactorily mitigated, the development has an operating requirement that makes the location essential (e.g. for emergency services coverage, agriculture related use, water based activity) and will be capable of remaining operational and accessible during extreme flooding events.

The above criteria shall generally not apply to alterations and small scale extensions, provided that such development will not have a significant material effect on the functional floodplain; will not affect local flooding issues; and will not significantly increase the number of people occupying/visiting the area.

7. Development on areas identified as having flood risk of less than 0.5% will normally be acceptable for development in respect of flood risk. A Flood Risk Assessment may be required if the nature of the development or local circumstances indicate heightened risk.

## POLICY PI 13 CARBON EMISSIONS AND NEW BUILDINGS

All new buildings must reduce their carbon dioxide emissions above or in line with building standards through appropriately designed

On-site low or zero carbon generating technologies (LZCGTs) and/or  
Passive or operational energy efficiency measures

The following are exempt from this policy

- (a) buildings exempted from building regulations
- (b) individual buildings having an area less than 50 square metres
- (c) extensions to buildings, other than extensions to stand-alone buildings having an area less than 50 square metres that would increase the area to 50 square metres or more
- (d) buildings which will not be heated or cooled other than by heating provided solely for the purpose of frost protection
- (e) limited life buildings which have an intended life of less than two years
- (f) CO<sub>2</sub> emissions arising from any apparatus operating within the proposed development which is not related to the heating or cooling of a building.

Applicants are required to demonstrate to the satisfaction of the Council how this requirement will be met. A suspensive condition may be used to allow applicants to submit energy saving or on-site LZCGT schemes at the time of Building Warrant submissions.

On-site LZCGTs not permissible under General Permitted Development rights shall be considered against other relevant LDP policies and guidance.

Further guidance will be contained within Supplementary Guidance Climate Change.

## POLICY A3

## SUPPLEMENTARY GUIDANCE

Development will require to accord with relevant Supplementary Guidance prepared by the Council. This is limited to the provision of further information or detail in respect of the topics identified in the Plan. This includes:

Approved as Statutory Supplementary Guidance

Control of Advertisements

Telecommunications Apparatus

Decking

Bin storage

Approved for consultation with the Proposed LDP

Town Centre Design Guidance

Affordable Housing (Mainland)

Affordable Housing (Arran)

Neighbourhood Design Guidance

Rural Design Guidance

Coastal Design Guidance

Residential Design Guidance

Landscape Capacity Study for Wind Farm Development in North Ayrshire Phase 1 & 2

Ayrshire Supplementary Guidance: Wind Farm Development

Future Programme

Developer Contributions

Climate Change

Open Space (incorporating Green Network)

Drainage, SUDS & Flooding

Hot Food Takeaways

Outdoor Access

Hunterston

Affordable Housing on Arran

General Policy

All development proposals will be determined against general criteria, as relevant, and the following General Policy sets out the framework for this assessment. These detailed criteria are not repeated in individual policies in the LDP. They will apply, as appropriate, to all development. Policy A1 (Section 10) gives details on the considerations for proposals not covered by any other policy within the Plan.

## 2. Consultations and Representations

The statutory neighbour notification procedure was carried out by the Council. 73 representations have been received and can be summarised as follows:-

1) Concerns over the tenure of housing and potential impact on house value and Council Tax banding.

Response: The issue of housing tenure, the effect of new development on property values and taxation are not material planning considerations.

2) The proposed development would put additional pressure on existing infrastructure, including schools and GP surgeries.

Response: As discussed above, the application site, including the potential second phase, has been included in the Council's Housing Land Supply Audit since 2001 and has been an allocated housing site within successive development plans. The potential impact of new housing developments on local infrastructure is taken into account through the local development plan (LDP) process. The current LDP was adopted by the Council in May 2014 following external examination by Reporters appointed by the Scottish Government. To ensure that up to date school roll projections are taken into account, NAC Education were consulted about the application and have raised no objections to the proposal (see below).

3) The proposed development would lead to congestion when exiting Tarryholme at the junction with the A71 and could cause a traffic safety hazard when turning right onto the A71 towards the Warrix Interchange. There is also a lack of parking provision within the site. Police Scotland also have concerns regarding the right turn from Tarryholme to the A71.

Response: The applicant's agent has submitted a Transport Statement prepared by a qualified consultant which concluded that the assessment of key junctions within the local road network indicates that the addition of 87 dwellings as part of the first phase would have no significant impact on traffic volumes in the locality. NAC Transportation has advised that there should be a prohibition of right turns onto the A71 and provision made for pedestrian crossing facilities both on the A71 and at the Milgarholm Roundabout. A suitable planning condition could be attached with respect to junction improvements with the A71 and in respect of pedestrian crossing facilities. In addition, NAC Transportation has no objection to the level of parking provision that is proposed within the application site.

4) The phasing of the development could lead to potential disruption to nearby neighbouring properties.

Response: It is considered appropriate to attach a condition that a phasing plan shall be submitted to further address potential amenity impacts.

5) There are other brownfield sites within Irvine which would be more appropriate than developing a grassland area with potential impact on local habitat and wildlife.

Response: A Phase 1 Habitat Survey was undertaken by a specialist firm commissioned by the applicant and an ecological report was submitted with the application which details general good practice and mitigation during construction. It is considered appropriate to attach a suitable condition in this regard.

6) Concerns with respect to flooding.

Response: A Flood Risk Assessment (FRA) was submitted with the application which states that the results of the detailed hydraulic modelling indicate that the site lies outwith the 1 in 200 year flood extent. Access roads to and from the site also lie outwith the flood extent. SEPA has no objections on the basis that the finished floor levels of the houses would be a minimum of 8 metres Above Ordnance Datum (mAOD) (design flood level of 7.4 mAOD + 600mm freeboard) and all of the proposed dwellings and SuDS pond would be at or above the floodplain level of 7.4mAOD. Based on the preliminary Irvine Valley Flood

Study results, the site is compliant with Scottish Planning Policy and is considered to be at low risk of flooding. NAC Flooding also has no objection, provided that the mitigation measures detailed in the FRA are implemented and that further details are provided in relation to the storage volume of the proposed basin, including calculations, drawings, etc. that demonstrate that the basin will not be overtopped up to and during the 1 in 200 year flood event for all relevant sources of flooding. The mitigation measures could be secured by attaching an appropriate planning condition.

7) There is no public transport within Tarryholme and bus stops are some distance from the site.

Response: The Transport Assessment submitted with the application states that the nearest bus stops to the site are located on the B7081 Annick Road, some 700m to the north west. The stops are provided with sheltered waiting facilities and timetable information and provide access to services operated by Shuttle Buses and Stagecoach. The stops lie within a 700m walk of the proposed northern St Andrew's Way access, whilst the generally recommended walking distance to bus services as set out in PAN 75 is 400m. The existing Tarryholme residential development to the south of the proposed site lies significantly further from the existing public transport provision. Through pre-application discussions, the applicant agreed to provide 2 access roads into the site which would provide potential for a bus should the demand or need arise. At the request of Planning and Transportation, the applicant agreed to the provision of a controlled crossing on the A71 and a drop kerb crossing at Milgarholm Roundabout in the interests of safety. These measures would improve pedestrian access between the site and existing bus stops, as well as providing onward pedestrian and public transport connections into the town centre.

8) The design is not in-keeping with the surrounding area.

Response: The existing dwellings within Tarryholme are typical of modern housing estates, typically having 3, 4 or 5 bedrooms, mostly 2 storey detached or semi-detached with a mixture of facing brick and rendered wall finishes. It is considered that the proposed housing would complement the character of the surrounding area, also being suburban in design. The existing dwellings within Tarryholme are within a cul-de-sac layout, whereas the proposed development would incorporate the principles of 'Designing Streets,' which is the current approach to housing site layouts. It is not considered that the proposed housing would have an adverse impact on the existing housing since the developments would be separated by large areas of landscaped open space.

9) Concerns over historical mine workings.

Response: The Coal Authority has no objections to the proposal (see below).

#### Consultations

Scottish Water: - No objections.

Response: Noted.

SEPA: - No objections. The site lies outwith the 200 year flood extent. The finished floor level would be a minimum of 8 metres Above Ordnance Datum (mAOD) (design flood level of 7.4 mAOD + 600mm freeboard) and all of the proposed dwellings and SuDS pond would

be at or above the floodplain level of 7.4mAOD. Based on the preliminary Irvine Valley Flood Study results the site is compliant with Scottish Planning Policy and at low risk of flooding.

Response: Noted.

NAC Flooding Officer: - No objections. The mitigation measures detailed in the FRA require to be fully implemented. In addition, further details are to be provided in relation to the storage volume of the proposed basin, including calculations, drawings, etc. that demonstrate that the basin will not be overtopped up to and during the 1 in 200 year flood event for all relevant sources of flooding.

Response: Noted. The implementation of the recommendations could be secured by the imposition of an appropriate planning condition.

West of Scotland Archaeology: - No objections. A condition should be imposed to secure the implementation and implementation of a programme of archaeological works.

Response: Noted. This advice could be addressed by a planning condition.

NAC Access Officer: - The proposed second access to the site from the north of the development would greatly improve the permeability of the site. The completion of the gap in the footway at the access opposite Lyle Gardens is also welcomed to ensure a continuous footway.

Response: Noted.

NAC Education: - No objections. The Tarryholme area falls within the catchment area for Glebe and St Mark's Primary Schools, Greenwood and St Matthew's Academies. Glebe and St Mark's Primary Schools currently operate at around 90% occupancy, as does Greenwood Academy. St Matthew's Academy currently operates at 80% occupancy. From the roll projections for these 4 schools, each school has spare capacity for children from the proposed development.

Response: Noted.

Environmental Health: - No objections. A suitable condition should be attached with respect to site investigations for contaminated land.

Response: Noted. This could be addressed with the attachment of an appropriate condition.

NAC Transportation: - No objections. Transportation Officers contributed to the proposals at the pre-application stage and note that full consideration has been given to Designing Streets and maximising the connectivity of the site with the surrounding area. Adequate parking provision has been proposed. Standard conditions should be imposed with respect to the driveways within the development including the provision of junction improvements at the A71 and pedestrian crossing improvements on the A71 and Milgarholm Roundabout. The Transport Assessment submitted with the proposal does not raise any concerns or issues. Road Construction Consent would also be required.

Response: Noted. An appropriate condition could be attached to secure the off-site pedestrian crossing improvements.

**Publicity:-** Not Advertised

**Site Notices:-** No Site Notice

### **3. Analysis**

In terms of the adopted Local Development Plan, residential development on sites allocated as RES 1 (Housing Allocations) accords with the Local Development Plan (LDP) subject to other relevant policies in the plan. The principle of the development is therefore acceptable. In terms of other relevant LDP policies, are considered below.

Policy PI 1 (Walking, Cycling and Public Transport), requires that account has been taken of the needs of walkers, cyclists and public transport, including a demonstration that the proposals reflect the principles of Designing Streets. It is considered that the proposed footpath connections to the existing network would be adequate in this regard. It is also considered that the proposed development has embraced the Designing Streets concept from the outset. A collaborative approach between the applicant, planning and transportation officers has resulted in the submitted layout which has maximised the connectivity of the site with the surrounding area, so far as possible. The proposal is therefore satisfactory in terms of Policy PI 1.

PI 4 (Core Path Network), requires that development within close proximity of the Core Path network should provide suitable links to the Core Path Network where appropriate. The proposal includes a link from the site to the IK15 core path to the west of the site which would accord with Policy PI 4 Core Paths Plan of the adopted Local Development Plan. This connection is welcomed. The route would also be overlooked by the neighbouring houses to provide sufficient active and passive surveillance of the routes. At the request of Planning and NAC Transportation, pedestrian crossing improvements on the A71 and Milgarholm Roundabout would also provide significant improvement of pedestrian access to Irvine Town Centre along the adopted road network. The proposal is therefore satisfactory in terms of Policy PI 4.

Policy PI 8 (Drainage, SUDS and Flooding) has been considered and consultation has taken place with SEPA and NAC Flooding Engineer. A suitable condition could be attached to secure the recommendations of the consultant's report.

Policy PI 13 (Carbon Emissions and New Buildings) states that all new buildings must reduce CO2 emissions above or in line with building standards. Whilst a separate building warrant application would be required to assess insulation standards and energy efficiency, the planning process can assist in the reduction of CO2 emissions in respect of passive energy efficient measures. In this regard, the siting and orientation of buildings can have an important effect on the use of lighting and heating systems within buildings. Careful consideration has been given by the applicant and by planning officers

to ensure that orientation of the housing takes into account natural light. A significant number of houses would feature generously sized front windows to capture as much daylight/sunlight as possible. It is considered that the proposal meets the requirements of Policy PI 13.

The Council's 'Neighbourhood Design Guidance' seeks new high quality design solutions, which seek to 'knit together' and 'mend' existing settings, creating a 'sense of place' and encourage design that links communities and promotes activity. As well as providing improved pedestrian connections between Tarryholme and the surrounding area, the development would take into account its setting beside the existing woodland edge to the west and the pond to the south. Small areas of open space within the development would add visual interest and create an attractive setting for the new housing. It is considered that the proposals comply with the aims of the Neighbourhood Design Guidance.

With regards to the relevant criteria of the General Policy: -

(a) Siting, Design and External Appearance - the proposed layout incorporates a street block road network of varying widths creating a hierarchy for primary and secondary routes, with most houses having a road frontage which creates a safer environment through passive surveillance. As discussed above, the proposed development has taken into account the requirements of Designing Streets. The proposed mix of 2 storey and single storey dwellings is considered to be satisfactory in terms of siting, design and external appearance and would provide a variety of housing within an acceptable street design. A condition could be imposed to ensure a final check of materials prior to the commencement of building operations. It is considered that the proposal is satisfactory in terms of criterion (a).

(b) Amenity - it is considered that the proposed development, in terms of layout, housing design and mix, accessibility and permeability, provision of open space and visual impacts on the wider area would be satisfactory. The development would be separated from existing housing by established landscape features which would be retained, thus respecting the original design concept for the Tarryholme area. Each house would have acceptable levels of private amenity space with enclosed rear gardens and adequate separation distance to minimise overlooking and shadowing. It is therefore considered that the proposal would be satisfactory in terms of criterion (b).

(c) Landscape Character - the site was envisaged for housing development over twenty years ago when the first phases of Tarryholme were built. The landscape framework created by the Irvine Development Corporation has now reached a stage of maturity which would provide an attractive setting for the development. The proposed development would therefore be acceptable in terms of landscape character.

(d) Access, Road Layout, Parking Provision - as noted above, consideration has been given to Designing Streets and maximising the connectivity of the site with the surrounding area. Adequate parking provision has been proposed. It is also considered that the proposed pedestrian crossing and junction improvements would significantly improve both pedestrian and vehicular access and egress to the site. It is considered that the proposal is satisfactory in terms of criterion (d).



(g) Infrastructure and Development Contributions - in respect of play facilities, the site is surrounded by an area with various recreational path connections including access to Tarryholme Pond. The site would have path connections with the proposed SuDs pond within the development as well as the existing pond to the south. There are also landscaped areas within the site which add to the amenity and appearance of the area. As discussed above, the applicant would also provide off-site improvements at the A71 junction and pedestrian crossings. Where necessary, these matters can be secured by condition.

In summary, it is considered that the proposal would offer a welcome and positive development for Irvine, resulting in a well designed housing site within an area allocated for residential development purposes in the adopted LDP. The application should therefore be granted subject to the conditions listed below.

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

Approved subject to Conditions

#### **Reasons for Decision**

##### **Condition**

1. That prior to the commencement of development hereby approved, the applicant shall submit for the written approval of North Ayrshire Council as Planning Authority full details of the pedestrian crossing improvements between Milgarholm Roundabout and junction of the Tarryholme site access road with the A71, together with all other road improvement works as may be deemed necessary by North Ayrshire Council as Roads Authority. Thereafter, all road and pedestrian crossing improvements as may be approved, including those illustrated on drawing no. A104936 SK001, shall be fully implemented prior to the occupation of the first dwellinghouse within the application site to the satisfaction of North Ayrshire Council as Planning Authority.

##### **Reason**

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

##### **Condition**

2. That no development shall take place until there has been submitted to and approved by North Ayrshire Council as Planning Authority a scheme of landscaping, which shall include details of species, planting densities, soil treatment and aftercare and shall include indications of all existing trees and hedgerows on the land and details of any to be retained together with measures for their protection in the course of the development.

##### **Reason**

In the interest of the amenity of the area.

##### **Condition**

3. That all planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting season and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which, within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced

in the next planting season with others of a similar size and species, unless North Ayrshire Council as Planning Authority gives written consent to any variation.

**Reason**

In the interest of the amenity of the area.

**Condition**

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

**Reason**

In the interest of the amenity of the area.

**Condition**

5. That prior to the commencement of the development, hereby approved, the applicant shall undertake a desk study of the application site, (including the review of any previous site investigations) to assess the likelihood of contamination and assist in the design of an appropriate site investigation and subsequent suitable quantitative risk assessment as advocated in BS10175: 2011. Remediation proposals shall also be presented in relation to any significant findings. All documentation shall be verified by a suitably qualified Environmental Consultant and submitted to North Ayrshire Council as Planning Authority. Any required remediation measures shall be undertaken, prior to the commencement of the development to the satisfaction of North Ayrshire Council as Planning Authority. Thereafter the presence of any significant unsuspected contamination, which becomes evident during the development of the site, shall be reported to North Ayrshire Council and treated in accordance with an agreed remediation scheme.

On completion of the proposed works written verification, detailing what was done by way of any remediation, shall also be submitted to the North Ayrshire Council as Planning Authority.

**Reason**

To meet the requirements of Environmental Health.

**Condition**

6. That, prior to the commencement of the development, details of phasing shall be submitted for the written approval of North Ayrshire Council, which shall incorporate phasing details for off-site infrastructure works, SuDS, tree planting and open space provision. Thereafter, the development shall be implemented only in accordance with such phasing as may be agreed with North Ayrshire Council as Planning Authority, unless otherwise agreed in writing.

**Reason**

In the interest of the amenity of the area.

**Condition**

7. That, prior to the commencement of the development, hereby approved, the developer shall secure the implementation of a programme of archaeological works in

accordance with a written scheme of investigation for submission by the applicant and approved by North Ayrshire Council Planning Authority in consultation with the West of Scotland Archaeology Service. Thereafter the developer shall ensure that the programme of archaeological works is fully implemented and that all recording and recovery of archaeological resources within the development site is undertaken to the satisfaction of North Ayrshire Council Planning Authority in consultation with the West of Scotland Archaeology Service.

**Reason**

To meet the requirements of the West of Scotland Archaeology Service.

**Condition**

8. That, prior to the erection of any of the dwellinghouses hereby approved, a detailed schedule of the proposed external finishes for each of the dwellinghouses together with a plan and schedule of the surface treatments to be used on the roads and footpaths within the site shall be submitted for the written approval of North Ayrshire Council as Planning Authority. Thereafter, the houses, roads and footpaths shall be constructed only in accordance with such details as may be approved to the satisfaction of North Ayrshire Council as Planning Authority.

**Reason**

In the interest of the amenity of the area.

**Condition**

9. That, prior to the commencement of the development, hereby approved, confirmation shall be submitted in writing to North Ayrshire Council as Planning Authority and certified by a suitably qualified person that a scheme to treat the surface water arising from the site has been prepared in accordance with the principles and practices contained in 'The SuDS Manual' (CIRIA report C753, published November 2015). Thereafter, the certified scheme shall be implemented prior to the completion of the development and maintained thereafter to the satisfaction of North Ayrshire Council as Planning Authority.

**Reason**

In the interest of the amenity of the area.

**Condition**

10. The recommendations/mitigation measures contained within the Ecological Report and Flood Risk Assessment, submitted with the application, shall be implemented during the course of the development to the satisfaction of North Ayrshire Council as Planning Authority. During the course of the development, details demonstrating the implementation of the recommendations in each report shall be submitted for the written approval of North Ayrshire Council as Planning Authority.

**Reason**

In the interest of the amenity of the area.

**Condition**

11. That, prior to the commencement of the development, details of all boundary treatments to be formed shall be submitted for the written approval of North Ayrshire Council as Planning Authority. Thereafter, all boundary fences and walls as may be approved

relating to or adjacent to each plot shall be erected prior to the occupation of the dwelling within that plot to the satisfaction of North Ayrshire Council as Planning Authority.

**Reason**

In the interest of the amenity of the area.

**Condition**

12. That the first 2 metres of the driveways, measured from the heel of the footway or shared surface roadway shall be hard surfaced in order to prevent deleterious material being carried onto the carriageway and designed in such a way that no surface water shall issue from the access onto the carriageway.

**Reason**

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

**Condition**

13. That, prior to the commencement of the development, the applicant shall submit for the written approval of North Ayrshire Council as Planning Authority further details in relation to the storage volume of the proposed basin, including calculations, drawings, etc. that demonstrate that the basin will not be overtopped up to and during the 1 in 200 year flood event for all relevant sources of flooding. Thereafter, the development shall be implemented only in accordance with such details as may be approved, all to the satisfaction of North Ayrshire Council as Planning Authority.

**Reason**

In the interests of safeguarding the development and surrounding area from flooding.

**Condition**

14. That, prior to the commencement of the development, comprehensive details of all site levels, including existing ground levels, proposed ground levels and finished floor levels, shall be submitted for the written approval of North Ayrshire Council as Planning Authority.

**Reason**

In the interest of the amenity of the area.

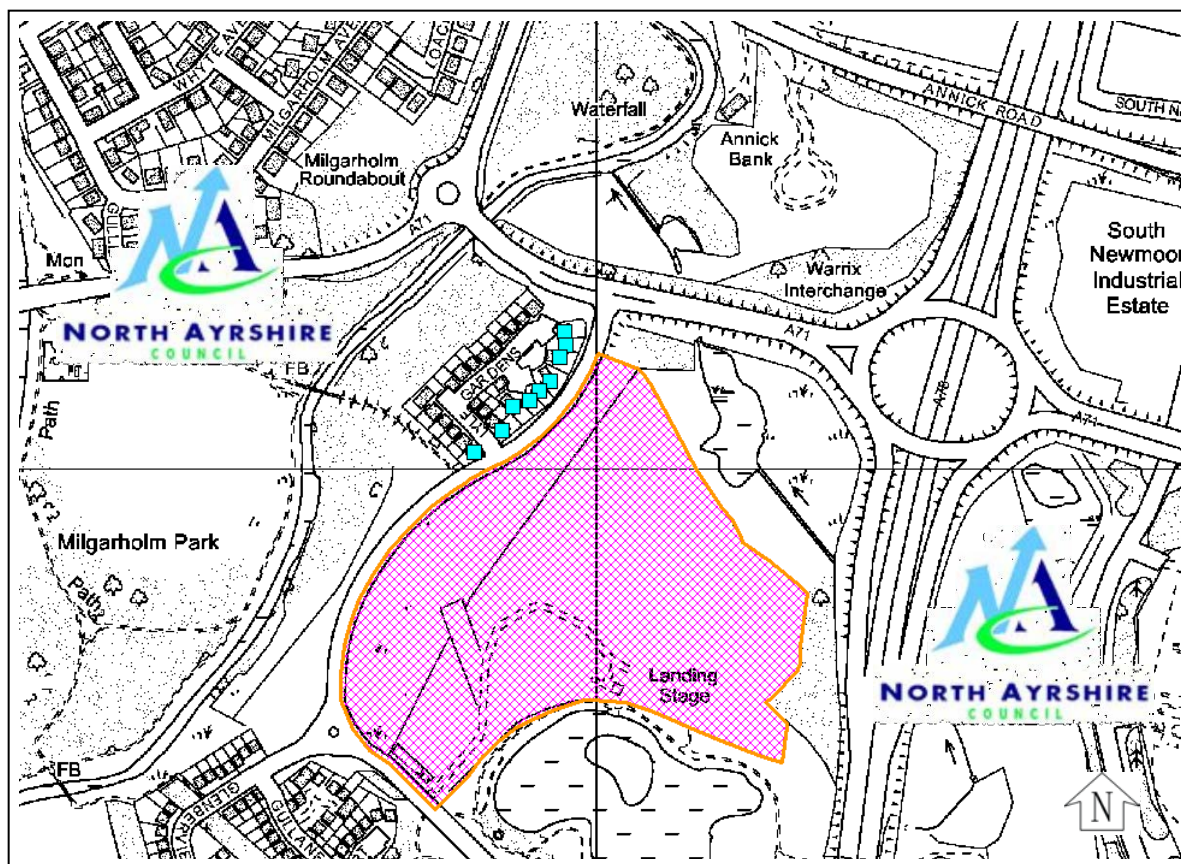


Karen Yeomans  
Executive Director  
Economy & Communities

For further information please contact Mrs Fiona Knighton Planning Officer on 01294 324313.

## Appendix 1 – Location Plan

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**NORTH AYRSHIRE COUNCIL**

17th January 2018

**Planning Committee**

Locality	Three Towns
Reference	17/01214/PP
Application Registered	30th November 2017
Decision Due	30th January 2018
Ward	Saltcoats

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<b>Recommendation</b>	Approved with no Conditions
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<b>Location</b>	35 Caledonia Road Saltcoats Ayrshire KA21 5AJ
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<b>Applicant</b>	Mrs Martha McNicol
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<b>Proposal</b>	Erection of single storey extension to rear of semi-detached dwelling house
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**1. Description**

The application site refers to a one and a half storey semi-detached house on Caledonia Road in Saltcoats. The house is a historic property and has finishing materials which reflect its age: a natural slate roof, sandstone ashlar front façade and off-white render to the side and rear. It has a one and a half storey bay window/dormer on the front elevation and a lean-to roof element and shared hipped-roof dormer on the back. The plot is long and narrow with the neighbouring buildings on both sides being very close to the house.

This planning application is for the erection of a single storey rear extension. The proposed extension would replace and expand upon the existing lean-to element currently on the rear of the house. It would have a gabled roof design (of approximately 4.25m high to ridge) and be finished in white wet dash and natural slate. There is to be a double glazed door and side screens on the rear (northeast) elevation of the extension facing into the garden and a window and some roof lights on the southeast side elevation. A small new window would also be formed on the existing southeast elevation. The extension is to have floor dimensions of 4.9m by 4.45m (a gross internal area of 21.8m<sup>2</sup>) and would house an extended kitchen/dining area.

In the adopted Local Development Plan the site lies within a Residential allocation and the proposal requires to be assessed against the relevant criteria of the General Policy of the LDP, in this case (a) Siting, Design and External Appearance and (b) Amenity.

### **Relevant Planning History**

None.

### **Relevant Development Plan Policies**

#### **General Policy**

All development proposals will be determined against general criteria, as relevant, and the following General Policy sets out the framework for this assessment. These detailed criteria are not repeated in individual policies in the LDP. They will apply, as appropriate, to all development. Policy A1 (Section 10) gives details on the considerations for proposals not covered by any other policy within the Plan.

## **2. Consultations and Representations**

The standard neighbour notification was undertaken and there was no requirement to advertise the application. There were no letters of representation.

No consultations were carried out as part of this application.

**Publicity:-** Not Advertised

**Site Notices:-** No Site Notice

## **3. Analysis**

The extension of an existing dwellinghouse in a Residential area is considered acceptable in principle and the detail of the application therefore only requires to be assessed against criteria (a) Siting, Design and External Appearance and (b) Amenity of the General Policy of the LDP.

With regard to criterion (a), the proposed rear extension is assessed to be of an acceptable scale and design in relation to its surroundings. Many of the other neighbouring houses have been extended to the rear and the proposed extension is of a moderate size. The use of traditional materials, particularly slate for the roof, is considered appropriate given the historic character of the building and area. The design of the proposal accords with criterion (a).

Due to the constrained nature of the site amenity would be a key consideration for any extension to the rear of the house. The relatively low ridge height of the proposed extension

coupled with its position in relation to neighbouring buildings would mean that overshadowing would not be a concern. There are not any proposed windows on the northwest elevation and therefore not any overlooking onto 37 Caledonia Road. The new window on the southeast of the extension would not increase overlooking as it replaces an existing window. The new window on the southeast of the existing house would be small and serve a wet room. The windows on the rear would look out onto the back garden, which is enclosed with existing boundary treatment. In summary the proposals would not conflict with criterion (b).

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

Approved with no Conditions



Karen Yeomans  
Executive Director  
Economy & Communities

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



## Appendix 1 – Location Plan

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## NORTH AYRSHIRE COUNCIL

17th January 2018

### Planning Committee

Locality	Garnock Valley
Reference	17/01206/ALO
Application Registered	22nd November 2017
Decision Due	22nd January 2018
Ward	Kilbirnie And Beith

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<b>Recommendation</b>	Approved with no Conditions
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<b>Location</b>	Townend Of Shutterflat Farm Beith Ayrshire KA15 2LW
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<b>Applicant</b>	Mr & Mrs J Lamont
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<b>Proposal</b>	Discharge of Section 75 obligation in respect of planning permission 03/00011/PP for the tipping of inert material and land improvement
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### 1. Description

This can be ascertained by reference to the attached plans and photographs.

This report relates to an application under the provisions of Section 75A of the Town and Country Planning (Scotland) Act 1997. The application seeks permission to discharge a legal obligation that was entered into under Section 75 of the Town and Country Planning (Scotland) Act 1997 in relation to the tipping of inert waste material for land improvement purposes at a former quarry within the lands of Townend of Shutterflat Farm near Beith (ref. 03/00011/PP).

The 2003 planning application was reported to the Council's Planning Committee at its meeting on 4th May 2004. The Committee agreed to grant planning permission subject to a legal agreement being entered into and to a number of conditions. The heads of terms for the agreement sought to address the following:

- (i) the upgrading, at the applicant's expense, of the single track public road (Coldstream Road), which leads to the site from the B777;
- (ii) the procurement, by the applicant, of an ongoing roads maintenance bond and

(iii) the restoration of the site by the applicant within 5 years of the commencement of the infilling works.

The Section 75 obligation was subsequently signed and registered in January 2007, and planning permission was then granted in February 2007. The Council's records indicate that the use had commenced on or around February 2010. Based on this commencement date, the permission would then have lapsed five years later during the early part of 2015.

The road upgrading works were undertaken during 2008, and consisted of the formation of a series of inter-visible passing places on Coldstream Road in addition to the strengthening and resurfacing of the road. The roads bond provides access to a sum of money for the maintenance of Coldstream Road and Coldstream Bridge by the Council in the event of damage from heavy traffic using the route as a consequence of the development.

During 2011, an application was submitted seeking a reduction in the value of the roads bond (ref. 11/00593/PP). The applicants stated that the infilling operations had been attracting fewer vehicle movements onto Coldstream Road than had originally been anticipated, and hence, a lower level of bond could be justified. Following negotiation, the Planning Committee agreed that a 50% reduction in the value of the bond would be appropriate. The Section 75 obligation was duly amended to reflect this change.

The applicant has since advised that infilling operations have ceased some time ago. Inspections during 2017 have indicated that the land has been restored to a satisfactory condition for the purposes of rough grazing. Although the infilling operations have now been completed, the requirement to service the road bond is ongoing due to the Section 75 obligation.

The site is allocated as countryside in terms of the adopted Local Development Plan, and is within the farm holding of Townend of Shutterflat.

### **Relevant Planning History**

03/00011/PP for Tipping of inert material and land improvement Approved subject to Conditions on 12.02.2007.

### **Relevant Development Plan Policies**

## **2. Consultations and Representations**

There is no requirement for neighbour notification nor other forms of publicity for this category of application.

Consultations

NAC Roads: - No objections

Response: Noted.

**Publicity:-** Not Advertised

**Site Notices:-** No Site Notice

### **3. Analysis**

The Section 75 obligation is a title burden on the application site as a consequence of granting planning permission for the tipping of inert waste material in 2007. The purposes of the obligation have now been served. There is not any ongoing requirement for a roads bond on Coldstream Road following the cessation of heavy haulage traffic on the route and the satisfactory restoration of the land at Townend of Shutterflat. However, the passing places which were formed on Coldstream Road will remain permanently, with future maintenance by the Council.

Given the above, it is appropriate that the Section 75 obligation should now be discharged in order to relieve the applicants of the burdens placed on the property title.

Legal Services will require an instruction to progress the formal discharge of the Section 75 Agreement following the decision on this application.

### **4. Full Recommendation**

Approved with no Conditions



Karen Yeomans  
Executive Director  
Economy & Communities

For further information please contact Mrs Fiona Knighton Planning Officer on 01294 324313.

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