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## NORTH AYRSHIRE COUNCIL

23rd May 2018

### Planning Committee

Locality	North Coast
Reference	18/00171/MSC
Application Registered	13th March 2018
Decision Due	13th May 2018
Ward	Dalry And West Kilbride

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<b>Recommendation</b>	Approved subject to Conditions
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<b>Location</b>	Site To North West Of Chapelton Mains Seamill West Kilbride Ayrshire
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<b>Applicant</b>	Hope Homes Chapelton Ltd
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<b>Proposal</b>	Erection of 31 dwellings comprising of terraced and flatted properties
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### 1. Description

This application seeks approval of matters specified in conditions through the submission of detailed affordable housing proposals. On 31 August 2016, Planning Permission in Principle (PPP) was granted for a residential development at a site to the North West of Chapelton Mains, Seamill, West Kilbride (Reference 16/00561/PPPM). Condition 5 states:

'That prior to the submission of the first application for the approval of matters specified in conditions (MSC), details of proposed affordable housing contributions shall be provided. For the avoidance of doubt a contribution rate of 25% will be applied to those units associated with the private housing site.'

An application for Matters specified in conditions 1 -9 of Planning Consent 16/00561/PPPM was approved by Planning Committee on 14 August 2017 (Reference 17/00100/MSC), subject to conditions.

This application relates to condition 4 of 17/00100/MSC which states:

'That prior to the occupation of the first dwellinghouse the developer shall provide for the written approval of North Ayrshire Council as Planning Authority, details of the draft design

and layout of the affordable housing units, as agreed with the North Ayrshire Council Housing Department, a timetable for submission of relevant planning applications and dates for completion. For the avoidance of doubt the affordable housing units shall be delivered no later than 31 March 2020, unless otherwise agreed in writing.'

In response the applicant has negotiated a proposed design and layout for the affordable housing units. This application seeks approval for the detailed design of the affordable housing contribution.

The application proposes the erection of 31 affordable housing units. The units would be arranged over 8 separate blocks. Five of the blocks would contain terraced houses and the remaining three blocks would contain flats.

The terraced blocks would contain 3 to 4 two bedroom dwellings arranged over 2 storeys with front and rear gardens. The flatted blocks would contain 4 two bedroom properties arranged over 2 storeys, with rear gardens.

A common exterior envelope would be arranged on all the blocks with all buildings appearing as 2 storeys with wet dash rendered walls, grey roof tiles, upvc windows and doors. Chimneys, pitched roofs and painted bands would be formed around windows, doors and at base coarse level in order to provide a traditional appearance to match the ongoing development within the wider masterplan area.

Private amenity space would be associated with each dwelling. Five of the blocks would have off street parking and the remaining blocks, adjacent parking areas. Whilst the development would, in time, be linked to the wider masterplan area it is proposed to create a temporary vehicle and pedestrian access from the A78 trunk road.

In the adopted Local Development Plan (LDP) the application site is allocated for market housing, where Policy Res 2 (Additional Housing Sites) applies. In terms of Policy Res 2, the site has an indicative capacity of 124 units. Policies PI 1, PI 8 and Res 4 are relevant to the consideration of the application. The General Policy of the LDP is also relevant and requires all development proposals to be considered against a set of assessment criteria, the relevant ones in this case being (a) siting, design and external appearance, (b) amenity, and (d) access, road layout, parking provision.

## **2. Consultations and Representations**

The application was subject to the standard neighbour notification procedure and was advertised in the local press on 21 March 2018. Four letters of objection were received which could be summarised as follows:

1. Part of the development, block 2, would overlook and overshadow neighbouring gardens. The block could be rotated 90 degrees to increase the distance from the boundary and all windows on the gable end should be removed. It would be unreasonable for the rear windows of block 3 to be obscure glazing.

*Response: Noted. The proposed layout has been designed to minimise any impact on existing neighbouring amenity. It is agreed that there is potential for overlooking from side windows on blocks 1, 2 and 3. A condition could be applied to ensure those windows have*

*obscure glazing. In terms of overshadowing, given the siting and scale of the buildings any impact would be negligible as the majority of overshadowing would fall upon the side, front or rear gardens of the new properties. There would be no detrimental impact on existing gardens. There are no proposals to obscure glass as the windows at the rear are located over 11 metres from the rear boundary.*

2. The outline planning consent proposed one and a half storey buildings and not 2 storey. Two storey buildings do not fit in with the surrounding area. Two storey housing would appear out of character and would dominate existing bungalows.

*Response: The design brief and indicative masterplan for the site provided information on building style, materials, design and layout which included 2 storey dwellings. Phase 1 is predominantly made up of 2 storey houses of varying design and plot sizes. It is considered that the proposed design and layout is appropriate in context of the wider area. (see Analysis).*

3. The proposed temporary access is not wide enough for two way vehicular traffic and pedestrians.

*Response: Neither Transport Scotland nor NAC Transportation have raised concerns regarding the proposed access.*

4. Existing trees in neighbouring gardens would be adversely affected. There has been no tree survey carried out with regard to trees within and out with the site.

*Response: No tree survey was required as part of this application but a condition could be applied to ensure that any works carried out in close proximity to existing trees out with the site are protected.*

5. The design and materials in the buildings do not match that within the remainder of the masterplan i.e. no slate roof. The design does not provide a variety in design that the design brief aspires to and would appear out of place when considered in light of the remainder of the masterplan area. There is no connection to the remainder of the masterplan area which would isolate the development. The area of land associated with the affordable housing is smaller than the approved masterplan resulting in the development appearing cramped and units being located closer to existing residents.

*Response: The design brief provides an outline for design and does encourage variety within the masterplan area. This development would be located within one of the subsequent phases of the wider site and whilst the design of the housing is relatively similar, the variety is provided in the variation of the block types i.e. terraced or flatted. There is no current connection to Phase 1 of the development as subsequent phases are yet to be agreed but in time the development would link in with the wider masterplan area. The aspiration with this application is to deliver the affordable housing earlier than programmed. The area outlined in the masterplan was indicative and the buildings design, scale and arrangement has been driven by the needs of those on the housing register. The current need is 2 bedroom properties. The siting and design of the houses are considered to be appropriate. The use of window banding, upvc windows, painted doors and other minor detailing are consistent with Phase 1 of the site. Details of the roof materials are yet to be provided but this could be controlled through condition.*

## Consultations

**Transport Scotland** - No objection subject to conditions. The design of the junction onto the trunk road, proposed lighting and footpath links should be controlled through condition. No drainage connections should be made to the A78. The applicant should also provide a Travel Plan for the development with the aim of reducing dependency on the private car.

*Response: Conditions could be applied with respect to road and footpath design. The matter regarding Travel Plans was addressed as part of the applicant's PPP application. As outlined in the analysis below the development site is well connected to existing public transport, walking and cycling routes. Drainage is not proposed to be connected to the A78. A condition regarding drainage design and routing would resolve any concerns regarding connections.*

**NAC Transportation** - No objections.

Response: Noted.

**NAC Housing** - The delivery of 31 new affordable homes at Ardrossan Road, Seamill meets the Council's requirement for a developer contribution required as a result of the Council's Affordable Housing Policy. The new homes would be let to applicants from the North Ayrshire Housing Register.

Response: Noted

**NAC Flooding** - No objection. There is no record of notable flood risk at the site. Details should be submitted regarding drainage, treatment and management of surface water prior to commencement of the development. These details may be confirmed via the submission of a short Drainage Assessment.

Response: Noted. A condition could be applied in this regard.

**West Kilbride Community Council** - WKCC raise the following comments:

1. The house numbering on the Location plan is incorrect.
2. The proposed access road was previously only to be for pedestrian access to Ardrossan Road as it was not wide enough for two way vehicular traffic. The drawings show an entrance of 7.1m.
3. WKCC are pleased that Hope Homes has decided to go ahead with the original phase 4 now as phase 2, and in the short term bring forward the inclusion of the 'Affordable Housing' designation earlier.

Response: Noted. The plans have been updated to correct the numbering error. NAC Transportation has not raised concerns regarding the road or pavement widths. Transport Scotland has no objections subject to certain conditions, above.

## 3. Analysis

This application seeks approval of matters specified in conditions through the submission of the detailed design of the affordable housing proposals.

In the adopted Local Development Plan (LDP) the application site is allocated for market housing, where Policy Res 2 (Additional Housing Sites) applies. In terms of Policy Res 2, the site has an indicative capacity of 124 units. Policies PI 1, PI 8 and RES 4 are relevant to the consideration of the application. The General Policy of the LDP is also relevant and requires all development proposals to be considered against a set of assessment criteria, the relevant ones in this case being (a) siting, design and external appearance, (b) amenity, and (d) access, road layout, parking provision.

With regard to Policy PI 1 the applicant previously provided a transport assessment which considers issues and methods to promote active travel and the use of public transport. The site is well located for pedestrians and cyclists, being connected to the existing network of local footpaths, national cycle route and is within walking distance of West Kilbride town centre. The site is also well located for public transport, with the A78 being on the main bus route between Greenock and Ayr. In summary, the proposal is satisfactory in relation to Policy PI 1.

Policy PI 8 relates to drainage, SuDS and flooding. The PPP application was subject to a drainage assessment. The applicant subsequently provided a Flood Risk Assessment which concludes that SEPA's Indicative Flood Map 1:200 year flood plain does not impinge on the site although some localised surface water flooding may occur from the east which would be intercepted at the site boundary.

It has previously been agreed that there is no requirement to provide SUDS to treat surface water discharge in line with SEPA's advice on treating low risk activities such as the development proposed. No objections have been received from NAC Flooding, subject to condition. The proposal is satisfactory in relation to Policy PI 8.

With respect to Policy Res 4 the proposed erection of 31 units on site has been agreed by NAC Housing. The schedule for delivery is currently under negotiation but completion is expected before 31 March 2020. Whilst the affordable housing contribution was to be delivered in Phase 4 of the masterplan the developer is confirming the commitment to delivery by delivering the units within Phase 2. The proposal therefore complies with Policy Res 4.

With regard to the General Policy the relevant ones in this case are (a) siting, design and external appearance, (b) amenity, and (d) access, road layout, parking provision.

(a) siting, design and external appearance.

The applicant has provided detailed designs including elevations, site plans and road details. The original design brief and masterplan outline the approach taken with the detail for the development and outline the traditional precedents utilised in order to develop the proposed design solution for the masterplan area. The applicant proposes to take influence from more historic development in the area with the view of creating a 'Place'. The approved design brief notes that there are a range of building types in the area as well as more modern bungalow/ suburban type housing and that throughout the masterplan area there would be a mixture of one, two and two and a half storey housing to provide variety and focal points within the development. The statement also refers to potential materials and

detailing, which reflect a more traditional approach to design, with influence taken from North Ayrshire Council's 'Neighbourhood Design' document.

The introduction of shared spaces would encourage reduced traffic speeds within the development whilst helping create a sense of place. Where achievable, frontage parking has been minimised to improve the appearance of the development and provide a consistent and attractive design throughout the masterplan area.

Concern has been raised regarding the buildings relationship to more modern bungalows and 1½ storey houses in the immediate area. However the design brief explains the background and influence taken from the wider environment within West Kilbride, in particular the centre of the town which contains more historic buildings. The design addresses modern housing needs and proportions whilst ensuring the development is not a pastiche of historic building types. It is not considered that a more modern 2 storey or 1 storey standard design would be appropriate for the site, which would not complement the built character of West Kilbride and would not comply with the Scottish Government's Designing Places guidance.

Therefore it is considered that the proposed siting, design and layout of the development is acceptable in design terms and would continue to set a high standard of design for the remaining phases of the PPP area. The proposal would comply with criteria (a).

(b) amenity.

With respect to the privacy and overshadowing of existing occupants, the development would be located to the rear of bungalows that front the A78. The applicant has attempted to design out any amenity issues through the arrangement of the buildings. The majority of windows would overlook individual gardens or the road. However concern has been raised regarding blocks 1, 2 and 3 which contain windows on the side elevation at ground and first floor level. Whilst planting is proposed along the western boundary, it would be considered necessary to apply a condition to require the installation of obscure glazing on those windows.

Overshadowing from the new buildings would largely be contained within the site, mainly due to the buildings siting, restricted height and orientation. Any overshadowing from blocks 1, 2 and 3 would be contained to the early hours of the morning, at certain months of the year, when shadows are longer, which would not be significantly detrimental to the amenity of the neighbours.

The properties would be sited within varying plot sizes, which reflect the scale of the house proposed, and would offer acceptable levels of amenity for future residents. All would have direct access to private gardens as well as a large shared greenspace located in Phase 1 of the masterplan area. The development has been designed to reflect the intrinsic design values of the wider area and due to siting, restricted building heights and varying plot sizes, the amenity of existing residents would be protected and any new residents would have an acceptable level of residential amenity. Subject to condition the proposals would comply with criterion b).

d) access, road layout, parking provision.

Prior to submission, the applicant has undertaken pre application advice with NAC Transportation, Planning and Housing. The applicant has been encouraged to take account of the Scottish Government's Guidance, Designing Streets. The geometry of the road has been designed to limit vehicle speeds within the development, through a reducing frontage parking, providing shared spaces, natural landscaping and the siting of buildings. The design reduces the need for more formal traffic attenuation such as speed bumps, helping create a more attractive place. Further enhancing the visual amenity of the development. NAC Transportation has not objected to the proposals.

The proposed access onto the A78 would be designed to meet the needs of Transport Scotland, who has not objected, subject to conditions relating to the design of the access, lighting and drainage design. Subject to condition the proposed development would comply with criterion d).

The proposed development is considered to comply with the requirements of the LDP. It is considered that the matters submitted in response to the conditions and the design are acceptable, subject to conditions.

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

Approved subject to Conditions

#### **Reasons for Decision**

##### **Condition**

1. That prior to the commencement the applicant shall submit for the written approval of North Ayrshire Council as Planning Authority details regarding the proposed drainage of surface water, routing of drainage into the Firth of Clyde, details of proposed connections to the public sewerage system and details regarding the proposed treatment of contamination or pollution contained with surface water prior to its discharge into the Firth of Clyde. Thereafter, the scheme as may be approved shall be implemented during the course of development and maintained thereafter to the satisfaction of North Ayrshire Council as Planning Authority.

##### **Reason**

To minimise the risk of flooding within the site and elsewhere.

##### **Condition**

2. That the flood management measures recommended in the Flood Risk Assessment by Kaya Consulting Limited dated December 2016 shall be fully implemented and no development shall take place until information has been submitted for the written approval of North Ayrshire Council as Planning Authority in relation to flood risk, specifically:

(i) Details of remediation works and arrangement of ground levels to ensure that surface water runoff reaching the site is intercepted along the eastern boundary and routed around the site and provide an overland flow pathway should the interception measures block during an extreme event;

(ii) Proposals for an appropriate inspection and management regime to be put in place with regard to the proposed cut of drain;

(iii) Details of an emergency flow pathway through the site in the event of blockage of the site drainage system, or rainfall events in excess of design conditions. The flow pathways should route surface water through the site without flooding properties or increasing flood risk to neighbouring properties;

(iv) A programme for the implementation of the flood management measures, all to the satisfaction of North Ayrshire Council as Planning Authority.

**Reason**

To minimise the risk of flooding within the site and elsewhere.

**Condition**

3. Prior to the commencement of construction of Phase 2 (formerly Phase 4) of the development, full details of the design of the proposed footpaths, street lighting and the temporary vehicular access onto the A78 trunk road shall be submitted for the written approval of North Ayrshire Council as Planning Authority in consultation with Transport Scotland. The proposed temporary access shall join the trunk road at a new junction which shall be constructed by the applicant to a standard as described in the Department of Transport Advice Note TD 41/95 (Vehicular Access to All-Purpose Trunk Roads) (as amended in Scotland) complying with Layout 5. The junction shall be completed in accordance with the details that shall be submitted and approved by the Planning Authority, after consultation with Transport Scotland, as the Trunk Roads Authority, before any part of the development is commenced.

**Reason**

To minimise interference with the safety and free flow of the traffic on the trunk road, to ensure that the standard of access layout complies with the current standards and that the safety of the traffic on the trunk road is not diminished

**Condition**

4. That notwithstanding the details within plan 09/16-P01 B, the proposed vehicular access completed in compliance with condition 1 is temporary, and shall be entirely removed within 3 months of the date of completion of the adjoining phase of development, outlined as Phase 3 within drawing No. P03.

**Reason**

To ensure that the vehicular access consented under this approval is temporary and is removed in accordance with the specified timescale.

**Condition**

5. That the affordable housing units, hereby approved, shall be completed no later than 31 March 2020, unless otherwise agreed in writing by North Ayrshire Council as Planning Authority.

**Reason**

To meet the requirements of Housing and ensure compliance with the Local Development Plan.

**Condition**



6. That, notwithstanding the plans hereby approved, all windows on the side, western, elevations of blocks 1, 2 and 3 shall be fitted with obscured glazing. Prior to the commencement of the development, hereby approved, details of the obscured glazing shall be submitted for the written approval of North Ayrshire Council as Planning Authority. Thereafter, the obscured glazing, which may be approved, shall be installed and retained permanently, all to the satisfaction of North Ayrshire Council as Planning Authority.

**Reason**

To maintain control over the development in the interest of amenity.

**Condition**

7. That, prior to the commencement of the development, hereby approved, full details of proposed treeworks and tree protection measures for trees within and outwith the site shall be submitted for the written approval of North Ayrshire Council as Planning Authority. The details shall comply with the principles and practices contained in "BS 5837:2012 - Trees in relation to design, demolition and construction - Recommendations." Detailed plans indicating tree protection fencing to be erected and an Arboricultural Method Statement shall be submitted for written approval. For the avoidance of doubt:

- there shall be no treeworks undertaken during the main bird breeding season (March - September);
- all tree protection measures to be erected shall be maintained in a satisfactory condition for the duration of all engineering and construction operations until the completion of the development.

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

**Reason**

To secure the preservation of trees in compliance with Section 159(a) of the Town and Country Planning (Scotland) Act 1997.

**Condition**

8. That prior to the commencement of the development the applicant shall submit for the written approval of North Ayrshire Council as Planning Authority details and samples of the proposed external finishes.

**Reason**

In the interest of the amenity of the area.



Karen Yeomans  
Executive Director  
Economy & Communities

For further information please contact Mr Ross Middleton Planning Officer on 01294 324379.

## Appendix 1 – Location Plan

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