



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, 22 November 2023** at **14:00** to consider the undernoted business.

Meeting Arrangements - Hybrid Meetings

This meeting will be held on a predominantly physical basis but with provision, by prior notification, for remote attendance by Elected Members 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>

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 the meeting held on 20 September 2023 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 Local Development Plan Scheme

Submit report by the Executive Director (Place) on the preparation of the Council's next Local Development Plan (LDP3) (copy enclosed).

4 Planning Performance Framework

Submit report by the Executive Director (Place) on the feedback from the Scottish Government on the 2022/23 Planning Performance Framework (copy enclosed).

- 5** **23/00420/PPM: Site to South West of Mosscolloch Farm, Kilwinning**
Erection of 85 residential dwellings with associated works including access, parking, landscaping, open-space and SuDS (copy enclosed).

6 **Urgent Items**

Any other items which the Chair considers to be urgent.

Webcasting

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Planning Committee Sederunt

Robert Foster (Chair)
Timothy Billings (Vice-Chair)
Scott Davidson
Stewart Ferguson
Cameron Inglis
Amanda Kerr
Davina McTiernan
Jim Montgomerie
Ian Murdoch
Chloe Robertson

Chair:

Apologies:

Attending:

At a Meeting of the Planning Committee of North Ayrshire Council at 2.00 p.m. involving a combination of participation by remote electronic means and physical attendance within the Council Chambers, Irvine.

Present (Physical Participation)

Robert Foster, Stewart Ferguson, Cameron Inglis, Davina McTiernan, Ian Murdoch and Chloe Robertson.

Present (Remote Participation)

Timothy Billings and Amanda Kerr.

In Attendance (Physical Participation)

Y. Holland, Manager (Property Management & Investment), A. Finlayson, Chief Planning Officer and I. Davies, Senior Development Management Officer, (Place); and R. Lynch, Senior Manager and J. Niven, Solicitor (Legal Services), M. Sugden, Communications Officer, and S. Wilson, Committee Services Officer (Democratic Services) (Chief Executive's Service).

In Attendance (Remote Participation)

D. McCaw, Committee Services Officer (Democratic Services) (Chief Executive's Service).

Also In Attendance (Physical Participation)

J. Corcoran, on behalf of Harbour View (Ardrossan) residents and A. Wishart, J.M. Architects.

Also In Attendance (Remote Participation)

N. Jones, on behalf of Harbour View (Ardrossan) residents.

Chair

Councillor Foster in the Chair.

Apologies

Scott Davidson and Jim Montgomerie.

1. Declarations of Interest

There were no declarations of interest by Members in terms of Standing Order 11 and Section 5 of the Code of Conduct for Councillors.

2. Minutes

The Minutes of the Meeting held on 23 August 2023 were confirmed and signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

3. 23/00319/PPM: Site at North Shore adjacent to North Crescent Road, Ardrossan

North Ayrshire Council have applied for planning permission for the erection of a Community Campus comprising early years, primary & secondary school with additional support needs, shared community facilities including; library, learning hub and integrated services, indoor sports facilities including swimming pool, sports hall, gymnasium, dance studio & fitness studio, outdoor sports facilities including two sports pitches and Multi-Use Games Area (MUGA); Outdoor learning landscape, recreational spaces and growing spaces, associated parking and infrastructure on a site at North Shore adjacent to North Crescent Road, Ardrossan. Three objections were received as detailed in the report.

The Chair advised that he had accepted a request from objectors to address the Committee and Judith Corcoran and Nikki Jones, on behalf of Harbour View residents, were in attendance to speak to the terms of their objections. Adrian Wishart, J.M. Architects and Yvonne Holland, Manager (Property Management & Investment) were in attendance as representatives of the applicant.

The Senior Manager (Legal Services) outlined the terms of the Procedure for those addressing the Planning Committee and all parties confirmed their understanding and acceptance thereof.

Ms Jones addressed the Committee in support of the submitted objections and highlighted comments in relation to air quality monitoring systems, traffic assessments when considering potential increased traffic, the impact of noise and lighting levels and the nuisance factor in terms of these particular areas.

Ms Jones referred to various matters including:-

- the potential loss of views for the Harbour View residents;
- a number of well-established trees which were evident on the site;
- the impact assessment criteria in relation to the demolition of the Coast to Coast bus garage;
- the potential impact on the Harbour View residential area from campus parking, footfall or vehicular access;
- that air quality monitoring should be extended beyond the perimeter of the site and repeated following completion of the development;
- the need for an updated road traffic assessment;
- the likely increased impact and magnitude of noise levels from the sports pitches and plant and equipment; and
- the requirement for a further lighting impact assessment to be undertaken.

Ms. Jones summarised by asking that consideration of the application be delayed until all responses and concerns were addressed and all stakeholders comfortable to proceed.

Ms. Corcoran then reiterated the main concern of objectors in terms of the need for an updated road traffic assessment to be carried out.

Mr. Wishart, J.M. Architects, then addressed the Committee on behalf of North Ayrshire Council as applicant, in response to the objectors. Information was presented in relation to the proposed Community Campus location and site, Local Development Plan policies which had been addressed throughout the design process, including the six qualities of a successful place, namely Distinctive, Welcoming, Safe and Pleasant, Adaptable, Resource Efficient and Easy to Move Around and Beyond.

Mr Wishart also addressed objectors concerns in relation to transport, noise, air quality and lighting, including:-

- that the transport analysis figures had been factored up based on 2017 (pre Covid 19) survey data when the 2021 survey works were carried out;
- that plant noise levels would meet the recommended criteria;
- that an assessment of sports pitch noise levels at the existing residential premises and the nearest potential future housing, would meet the widely accepted noise limit of LAeq 50dB;
- the proposed all electric energy strategy resulting in no emissions affecting air quality;
- the proposed planning condition to outline the potential impact of increased road traffic prior to the development becoming operational;
- that the proposed lighting would provide necessary security while also limiting obtrusive lighting to neighbouring properties; and
- that raised planters, with a separation membrane from the ground below, would be used for any food production.

Mr. Wishart summarised that the proposals for the Community Campus accorded with the Local Development Plan and offered the opportunity to regenerate and revitalise the area within Ardrossan.

The objectors were then afforded the opportunity to make brief final comments in relation to the main entrance access route to the Campus, the existing contamination on the proposed site and the reiteration of the request for the application to be deferred until all concerns were allayed, including those in terms of noise.

Members then asked questions of the objectors and applicant's representatives and received further information on the following:-

- the potential for updating the traffic management survey information;
- the designated main entrance to the Community Campus; and
- measures to address any potential impact in relation to ferry traffic and emergency service vehicles.

The Chief Planning Officer then outlined the terms of the planning report.

Members has the opportunity to ask further questions and received clarification on the following:-

- that any mitigation of noise levels would be best addressed at source through school management regimes;
- the assessment of noise levels having established that any increase up to 5dB would be considered reasonable;

- the Council's obligations in terms of statutory nuisance levels;
- legislative powers which could be utilised by the Council should noise levels rise to unacceptable levels; and
- that no development on the site could take place until remediation, testing and verification was carried out in relation to the site contamination.

Councillor Inglis, seconded by Councillor McTiernan, moved that the application be granted subject to an updated traffic management survey being carried out to 2023 levels.

As an amendment, Councillor Billings, seconded by Councillor Murdoch, moved that consideration of the planning permission be deferred to allow more detailed assessment and reporting on the five specific issues raised by objectors, namely air quality, traffic, noise levels specifically raising of noise levels other than plant noise, lighting and nuisance factors.

On a division and roll call vote, there voted for the amendment Councillors Billings, Ferguson and Murdoch (3) and for the motion Councillors Foster, Inglis, Kerr, McTiernan and Robertson (5) and the motion was declared carried.

Accordingly, the Committee agreed to grant the application subject to (a) the carrying out of an updated traffic management survey to 2023 levels; and (b) the following conditions:-

1. That prior to the commencement of the development, the remediation works (approved under permission 21/01161/PP) shall have been completed and a validation and verification report, which demonstrates the effectiveness of the completed remediation works, with all documentation verified by a suitably qualified Environmental Consultant, shall be submitted for the approval of North Ayrshire Council, as Planning Authority.
2. That prior to the commencement of the development the applicant shall review any previous site investigations and risk assessments to assess the likelihood of contamination and submit an appropriate Remediation Strategy to the satisfaction of North Ayrshire Council as Planning Authority. All documentation shall be verified by a suitably qualified Environmental Consultant and submitted to the satisfaction of North Ayrshire Council as Planning Authority.
3. On the basis there is a requirement to re-use site won material and/or to import material then the assessment criteria and sampling frequency that would adequately demonstrate its suitability for use shall be submitted to and approved by North Ayrshire Council, as Planning Authority prior to any material being used. In addition to this and in accordance with BS3882:2015 and BS8601:2013, material to be used in the top 300mm shall also be free from metals, plastic, wood, glass, tarmac, paper and odours. On completion of the works and at a time and or phasing agreed by the Planning Authority, the developer shall submit a verification report containing details of the source of the material and appropriate test results to demonstrate its suitability for use.

4. 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.
5. That prior to the commencement of the development, a Construction Management Plan shall be submitted for the written approval of North Ayrshire Council, as Planning Authority, and the development will thereafter be carried out in accordance with the details of any approved plan.
6. That prior to the commencement of the development, details of post development exceedance flow-paths shall be submitted to demonstrate that overland flow would be directed away from existing and proposed buildings and that site access and egress would be possible when the capacities of the drainage systems serving the site are exceeded, including an allowance for the predicted effects of climate change.
7. That prior to the commencement of the development a scheme to secure the flood risk management performance of the seawall / revetment and any other feature that protects the site from coastal flooding and private drainage assets that serve the site is provided for the approval of North Ayrshire Council, as Planning Authority, and any scheme as may be approved is implemented prior to the occupation of the site and maintained in perpetuity.
8. That prior to the development becoming operational, a report outlining the potential impact of increased road traffic on local air quality, including concentrations of atmospheric pollutants, shall be submitted for the approval of North Ayrshire Council, as Planning Authority.
9. That prior to the development becoming operational, the applicant shall submit for the written approval of North Ayrshire Council as Planning Authority details of a finalised Travel Plan for the development. Such a Travel Plan shall include details of active travel proposals for all users of the site and an indication of the measures which shall be undertaken to reduce car journeys. Thereafter, the Travel Plan as may be approved shall be implemented upon the development becoming operational to the satisfaction of North Ayrshire Council as Planning Authority and reviewed at 2 yearly intervals thereafter, unless otherwise agreed in writing with North Ayrshire Council as Planning Authority.
10. That prior to the commencement of the development, details of boundary treatments shall be submitted for the written approval of North Ayrshire Council as Planning Authority. The development will thereafter only be carried out in accordance with any details as may be approved.
11. That the proposed landscaping shall be carried out in the first planting season following completion of the development or occupation of the building, whichever is soonest. Any landscaping which dies, becomes diseased, or otherwise fails, within 5 years of the completion of the development shall be replaced to the satisfaction of North Ayrshire Council, as Planning Authority.

12. That prior to commencement of the development or within 12 months of the date of approval, whichever is later, a biodiversity action plan, which shall include details of bird boxes, wildflowers and other measures to promote/safeguard biodiversity and nature conservation shall be submitted for the written approval of North Ayrshire Council as Planning Authority. Thereafter, the action plan as may be approved shall be implemented prior to the campus becoming operational to the satisfaction of North Ayrshire Council as Planning Authority.
13. That prior to commencement of the development or within 12 months of the date of approval, whichever is later, details of all external lighting within the site shall be submitted for the written approval of North Ayrshire Council as Planning Authority. Thereafter, the external lighting scheme as may be approved shall be implemented prior to the campus becoming operational to the satisfaction of North Ayrshire Council as Planning Authority.
14. The rated noise level, as defined in BS4142:2014 +A1:2019, from the operation of all plant and equipment must not exceed the background noise level by 5dB or more at the curtilage of any existing or consented noise sensitive premises.
15. That prior to the commencement of the development, a Traffic Survey dated no earlier than September 2023 shall be carried out and submitted for the written approval of North Ayrshire Council as Planning Authority. Any findings shall be used to prepare the finalised Travel Plan required under Condition 9.

The meeting ended at 3.10 p.m.

NORTH AYRSHIRE COUNCIL

22 November 2023

Planning Committee

Title:	Development Plan Scheme
Purpose:	To update Members on the preparation of the Council's next Local Development Plan (LDP3) and seek approval of a revised Development Plan Scheme.
Recommendation:	It is recommended that the Planning Committee adopts the Development Plan Scheme.

1. Executive Summary

- 1.1 A new Development Plan Scheme has been prepared in accordance with Section 20B of the Town and Country Planning (Scotland) Act 1997, as amended by the Planning Scotland (Scotland) Act 2019. A Development Plan Scheme is a document setting out a planning authority's programme for preparing and reviewing its local development plan (LDP). The Development Plan Scheme also includes a Participation Strategy, setting out when, how and with whom consultation on the plan will take place.
- 1.2 The proposed timetable for the preparation of North Ayrshire's third local development plan (LDP3) outlined in the Development Plan Scheme sets a target date of March 2027 for the adoption of LDP3.

2. Background

- 2.1 North Ayrshire Council adopted the current Local Development Plan (LDP2) on 28 November 2019. The Plan has a vision, aligned with the North Ayrshire Community Planning Partnership, that looks forward 20 years and plans for a 10-year period to 2029. The policies and proposals, including sites allocated for development, within LDP2 – alongside the National Planning Framework (NPF4) – are the basis for determining planning applications, with decisions made in accordance with the development plan (LD2 and NPF4) unless material considerations indicate otherwise.
- 2.2 As planning authority we are required to prepare a Development Plan Scheme annually. The Development Plan Scheme sets out the authority's programme for preparing and reviewing the local development plan; what is likely to be involved at each stage and when, how and with whom consultation on the plan will take place (a Participation Statement). Our last Development Plan Scheme was approved by the Planning Committee in October 2022.

- 2.3 The Planning (Scotland) Act 2019 makes significant changes to the development planning system and the way local development plans are to be prepared, with the aim of making them more effective, with greater community involvement and more focus on delivery. Since the publication of our last Development Plan Scheme, the new legislative provisions and regulations relating to the development planning system came into force and local development planning guidance, setting out the Scottish Ministers' expectations for implementing this new system, has been published, in May 2023. The guidance has enabled a more informed timetable for the preparation of North Ayrshire's third Local Development Plan to be proposed.
- 2.4 The Scottish Government expects that every planning authority in Scotland will have a new style LDP in place within around 5 years of the Regulations coming into force i.e. by May 2028 and anticipates Plan preparation should take around 3-4 years from the publication of the first Development Plan Scheme to adoption. Additional time amounting to 9 months has been built into the proposed timetable for the preparation of LDP3 compared to the 2022 Development Plan Scheme, to take account of the guidance; the importance of the Evidence Report as a key stage in the preparation of the LDP3; and the time required to satisfy the legal requirements relating to its content and preparation. The additional time will allow for further opportunities for engagement with a range of stakeholders. The anticipated date of adoption of LDP3 proposed within the 2023 Development Plan Scheme is March 2027.
- 2.5 In accordance with our previous Development Plan Scheme, the Planning Service has undertaken early engagement relating to LDP3 during the last 12 months, including with other Council services, Elected Members, key agencies and community councils. A record of the engagement undertaken to date is provided at Appendix 1 of the Development Plan Scheme. In March 2023 we launched an online hub to support the preparation of LDP3, including the launch of the 'Your Place' survey, based on the Place Standard. We have engaged with Council tenants; locality planning partners and children and young people via Joint Cabinet, Youth Council, Joint Youth Forum and meeting North Ayrshire's MSYPs.
- 2.6 During 2024, the focus will be on the preparation of an Evidence Report. A new stage in the local development planning system, the Evidence Report will provide a summary of baseline data and information – including the views of communities on their local area – needed to inform a deliverable, place-based and people-focused LDP. The Evidence Report must be approved by the full Council before it is submitted to the Scottish Ministers. We will aim to publish the Evidence Report following Council approval by December 2024.
- 2.7 The Development Plan Scheme also includes a Participation Statement setting out when, how and with whom consultation on the plan will take place. The statement reiterates our approach, followed throughout the preparation of LDP2, to encourage everyone with an interest in North Ayrshire to get involved in the update of the Local Development Plan.
- 2.8 The Participation Strategy highlights five distinct opportunities for involvement throughout the preparation of LDP3, aligned with the key stages in the process. Our approach will evolve during the course of preparing LDP3, taking account of forthcoming Scottish Government guidance and the views of stakeholders and the public on how they can be most effectively consulted and engaged, enabling us to tailor our approach and improve its effectiveness.

Next Steps

- 2.9 If approved for adoption by Members, the Development Plan Scheme will be sent to Scottish Ministers, published online and placed in all libraries in accordance with the planning legislation. An update will be provided to all stakeholders.

3. Proposals

- 3.1 It is recommended that the Planning Committee adopts the Development Plan Scheme attached to this report.

4. Implications/Socio-economic Duty

Financial

- 4.1 None.

Human Resources

- 4.2 The programme for preparing and reviewing North Ayrshire's local development plan (LDP) can be delivered within existing staff resources and budgetary provision.

Legal

- 4.3 The Planning (Scotland) Act 2019 introduces a new legislative framework for preparing a local development plan and requires the preparation of a Development Plan Scheme at least every year.

Equality/Socio-economic

- 4.4 The preparation of a new Local Development Plan for North Ayrshire will be required to be subject of an equalities impact assessment and assessment on the impact of the plan on children.

Environmental and Sustainability

- 4.5 The preparation of a new Local Development Plan for North Ayrshire will be required to be subject of a Strategic Environmental Assessment and Habitat Regulations Appraisal.

Key Priorities

- 4.6 LDP3 will align with wider national priorities, programmes and strategies, most directly via National Planning Framework 4. This links with the Council's key priorities of wellbeing, communities and local democracy and climate change. The LDP is a key mechanism for supporting Placemaking within North Ayrshire.

Community Wealth Building

- 4.7 There is significant scope within the plan making process to explore how the Local Development Plan can support Community Wealth Building, for example around its approach to land owned by 'anchor' organisations within the local economy.

5. Consultation

- 5.1 A Participation Statement forms part of the Development Plan Scheme and outlines how, when and with who we will engage with throughout the process of preparing the next Local Development Plan. An Engagement Survey has informed our approach, which will evolve in response to guidance, best practice and further feedback.

RUSSELL McCUTCHEON
Executive Director (Place)

For further information please contact **Alistair Gemmell, Strategic Planning Manager**, on **01294 324021**.

Background Papers

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Development Plan Scheme 2023

Draft

DRAFT

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Introduction

The development plan for North Ayrshire comprises the adopted Local Development Plan (LDP2) and National Planning Framework 4 (NPF4). North Ayrshire Council adopted the [current Local Development Plan](#) on 28 November 2019. Scottish Ministers adopted [National Planning Framework 4](#) on 13 February 2023.

This Development Plan Scheme (DPS) sets out North Ayrshire Council's programme for preparing and reviewing LDP2. It includes a proposed timetable, including timing of the main stages of LDP preparation; details of what is involved at each stage; and a Participation Statement outlining when consultation is likely to take place, how and with whom. Planning authorities are required to prepare and publish a Development Plan Scheme at least annually. The [previous Development Plan Scheme](#) was adopted by the Planning Committee and published in October 2022.

The 2020 Development Plan Scheme, approved by Planning Committee in June 2020, set out the intention to prepare North Ayrshire's next local development plan (LDP3) under the provisions of the Planning (Scotland) Act 2019, once enacted. This legislation is at the centre of reforms to the Scottish planning system, including to the way local development plans are prepared, aiming to make LDPs more effective, with greater community involvement in their preparation and more focus on delivery.

The new legislative provisions and regulations relating to the development planning system came into force on 19 May 2023 and [local development planning guidance](#), setting out the Scottish Ministers' expectations for implementing this new system, was also published in May. The guidance has enabled a more informed timetable for the preparation of North Ayrshire's third Local Development Plan to be proposed. The new timetable envisages adoption of LDP3 on or before **March 2027**.

In addition to being place-based and delivery-focused, new-style local development plans are expected to be people-centred. This means putting people and communities at the heart of a collaborative process to prepare LDP3 in a way that meets people's needs and aspirations and tackles inequalities. The Draft Participation Statement sets out our intentions around ensuring engagement on LDP3 is early, collaborative, meaningful and proportionate.

Any individual or organisation interested in the preparation of the development plan for North Ayrshire, including the details of future consultation events, is encouraged to [sign up to our mailing list](#) to receive updates direct to their mailbox.

Proposed Timetable

The [Local Development Planning Guidance](#) (May 2023) states that every planning authority in Scotland should have a new style LDP in place within around 5 years of the Regulations coming into force i.e. by May 2028. Plan preparation should take around 3-4 years from the publication of the first Development Plan Scheme to adoption. Taking this DPS, the first to be prepared since the Regulations came into force, as the starting point the proposed timetable for the preparation and adoption of North Ayrshire’s third Local Development Plan set out below envisages adoption of LDP3 within three-and-a-half years.

Key Stage	2022 Development Plan Scheme	Target Date
Publication of Evidence Report	Jan-Mar 2024 (Q4 2023/24)	Oct-Dec 2024 (Q3 2024/25)
Publication of Proposed Plan	Jan-Mar 2025 (Q4 2024/25)	Oct-Dec 2025 (Q3 2025/26)
Submission of Proposed Plan to Scottish Ministers	July-Sept 2025 (Q2 2025/26)	Apr-Jun 2026 (Q1 2026/27)
Expected Adoption of LDP3	April-June 2026 (Q1 2026/27)	Jan-Mar 2027 (Q4 2026/27)

Note: in accordance with the Local Development Planning Guidance, the timetable for preparing North Ayrshire’s third Local Development Plan (LDP3) uses ‘quarters’ where Quarter 1 = April-June, Quarter 2 = July-Sept, Quarter 3 = Oct-Dec, Quarter 4 = Jan-March.

Recent Development Plan Schemes have attempted to anticipate both the commencement date of the relevant parts of the 2019 Act and the requirements and expectations surrounding the preparation of ‘new look’ local development plans. Now the legislative provision and regulations have come into force and guidance has been published the proposed timetable has been revised.

An additional nine months has been added to the target date for the publication of the Evidence Report. Consequently, target dates for the publication of the Proposed Plan; submission of the Proposed Plan to Scottish Ministers and expected date of adoption have been amended accordingly.

The changes to the timetable, specifically the additional time given towards preparation and publication of the Evidence Report, reflect the later than previously anticipated publication of the local development planning guidance; the importance of the Evidence Report as a key stage in the preparation of the LDP3; and the time required to satisfy the legal requirements relating to its content and preparation. The additional time will allow for further opportunities for engagement with a range of stakeholders.

Key Stages

The following section of the 2023 Development Plan Scheme details what is involved in each stage of preparation of North Ayrshire's third Local Development Plan.

Early Engagement & Data Collection

➤ We are at this stage in the preparation of LDP3

In accordance with our 2022 Development Plan Scheme, the Planning Service has undertaken early engagement during the last 12 months, including with other Council services, Elected Members, key agencies and community councils in advance of commencing work on North Ayrshire's third Local Development Plan (see Appendix 1 for a record of engagement undertaken to date).

In March 2023 we launched an [online hub](#) to support the preparation of LDP3, including the launch of the 'Your Place' survey, based on the Place Standard. We have engaged with Council tenants; locality planning partners and children and young people via Joint Cabinet, Youth Council, Joint Youth Forum and meeting North Ayrshire Members of the Scottish Youth Parliament (MSYP).

Scoping has been undertaken to consider the matters to be addressed in the Evidence Report; the relevant baseline information needed for each issue; the need for primary data collection; the stakeholders to be involved in collating and reviewing data and a timetable for this work. A programme of data collection has commenced with several audits and studies initiated to inform the Evidence Report:

- Housing Land Audit (completed annually)
- Employment Land Audit (completed annually)
- Employment Land Requirement Study
- Town Centre Audits
- Open Space Audit
- Local Nature Conservation Site Review
- Local Landscape Area Review
- Retail Capacity Study

We are also undertaking a Transport Evidence Review and working with Education Services and NHS Ayrshire & Arran to understand the capacity of our major infrastructure.

Evidence Report

Under the new system for local development planning, the first output in the process of preparing a local development plan is an Evidence Report. This is a new stage, replacing the 'Main Issues Report'. The Evidence Report aims to clearly inform what to plan *for* before the Proposed Plan looks at *where* development should take place. The Evidence Report therefore will not consider specific sites but instead provide a

summary of the baseline data and information needed to inform a deliverable, place-based and people-focused LDP.

During 2024 our focus will be on the preparation of an Evidence Report.

To support the preparation of the Evidence Report, we will draft and publish **Place Profiles** for each locality in North Ayrshire. These will set out key baseline information and data, summarise early engagement to date and reflect on the outcomes of other recent and current community engagement initiatives such as Charrettes, Local Place Frameworks and Island Plans. A topic specific paper on housing issues will also be prepared.

Engagement on the Place Profiles and housing paper will enable public and stakeholders to comment on data collected, providing an opportunity to sense check our understanding and to supply further information and views on the needs and aspiration for the places in North Ayrshire people live, work and visit. The profiles, in addition to the feedback received, will form the basis of the Evidence Report.

The Evidence Report must be approved by the full Council before it is submitted to the Scottish Ministers. We will aim to publish the Evidence Report following Council approval by **December 2024**.

Gate Check

Once the Evidence Report has been considered and approved by full Council, it will be submitted to the Scottish Ministers for a Gate Check. This is also a new stage in the process for preparing a local development plan and is principally the responsibility of the person appointed by Scottish Ministers, expected to be a Reporter from the Directorate for Planning and Environmental Appeals (DPEA). The appointed person will provide an independent assessment as to whether the report contains sufficient information.

The Reporter will either decide there is sufficient information, and we may then move to prepare and publish a Proposed Plan or, where they are not satisfied that there is sufficient information, prepare an 'assessment report' setting out the reasons for not being satisfied and recommendations for improving the Evidence Report.

The length of the Gate Check is estimated at 3 months by DPEA, however, will be determined by the number of disagreements with the evidence and the requirement for further information and/or hearing sessions.

Proposed Plan

We aim to move quickly from successfully completing the gate check to preparation of the Proposed Plan. To support this process, we will carry out a '**Call for Ideas**'. This will be open to everyone to propose ideas for any aspect of the new local development plan, not limited specifically to suggestions for development sites or types of development e.g., housing.

The Proposed Plan will be our settled view on the policies and proposals that will make up LDP3, including where new development should take place and where it should not. In preparing the Proposed Plan, we will consider submissions made at the Call for Ideas stage; registered Local Place Plan and any other place-based community-led plans; and undertake further engagement with stakeholders to test proposals to be included within the Plan.

The Proposed Plan requires the approval of the full Council. Once Council has had the opportunity to consider and approves the Proposed Plan, it will be published to allow any representations from stakeholders, including the general public, which seek to make changes to the plan, for a period of at least 12 weeks.

Following the close of the period for representations on the Proposed Plan, we may make modifications to the plan to take account of representations, consultation responses or correct minor drafting and technical matters. A Modification Report, if necessary, will set out any modifications made and explain the reasons for making them and for not making changes where matters have been raised in significant numbers.

We will then republish the Proposed Plan and submit it to Scottish Ministers, who will examine any unresolved representations via an Examination.

We will aim to publish the Proposed Plan for consultation by **December 2025** and submit to Scottish Ministers in **June 2026**.

Examination

The examination is the opportunity for independent consideration of any issues raised during the formal consultation on the Proposed Plan that have not been resolved through modifications. Scottish Ministers will appoint a person, known as a Reporter, to examine the Proposed Plan, starting with whether the consultation and involvement of the public in the preparation of the plan meets or exceeds the requirements of the Participation Statement.

The scope of the examination is limited only to issues raised in unresolved representations. These issues will be set out in the summary of issues prepared by the planning authority and it is the Reporter who will determine the form the Examination will take. Only where the Reporter feels they do not have all the information they need to make a proper assessment of an issue will they request further information from any person.

The Reporter will provide conclusions and recommendations for each of the unresolved issues identified at the start of the Examination process.

Adoption

Following receipt of the examination report from the Reporter – and subject to the recommendations of the Reporter on the unresolved representations – we will progress to adopt LDP3, further modified as required.

As with the Gatecheck, it is difficult to be certain how long the examination of the Proposed Plan will take. This will be determined by the number of issues being examined, the requirement for further information to be submitted; the need for any hearing sessions; resources available to DPEA, among other factors. Our programme allows for a six-month examination with a further three months to adopt the plan.

Notwithstanding the potential for the examination to take longer than six months, we anticipate adopting LDP3 on or before **March 2027**. It is noted that the local election expected to take place in May 2027 could have an impact on the adoption date of LDP3, especially if there is any delay in the timetable.

Monitoring & Delivery

Whilst the adoption of a plan is a significant milestone, it is not the end point. Monitoring will form a feedback loop, providing data that will be needed for the evidence gathering for amendment of the plan, or the next LDP and – in line with the aspiration to achieve a delivery focussed system – focus will turn to facilitating development that supports the spatial strategy, in particular developments that are proposals of the plan.

A key component of this is the Delivery Programme, which we are required to adopt and publish a within 3 months of the LDP being constituted. A draft Delivery Programme will be published alongside the Proposed Plan in December 2025.

Participation Statement

The Participation Statement forms an important part of the Development Plan Scheme and sets out when consultation is likely to take place, with whom and its likely form, including the steps to be taken to involve the public in the preparation of the local development plan.

To inform this Participation Statement we published an [Engagement Survey](#) seeking views on how we should publicise LDP3 and its engagement opportunities; how people would like to be involved in LDP3 and how we could reach more people to involve them in the local development plan process. We would welcome further responses to the Engagement Survey and comments on this Participation Statement to allow interested stakeholders to have a say in how they can be most effectively involved.

Throughout the preparation of LDP3 we will develop and tailor our approach to engagement and seek to ensure it is effective and update our Participation Statement on an annual basis as part of the Development Plan Scheme. Guidance on effective community engagement in local development planning guidance is also expected to be published by the Scottish Government in accordance with new planning legislation and will also inform our approach.

Comments on the Participation Statement can be emailed to: ldp@north-ayrshire.gov.uk

When engagement will take place:

We will engage and consult with stakeholders throughout the preparation of LDP3. In line with our proposed timetable and the key stages, there are five distinct opportunities for engagement:

1) **Early Engagement** – ongoing to Q4 2023/24

The aim of this stage is to increase awareness and understanding of the LDP process amongst stakeholders and to gather information from communities on the needs and aspirations for the places in which they live over the next 10-20 years. Up to April 2024 we will continue to promote and seek responses to the 'Your Place' survey, including via our [online hub](#).

2) **Place Profiles** – Q2 2024/25

We will prepare and consult on 'Place Profiles' for each locality in North Ayrshire setting out key baseline information, summarising early engagement to that point and reflect on the outcomes of other recent and current community engagement initiatives. The purpose of engagement at this stage will be to sense check the information that will make up our Evidence Report and inform LDP3.

3) **Call for Ideas** – Q1 2025/26

To support the preparation of a Proposed Plan, we will carry out a 'Call for Ideas'. This will be an invitation open to everyone to propose ideas for any aspect of the new local development plan.

4) **Proposed Plan engagement – Q2 2025/26**

At the point where we are drafting the Proposed Plan we will engage with stakeholders to seek their views on proposals, including those submitted at the 'Call for Ideas' stage, before they are included in the plan.

5) **Proposed Plan consultation – Q4 2025/26**

Once Council has approved the Proposed Plan it will be published to allow any representations from stakeholders, including the general public, which seek to make changes to the plan for a period of at least 12 weeks.

Who engagement will take place with:

We want to ensure that everyone – either as an individual or on behalf of a group, organisation, body or company – with an interest in North Ayrshire as a place to live, work or visit is involved in the preparation of LDP3. Identified stakeholders include:

- North Ayrshire residents
- Elected Members, MPs & MSPs
- Children and young people
- Community Bodies, including Community Councils
- Locality Planning Partnerships
- Other Community and Interest Groups, including the Third Sector
- Landowners and Developers
- Business and Industry
- Key Agencies (Nature Scot, SEPA, Scottish Water, Scottish Enterprise, Historic Environment Scotland, SPT, Scottish Forestry, the Crofting Commission, NHS Ayrshire & Arran, and Transport Scotland)
- Infrastructure providers
- North Ayrshire Council Departments

How engagement will take place:

We want to make it as easy as possible for everyone with an interest to engage in the preparation of LDP3. Responses to the Engagement Survey have expressed support for:

- In-person exhibitions: drop-in events in convenient locations for communities
- Online exhibitions: material hosted online to provide information
- Workshops: interactive session to facilitate community involvement
Online workshops: interactive sessions to facilitate community involvement (both in-person and online)
- Online resources: using social media and an online hub to gather views and enable the submission of comments.

- Tailored resources: bespoke resources tailored to particular groups which make it easier to participate.

In the first instance, we welcome the opportunity to speak to both individuals and groups to understand the method of engagement that works best for them.

Finally, in accordance with [Planning Circular 2/2021](#), we will consider opportunities to use mediation as a means of exploring, resolving or reducing disagreement in the preparation of LDP3. Mediation is one of a range of techniques sometimes labelled as 'alternative dispute resolution (ADR)' which can include facilitation, conciliation and arbitration as well as mediation. These techniques can be used to help to resolve issues of dispute.

Whether facilitated by an independent third-party or not, there may be scope to use mediation to resolve differences and build support for proposals through discussion and negotiation prior to the publication of the Proposed Plan. Mediation is a voluntary process; no stakeholders in the process of preparing LDP3 will be required to enter into mediation.

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Local Place Plans

The Planning (Scotland) Act 2019 introduces a new right for communities to produce Local Place Plans (LPPs). The aim of LPPs is to enhance engagement in development planning by empowering communities to play a proactive role in defining the future of their places by setting out their proposals for the use and development of land. In preparing a Local Development Plan, planning authorities must take into account registered Local Place Plans.

Secondary legislation to govern the implementation of LPPs came into force in January 2022 and [Planning circular 1/2022](#) provides further guidance on their preparation.

On 19 May 2023, in accordance with Section 15A of the Town and Country Planning (Scotland) Act 1997 as amended by the Planning (Scotland) Act 2019 we published an [invitation](#) to community bodies in North Ayrshire to prepare a local place plan.

Community bodies that intend to prepare a local place plan were encouraged to submit a 'notice of intention to prepare a local place plan' by completing the notice of intention online form. Five community councils to date have expressed an interest in preparing a local place plan: Cumbrae, Fairlie, Largs, Stevenston and West Kilbride. In addition, community groups in the Garnock Valley are exploring the preparation of a place-based plan.

We want to support and work with community bodies who wish to develop Local Place Plans to maximise their potential to inform LDP3. This is alongside existing initiatives such as Local Place Frameworks being prepared in Largs, Kilwinning and Saltcoats and Islands Plans for Arran and Cumbrae. A Handbook setting out local guidance and the support available to local communities to prepare local place plans will be shared with bodies expressing their intention to prepare a local place plan at the beginning of 2024.

Impact Assessments

A number of different assessments must be undertaken to support the preparation of LDP3. These assessments are an integral part of the plan making process and should inform and be informed by the plan as it is prepared. They are:

- Equalities Impact Assessment;
- Public Sector Equality Duty Assessment;
- Fairer Scotland Duty Assessment;
- Island Communities Impact Assessment,
- Strategic Environmental Assessment; and
- Habitats Regulations Appraisal
- Transport Assessment

Further detail on these assessments is included at Annex C of the [Local Development Planning Guidance](#).

Preparation of the Evidence Report provides the opportunity to align with the Scoping stage of the Strategic Environmental Assessment, the collection of environmental baseline and engagement with the Consultation Authorities. A Scoping Report will be published alongside the Evidence Report in December 2024.

All assessments will be published in draft alongside the Proposed Plan in December 2025 and revised and updated as required.

Appendix 1 – Engagement Record

During the early engagement period, the following meetings and events have considered the preparation of North Ayrshire’s third Local Development Plan.

Date	Event
08/11/2022	Joint Cabinet
14/11/2022	West Kilbride Community Council
21/11/2022	Kilbirnie & Glengarnock Community Council
23/11/2022	Cumbrae Community Council Advisors
29/11/2022	Members Briefing with Administration - LDP
30/11/2022	Stevenston Building Stronger Communities Training
06/12/2022	NHS Ayrshire & Arran - Health Improvement Team
06/12/2022	Members Briefing with Administration - Placemaking
19/01/2023	Largs Community Council
28/01/2023	NA Community & Locality Conference
16/02/2023	Kilwinning Community Council
11/03/2023	Joint Youth Forum
17/03/2023	Youth Council
20/03/2023	Elected Member Development Session
22/03/2023	Climate Change Steering Group
23/03/2023	Largs Drop-In (LTATS & VDLS Consultation)
24/03/2023	Community Engagement Network
27/03/2023	Kilbirnie Drop-In (LTATS & VDLS Consultation)
27/03/2023	MYPSP Meeting
28/03/2023	Irvine Drop-In (LTATS & VDLS Consultation)
04/04/2023	Millport Drop-In (LTATS & VDLS Consultation)
05/04/2023	Saltcoats Drop-In (LTATS & VDLS Consultation)
25/04/2023	Local Landscape Area Review Workshop - Arran
26/04/2023	North Ayrshire Tenants Network
27/04/2023	Local Landscape Area Review Workshop - Largs
11/05/2023	Local Landscape Area Review Workshop - Kilbirnie
23/05/2023	Irvine Library Drop-In
25/05/2023	Locality Planning Partnership Information Session
26/05/2023	Redburn Grove Tenants Meeting
12/06/2023	Stevenston Community Council
19/06/2023	Kilbirnie & Glengarnock Community Council
29/06/2023	Cumbrae Community Council Advisors
03/08/2023	NAC Biodiversity Partnership
23/08/2023	Sustainable North Ayrshire Mini-Enquiry: West Kilbride
06/09/2023	Irvine Community Council
18/09/2023	Transport Scotland
21/09/2023	Kilwinning Community Council

Date	Event
26/09/2023	Sustainable North Ayrshire Mini-Enquiry: Kilbirnie
28/09/2023	Sustainable North Ayrshire Mini-Enquiry: Kilwinning
04/10/2023	Arran Community Council

LTATS = Local Transport and Active Travel Strategy

VDLS = Vacant & Derelict Land Strategy

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NORTH AYRSHIRE COUNCIL
22 November 2023
Planning Committee

Title:	Planning Performance Framework
Purpose:	To report on the feedback from the Scottish Government on the 2022/23 Planning Performance Framework .
Recommendation:	It is recommended that the Planning Committee notes the response.

1. Executive Summary

- 1.1 The Planning Performance Framework (PPF) was introduced in 2012, developed by Heads of Planning Scotland in response to the Scottish Government's planning reform agenda. PPF captures key elements of a high-performing planning service, giving a balanced measurement of the overall quality of the service while contributing towards driving continuous improvement.
- 1.2 All planning authorities, strategic development plan authorities and seven key agencies submit a PPF report on an annual basis to Scottish Government. PPFs also report on a set of agreed performance markers on which the Scottish Government provide feedback.
- 1.3 The Scottish Government PPF audit assesses the 15 performance markers through the RAG (red, amber and green) rating and provides commentary on each marker. The Government has given a predominantly green rating for all but one of the relevant markers for North Ayrshire Council. An amber rating was given for a reduced focus on Continuous Improvement attributable to the period without a Chief Planning Officer, following the retirement of Jim Miller.

2. Background

- 2.1 Our latest PPF Report covers the period April 2022 to March 2023. In his letter dated 20th October 2023 (Appendix 1), Joe Fitzpatrick MSP, Minister for Local Government Empowerment and Planning encloses feedback from the Scottish Government audit of our PPF. The PPF outlines case studies that demonstrate we are a high-quality planning service (Part 1); provides a performance update in relation to development management, development planning, planning

enforcement and development land (Part 2); and considers our service improvement actions (Part 3).

- 2.2 The period covered by this PPF saw the Planning Service continuing to operate hybrid working arrangements consistent with those applied Council wide. The PPF highlights how we have adapted to continue to provide exceptional application determination timescales; implement the Local Development Plan and respond to the wider reform of the planning system in Scotland.
- 2.3 Part 1 of the PPF documents the qualitative story of the past year's performance, supported by a number of case studies, across four areas of activity in order to define and measure a high-quality planning service. The areas for performance assessment include 'quality of outcomes', 'quality of service and engagement', 'governance' and 'culture of continuous improvement'. In general terms Scottish Government comment favourably on our continuous improvement of the Service. More specifically favourable recognition is made to service delivery in the following areas;
- faster decisions on planning applications that the Scottish average and improving generally from last year
 - continued free pre-application advice to assist development outcomes
 - positive engagement with communities and developers
 - corporate working to deliver Council wide improved services
- 2.4 Part 2 of the PPF is focused around National Headline Indicators – quantitative indicators which examine all aspects of the planning process, providing data on areas such as planning decision making timescales, the progress of the Local Development Plan, and the level of the housing land supply – and Official Statistics, which together provide an accurate and reliable account of performance over time. The Service determined 550 applications over the 12-month period to 31 March 2023 and excellent decision-making timescales have been maintained. There was an increase in the length of time taken to determine major planning applications from last year however there were decreases in the time taken to determine householder and local planning applications was generally reduced. Determination times for all three categories of development remain significantly faster than the Scottish average.
- 2.5 Part 3 of the PPF reports on the delivery of service improvement actions committed in the previous year and planned service improvements for 2023/24. The focus of the Planning Service continues to be driving improved performance; positioning the Service to promote placemaking; and promoting the plan-led system, while meeting statutory requirements. Of significant importance this year will again be continuing work on North Ayrshire's next Local Development Plan

and aligning this work with the cross Council approach to economic development centred on placemaking and Community Wealth Building.

- 2.6 In the covering letter, the Minister noted that *“Resourcing remains a key priority which I will continue to discuss with the High Level Group on Planning Performance, which I jointly chair with COSLA. I also have asked officials to bring different parties together to talk about resourcing in the autumn, to identify practical solutions. We need options that work for all sectors, and I think it would be really beneficial to discuss a variety of issues including full cost recovery, the local setting of fees, charges for additional services and approaches which could enable authorities to access the skills and expertise at the time they require.”*

3. Proposals

- 3.1 That the Committee notes the content of the latest Planning Performance Framework feedback report (Appendix 1).

4. Implications

Financial

- 4.1 None

Human Resources

- 4.2 None

Legal

- 4.3 None

Equality/Socio-economic

- 4.4 None

Environmental and Sustainability

- 4.5 None

Key Priorities

- 4.6 The Planning Performance Framework report contributes to increasing the levels of accountability and transparency within the Planning Service; promoting the role of the Service and continual improvement. This supports many of the support the Council Plan’s Priorities including ‘effective infrastructure and digital connectivity’ and ‘a sustainable environment’.

Community Wealth Building

- 4.7 None

5. Consultation

5.1 None

Click here to enter text.
Russell McCutcheon
Executive Director – Place

For further information please contact **Allan Finlayson, Chief Planning Officer**, on **01294 324315**.

Background Papers

N/A

Craig Hatton
Chief Executive
North Ayrshire Council

20 October 2023

Dear Craig Hatton,

I am pleased to enclose feedback on your authority's twelfth Planning Performance Framework (PPF) Report, for the period April 2022 to March 2023.

Across the country, performance against the key markers continues to be stable and there has been little variation in the overall total of green, amber and red markings awarded this reporting period compared with previous periods. It is clear that each of you continue to put in considerable effort to ensuring our planning system continues to run efficiently. I have been particularly pleased to see there has been a marked improvement on speed of determination for major applications across some authorities.

Resourcing remains a key priority which I will continue to discuss with the High Level Group on Planning Performance, which I jointly chair with COSLA. I also have asked officials to bring different parties together to talk about resourcing in the autumn, to identify practical solutions. We need options that work for all sectors, and I think it would be really beneficial to discuss a variety of issues including full cost recovery, the local setting of fees, charges for additional services and approaches which could enable authorities to access the skills and expertise at the time they require.

Finally, I am delighted that we have recently announced the appointment of the National Planning Improvement Champion (NPIC), Craig McLaren, who took up this new post in early September. Craig will play a pivotal role in supporting improvement and will also be looking at how we can improve the way we measure and assess the performance of the planning system in the future.

If you would like to discuss any of the markings awarded below, please contact us at chief.planner@gov.scot and a member of the team will be happy to discuss them with you.

JOE FITZPATRICK

CC: Alastair Gemmel, Head of Planning

Scottish Ministers, special advisers and the Permanent Secretary are covered by the terms of the Lobbying (Scotland) Act 2016. See www.lobbying.scot

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PERFORMANCE MARKERS REPORT 2022-23

Name of planning authority: **North Ayrshire Council**

The High Level Group on Performance agreed a set of performance markers. We have assessed your report against those markers to give an indication of priority areas for improvement action. The high level group will monitor and evaluate how the key markers have been reported and the value which they have added.

The Red, Amber, Green ratings are based on the evidence provided within the PPF reports. Where no information or insufficient evidence has been provided, a 'red' marking has been allocated.

No.	Performance Marker	RAG rating	Comments
1	Decision-making: continuous reduction of average timescales for all development categories [Q1 - Q4]	Green	<p>Major Applications The average timescale is 14.1 weeks which is slower than the previous year but faster than the Scottish average of 39.5 weeks and the statutory timescale. RAG = Green</p> <p>Local (Non-Householder) Applications The average timescale is 6.1 weeks which is faster than the previous year and faster than the Scottish average of 14.4 weeks and the statutory timescale. RAG = Green</p> <p>Householder Applications The average timescale is 5.4 weeks which is faster than the previous year and faster than the Scottish average of 8.9 weeks and the statutory timescale. RAG = Green</p> <p>Overall RAG = Green</p>
2	<p>Processing agreements:</p> <ul style="list-style-type: none"> offer to all prospective applicants for major development planning applications; and availability publicised on website 	Green	<p>You continue to offer processing agreements for all prospective major applications and complex local applications. RAG = Green</p> <p>You publicise processing agreements on your website and have highlighted the relevant section of your website in your PPF. RAG = Green</p> <p>Overall RAG = Green</p>
3	<p>Early collaboration with applicants and consultees</p> <ul style="list-style-type: none"> availability and promotion of pre-application discussions for all prospective applications; and clear and proportionate requests for supporting information 	Green	<p>You have outlined how you provide pre-application advice and guidance on all prospective applications and have indicated that at present you do not charge for this service. You have provided evidence in your case studies of the positive impact your pre-application service has had on development outcomes. RAG = Green</p> <p>You have set out in your case studies and on your website, how you ensure that requests for supporting information are clear and proportionate. RAG = Green</p> <p>Overall RAG = Green</p>

4	<p>Legal agreements: conclude (or reconsider) applications after resolving to grant permission</p> <ul style="list-style-type: none"> reducing number of live applications more than 6 months after resolution to grant (from last reporting period) 	Green	You did not determine any applications with legal agreement not subject to processing agreements during the reporting period. It is noted that you continue to seek to avoid the need for legal agreements.
5	Enforcement charter updated / re-published within last 2 years	Green	Your enforcement charter was updated in March 2021 which was within the last 2 years.
6	<p>Continuous improvement:</p> <ul style="list-style-type: none"> progress ambitious and relevant service improvement commitments identified through PPF report 	Amber	You have completed 5 out of 5 of your improvement commitments during the reporting period. You have explained that due to your Chief Planning Officer leaving post at the end of the reporting period, specific improvement commitments for the coming year have not yet been identified. You have however stated that your focus is on preparing your new LDP and maintaining an effective Development Management Service.
7	Local development plan less than 5 years since adoption	Green	Your Local Development Plan was 3 years and 4 months old at the end of the reporting period which is within 5 years since adoption.
8	Development plan scheme – next LDP project planned and expected to be delivered to planned timescale	Green	You updated your Development Plan Scheme during the reporting period in October 2022. You have set out that you anticipate the adoption of your new LDP by Summer 2026.
9 & 10	<p>LDP Engagement:</p> <ul style="list-style-type: none"> stakeholders including Elected Members, industry, agencies, the public and Scottish Government are engaged appropriately through all key stages of development plan preparation. 	Green	You have undertaken early engagement with various stakeholders such as developers, communities and young people. You undertook approximately 40 stakeholder meetings during the reporting period and have held training sessions for all elected members.
11	<p>Policy Advice:</p> <ul style="list-style-type: none"> Production of relevant and up to date policy advice 	Green	It is noted that you paused work on updating policy advice for the majority of the reporting period until the adoption of NPF4. You have however indicated that since the publication of NPF4 you have prepared a draft Development Brief for allocated housing sites.
12	Corporate working across services to improve outputs and services for customer benefit (for example: protocols; joined-up services; single contact arrangements; joint pre-application advice)	Green	You have provided a range of evidence of corporate working. Case Study 3 evidences how you have worked closely with Council Housing Services and Protective Services to help bring privately owned residences back in use.
13	Sharing good practice, skills and knowledge between authorities	Green	You are actively involved in various HOPS committees and meetings, including hosting the annual HOPS event during the reporting period. You share good practice by engaging in the Knowledge Hub and Fife LDP Peer Review Group.
14	Stalled sites / legacy cases: conclusion or withdrawal of old planning applications and reducing number of live applications more than one year old	Green	You have stated that you have one legacy case which was granted planning permission in January 2023 and will be processed and finalised during the next reporting period.

15	<p>Developer contributions: clear and proportionate expectations</p> <ul style="list-style-type: none"> • set out in development plan (and/or emerging plan); and • in pre-application discussions 	Green	<p>You have outlined information relating to developer contributions in the current LDP which sets out the need for relevant assessments for each development site. It is noted that you do not routinely ask for developer contributions as your current LDP encourages new development in places where infrastructure and services are currently in place. RAG = Green</p> <p>You meet regularly with the Education Service to monitor the impact of housing development on school capacity and are able to advise developers at the pre-application stage where a contribution may be required. RAG = Green</p> <p>Overall RAG = Green</p>
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NORTH AYRSHIRE COUNCIL
Performance against Key Markers

Marker		13-14	14-15	15-16	16-17	17-18	18-19	19-20	20-21	21-22	22-23
1	Decision making timescales										
2	Processing agreements										
3	Early collaboration										
4	Legal agreements										
5	Enforcement charter										
6	Continuous improvement										
7	Local development plan										
8	Development plan scheme										
9&10	LDP engagement	N/A	N/A			N/A	N/A	N/A	N/A		
11	Policy Advice										
12	Corporate working across services										
13	Sharing good practice, skills and knowledge										
14	Stalled sites/legacy cases										
15	Developer contributions										

Overall Markings (total numbers for red, amber and green)

	Red	Amber	Green
2012-13	3	7	3
2013-14	2	5	6
2014-15	0	3	10
2015-16	2	5	8
2016-17	0	3	12
2017-18	0	0	13
2018-19	0	1	12
2019-20	0	0	13
2020-21	0	0	13
2021-22	0	0	14
2022-23	0	1	13

Decision Making Timescales (weeks)

	13-14	14-15	15-16	16-17	17-18	18-19	19-20	20-21	21-22	22-23	22-23 Scottish Average
Major Development	21.5	12.6	90.3	-	9.5	10.2	10.3	11.1	9.4	14.1	39.5
Local (Non-Householder) Development	6.8	6.2	5.8	5.9	5.9	5.9	6.5	5.9	6.2	6.1	14.4
Householder Development	5.7	5.1	4.7	4.6	4.7	4.3	5.7	5.4	5.7	5.4	8.9

NORTH AYRSHIRE COUNCIL
Planning Committee

Locality	Kilwinning
Reference	23/00420/PPM
Application Registered	26th July 2023
Decision Due	26th November 2023
Ward	Kilwinning

Recommendation Approved subject to Conditions

Location Site To South West Of Mosscolloch Farm Kilwinning,
Ayrshire

Applicant Keepmoat Homes Ltd

Proposal Erection of 85 residential dwellings with associated
works including access, parking, landscaping,
open-space and SuDS

1. Description

Planning permission is sought for the erection of 85 residential dwellings with associated works including access, parking, landscaping, open space, and SuDS.

The proposed housing would consist of detached and semi-detached houses with a total of eight different designs, known as 'house types'. Six of the proposed house types would have 2-storeys and the two remaining house types would have 2.5 storeys (Hardwick and Roxburgh). Two house types would feature integral garages (Braemar and Huntly). All house types would have gabled roofs and would be finished with grey roof tiles. The external walls would be finished in a combination of red and buff coloured facing brick and white render.

The application site relates to an area of agricultural land of approx. 2.68ha to the north-east of Hazeldene Park in Kilwinning on the edge of the town. The site is bounded by the B778 road to the east and Blair Road to the west. To the north of the site the land is rural and consists chiefly of agricultural fields.

The proposed layout of the site features a single vehicular access road from the B778 to the east of the site. Path connections would be provided from both the B778 and from Blair

Road to the west. A new 2m wide public footpath would be formed along the B778 to connect into the existing public footpath network which leads into the town. A SuDS detention basin for the treatment and storage of surface water would be located to the northwest corner of the site adjacent to Blair Road. The houses along the eastern edge of the site would front onto the B778 with vehicular access and parking within the site to the rear of the houses rather than direct from the B778. For drainage reasons, the land adjacent to Blair Road on the western edge of the site would be raised. The path connection with Blair Road would feature 2 no. flights of steps to overcome the change in ground level. The majority of the proposed housing would include in-curtilage parking.

There would be 2 no. private parking courtyards provided to serve 10 no. of the proposed houses and there would be a total of 22 no. visitor parking spaces provided throughout the site. An area of public open space would be provided near the entrance to the site from the B778 and a scheme of landscaping and planting is proposed throughout the site.

Existing housing at Hazeldene Park backs onto the southern boundary of the site. The rear gardens of the proposed housing would back onto this boundary. Existing hedgerows along the site boundaries would be retained and enhanced where possible.

Boundary treatments for the houses would consist of a combination of 1.8m and 0.9m high timber fences to the rear gardens of houses. Front gardens would be left open. A 1.8m high brick wall would delineate the public facing rear garden boundaries for house plots 3 and 85 at the site entrance from the B778.

In terms of the Adopted Local Development Plan (LDP), the application site is allocated in Schedule 3 as a Long-Term Housing Site Anticipated to Become Active 2024-2029 (ref. NA1112). It is also located within the General Urban Area within the settlement boundary of Kilwinning and a local landscape character area. The relevant policies of the LDP to the proposed development are listed below:

- The Towns and Villages Objective of Strategic Policy 1: Spatial Strategy
- Strategic Policy 2 (Placemaking)
- Policy 1: New Houses and Maintaining an Effective Housing Land Supply
- Policy 15: Landscape and Seascape
- Policy 16: Protection of our Designated Sites
- Policy 18: Forestry, Woodland, Trees and Hedgerows
- Policy 22: Water Environment Quality
- Policy 23: Flood Risk Management
- Policy 27: Sustainable Transport and Active Travel
- Policy 29: Energy Infrastructure Development
- Policy 31: Future Proofing for Heat Networks

National Planning Framework 4 is also relevant to the consideration of the application since this is part of the development plan.

The applicant initially approached Planning Services for pre-application discussions about the residential development of the site in May 2021 (ref. 21/00483/PREAPP). A Proposal of Application Notice (PoAN) was subsequently submitted on 29th July 2021 (ref. 21/00749/PREAPM).

Significant design changes to the layout of the proposed development have been achieved via discussions between the applicant, Planning Services, and the Council's Active Travel and Transport officers since the PoAN was submitted in July 2021. These include:

- Re-orientation of houses on the eastern boundary of the site to front onto the B778;
- The addition of path connections between the site and Blair Road to the west and the existing footpath network on the B778 to the east;
- Changes to the internal road layout to reduce vehicle speeds;
- More even distribution of visitor parking spaces throughout the site;
- Enhanced public open space and landscaping throughout the site; and
- Retention and enhancement of hedgerows along the site boundaries where possible.

The following supporting information was submitted with the application:

- Transport Assessment
- Design and Access Statement
- Statement of Energy
- Site Investigation
- Preliminary Ecological Assessment
- Pre-application Consultation (PAC) Report
- Noise Impact Assessment
- Invasive Weeds Survey
- Flood Risk Assessment
- Environmental Constraints Assessment
- Archaeological Desk Based Assessment

Relevant Development Plan Policies

Strategic Policy 1 - Towns and Villages Objective

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

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

- a) Support the social and economic functions of our town centres by adopting a town centre first principle that directs major new development and investment to town centre locations as a priority including supporting town centre living.
- b) Provide the right new homes in the right places by working alongside the Local Housing Strategy to deliver choice and variety in the housing stock, protecting land for housing development to ensure we address housing need and demand within North Ayrshire and by supporting innovative approaches to improving the volume and speed of housing delivery.

- c) Generate new employment opportunities by identifying a flexible range of business, commercial and industrial areas to meet market demands including those that would support key sector development at Hunterston and i3, Irvine.
- d) Recognise the value of our built and natural environment by embedding placemaking into our decision-making.
- e) Prioritise the re-use of brownfield land over greenfield land by supporting a range of strategic developments that will deliver:
 - regeneration of vacant and derelict land through its sustainable and productive re-use, particularly at Ardrossan North Shore, harbour and marina areas, Montgomerie Park (Irvine) and Lochshore (Kilbirnie).
 - regeneration and conservation benefits, including securing the productive re-use of Stoneyholm Mill (Kilbirnie) and supporting the Millport Conservation Area Regeneration Scheme.
- f) Support the delivery of regional partnerships such as the Ayrshire Growth Deal in unlocking the economic potential of the Ayrshire region.

Strategic Policy 2 - Placemaking

Our Placemaking policy will ensure we are meeting the Council's Local Outcomes Improvement Plan (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 1 - New Homes and Maintaining an Effective Housing Land Supply

In principle we will support and promote residential development of the 51 effective housing supply sites shown in Schedules 2a and 2b. We will protect them by resisting alternative development, including significant reductions in capacity which would undermine our ability to confirm an ongoing 5-year land supply.

In principle, we will also support and promote residential development of our 27 long-term housing sites shown in schedule 3. In particular, but not limited to, where they would contribute to our ongoing 5-year effective land supply.

Notwithstanding the above, we will support ancillary development for a range of accommodating and integrated uses including locally important community, leisure, and other employment uses like shops, banks, cafes, workshops, garages, and small offices within these sites where they would not negatively impact upon our ability to maintain an effective 5 year housing land supply.

We will monitor the delivery of new homes in North Ayrshire through a housing land audit to ensure the maintenance of an effective five-year supply of land for housing. Where we identify and confirm a shortfall we will consider innovative approaches to enable development in the first instance. We will only support new housing proposals where they would help us achieve the vision, for example by aligning with the principles of the spatial strategy and being compliant with other aspects of the plan particularly by way of impact on committed infrastructure and the environment.

Detailed Policy 15 - Landscape & Seascape

We will support development that protects and/or enhances our landscape/seascape character, avoiding unacceptable adverse impacts on our designated and non-designated landscape areas and features. In particular, we will consider the following:

a) National Scenic Areas

Development that affects the North Arran National Scenic Area including the need to protect existing sport and recreation interests, will only be supported where:

- i) the objectives of the designation and the overall integrity of the area will not be compromised; or
- ii) any significant adverse effects on the qualities for which the area has been designated are clearly outweighed by social, environmental or economic benefits of national importance.

b) Special Landscape Areas

We will only support development which affects Special Landscape Areas where it would not have an unacceptable impact on their special character, qualities and setting.

c) Wild Land

We will only support development within Wild Land areas where any significant effects on the qualities of these areas can be substantially overcome by siting, design or other mitigation.

d) Local Landscape Features

Where appropriate, development should take into consideration its individual and cumulative impacts on landscape features, including:

- i) patterns of woodlands, fields, hedgerows and trees;
- ii) lochs, ponds, watercourses, wetlands, the coast and wider seascape;
- iii) settlement setting, including approaches to settlements;
- iv) the setting of green network corridors, such as important transport routes and the cycle and footpath network;
- v) historic, natural and recreational features of interest, skylines and hill features, including important views to, from and within them.

For all development with the potential to have an impact on either Landscape Character or Landscape features (including their setting), appropriate mitigation measures should be considered as part of any planning application. Where there is potential for development to result in significant adverse landscape/visual impact, a landscape and visual impact assessment (LVIA) will be required. The Ayrshire Landscape Character Assessment (SNH, 1998) and North Ayrshire Settlement Development Strategy (Entec, 2008) provide further information on designations such as Local Landscape Character Areas and the Potential Limit of Development Expansion areas as shown on the map on page 81 and on our online proposals map. These landscape assessment documents, and any new or updated landscape assessments, will be key considerations in determining whether development proposals would be acceptable within the landscape.

Detailed Policy 16- Protection of our Designated Sites

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

a) Nature Conservation Sites of International Importance

Where an assessment is unable to conclude that a development will not adversely affect the integrity of a site, development will only be permitted where there are no alternative solutions; there are imperative reasons of overriding public interest; and suitable compensatory measures are provided to ensure that the overall coherence of the Natura Network is protected.

b) Nature Conservation Sites of National Importance

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

c) Nature Conservation Sites of Local Importance

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

d) Marine Protected Areas

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

e) Biodiversity Action Plan Habitats and Species

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

f) Protected Species

Development likely to have an unacceptable adverse effect on;

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

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

Detailed Policy 18 - Forestry, Woodland, Trees and Hedgerows

Development proposals will only be supported when it would not result in the loss or deterioration of an ancient or long-established plantation or semi-natural woodland unless there are overriding public benefits from the development that outweigh the loss of the woodland habitat.

Where development includes the removal of woodland, the Scottish Government's Control of Woodland Policy and the current Ayrshire and Arran Woodland Strategy including relevant compensatory planting requirements will be taken into account.

Where the loss of trees, hedgerows or woodlands of merit is unavoidable and compensatory planting is required, replacement trees should be of a similar scale and massing to the loss or if smaller there should be additional tree planting committed to ensure a net gain is achieved. We will also expect developers to engage with Forestry Commission Scotland.

We recognise that trees and woodlands are an important yet dynamic part of our landscape. In recognition of this where a tree (or group of trees) is of significant value to public amenity or where they strongly contribute to the character of a Conservation Area we may consider promoting a formal Tree Preservation Order (TPO). We will normally only do this when there is a clear, pressing and immediate threat to a valuable tree (or group of trees) - not as a matter of course and not in conflict with good arboricultural practice and management. In the case of works to trees covered by a tree preservation order we will support management schemes and maintenance works that adhere to good arboricultural practice.

Generally, we will support proposals for dedicated timber export facilities as well as timber export developments that are combined with other marine based activities on Arran where there are no unacceptable adverse environmental impacts and align with our Placemaking policy. Proposals should also align with Policy 28: Transport as an Economic Driver.

Supplementary Guidance: Trees and Development provides guidance on information required to be submitted as part of planning applications involving tree works as well as matters to consider when designing and constructing development to minimise impacts on trees.

Detailed Policy 22 - Water Environment Quality

Proposals for additional cemetery provision to meet identified needs within our locality areas of Irvine, Kilwinning, Arran, North Coast, Three Towns and Garnock Valley will be supported where unacceptable environmental and amenity impacts are avoided. Groundwater assessments may be required to support proposals with mitigation measures identified and agreed where necessary.

We will support development that helps achieve the objectives of the Water Framework Directive and the River Basin Management Plan for Scotland. Generally, development which would lead to the deterioration of the water environment will be resisted unless it would deliver significant social, environmental or economic benefits.

Development will be required to ensure no unacceptable adverse impact on the water environment by:

- a) Protecting and enhancing the ecological status and riparian habitat, natural heritage, landscape values and physical characteristics of water bodies (including biodiversity and geodiversity);
- b) Protecting and enhancing existing flood plains; protecting opportunities for public access to and recreation and enjoyment on and around lochs, rivers, burns, wetlands and the coastal marine area; and
- c) Having regard to any designated Bathing Waters. Where engineering works are required in or near water bodies, there will be a presumption in favour of soft engineering

techniques and against the culverting of watercourses, unless there is no suitable alternative. Proposals for culverting of watercourses for land gain may only be justified if the applicant can demonstrate that:

- o No other practical option exists that would allow the watercourse to remain open; and
- o The proposed development is of over-riding public interest.

We support connection to public sewerage systems in the first instance but recognise that wastewater solutions must be affordable and delivered at the most appropriate scale and that in many cases septic tank systems can be the most sensible solution for a household or small community (this also might be bespoke for our island communities). We will consider the cumulative impact of such solutions and support a preference for community solutions.

Development should ensure that appropriately sized buffer strips are maintained between the built and water environments.

Indicative Width of watercourse (top of bank)	Indicative Width of buffer strip (either side)
Less than 1m	6m
1-5m	6-12m
15-15m	12-20m
15m+	20m+

Detailed Policy 23 - Flood Risk Management

We will support development that demonstrates accordance with the Flood Risk Framework as defined in Scottish Planning Policy and shown in schedule 7, relevant flood risk management strategies and local flood risk management plans. We will also support schemes to manage flood risk, for instance through natural flood management, managed coastal realignment, wetland or green infrastructure creation.

Generally, development should avoid locations of flood risk and should not lead to a significant increase in the flood risk elsewhere. Land raising and elevated buildings will only be supported in exceptional circumstances, where it is shown to have a neutral or better impact on flood risk outside the raised area.

Development proposals should:

- o Clearly set out measures to protect against, and manage, flood risk.
- o Include sustainable urban drainage systems (SuDS) where surface water is proposed to be discharged to the water environment, in accordance with the Water Environment (Controlled Activities) (Scotland) Regulations 2011 as amended.
- o Include provision of temporary/construction phase SuDS.
- o include appropriate long-term maintenance arrangements.
- o Be supported by an appropriate flood risk assessment where at risk of flooding from any source in medium to high risk areas and for developments in low to medium risk areas identified in the risk framework (schedule 7).
- o Take account of SEPA's flood risk and land use vulnerability guidance (2018) and any relevant updates to, or replacements of this guidance.

Detailed Policy 27 - Sustainable Transport and Active Travel

We will support development that:

contributes to an integrated transport network that supports long term sustainability

- o reduces inequality by improving the accessibility and connectivity of employment opportunities and local amenities
- o provides safe and convenient sustainable transport options and supports modal shift to sustainable transport and active travel.
- o reduces the need to travel or appropriately mitigates adverse impacts of significant traffic generation, road safety and air quality, including taking into account the cumulative impact.
- o takes a design-led, collaborative approach to street design to provide safe and convenient opportunities for integrated sustainable travel in the following order of priority: pedestrians, people on cycles, people using collective transport (buses, trains etc.) and people using private transport.
- o considers the potential requirements of other infrastructure providers, including designing for the potential development of district heat networks by for example incorporating access points into the transport network to allow for future pipe development or creating channels underneath the road/infrastructure to enable pipe development with minimal disruption to the networks.
- o enables the integration of transport modes and facilitates movement of freight by rail or water (in preference to road). This would include, for example, the provision of infrastructure necessary to support positive change in transport technologies, such as charging points for electric vehicles and the safeguarding of disused railway lines with the reasonable prospect of being used as rail, tram, bus rapid transit or active travel routes.
- o considers the impact on, and seeks to reduce risk to level crossings, including those located within Ardrossan, Stevenston and Gailes.

Proposals are expected to include an indication of how new infrastructure or services are to be delivered and phased, and how and by whom any developer contributions will be made.

We will take account of:

- o the implications of development proposals on traffic, patterns of travel and road safety.
- o Significant traffic generating uses should be sited at locations that are well served by public transport, subject to parking restraint policies, and supported by measures to promote the availability of high-quality public transport services. Where this is not achievable, we may seek the provision of subsidised services until a sustainable service is achievable.
- o the potential vehicle speeds and level of infrastructure provided for the expected numbers of trips by all modes.
- o the relationship between land use and transport and particularly the capacity of the existing transport network, environmental and operational constraints, and proposed or committed transport projects.
- o committed and proposed projects for the enhancement of North Ayrshire's transport infrastructure, including improved park and ride provision.
- o specific locational needs of rural communities. We recognise that in rural areas we need to be realistic about the likely viability of public transport services and innovative solutions such as demand-responsive public transport and small scale park and ride facilities at nodes on rural bus corridors will be considered.

- o The Council's adopted Local Transport Strategy, Core Paths Plan, Town Centre Parking Strategy and parking requirements.
- o The need to mitigate and adapt to climate change with regard to the Climate Change (Scotland) Act 2009.
- o The provision of new and improved links to existing and proposed active travel routes which are integrated with the wider strategic network, including the National Walking and Cycling Network, core paths and the Ayrshire Coastal Path.
Developments likely to generate significant additional journeys will be required to be accompanied by a Transport Assessment, Air Quality Assessment and a Travel Plan. A Transport Statement will be required for smaller scale developments that will not have a major impact on the transport network, but are still likely to have an impact at a local level on the immediate transport network.

National Development:

The National Walking and Cycling Network (NWCN) was designated as a national development within the National Planning Framework (NPF3). This is an ambitious project which aims to grow Scotland's network of paths from 6,000 to 8,000 km by 2035. Key routes in North Ayrshire which will contribute to this network are detailed below. These are being developed in partnership with Sustrans and Scottish Natural Heritage as lead organisations for the delivery of the NWCN.

These include the development of an off-road alignment for:

- o National Cycle Network (NCN) Route 73 (North) between Brodick and Corrie on the Isle of Arran
- o NCN Route 753 between Skelmorlie and Ardrossan
- o While not explicitly referenced in NPF3, support will be given to development of an off-road alignment for NCN Route 7 between Kilwinning and Kilbirnie.

Detailed Policy 29 - Energy Infrastructure Development

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

Environmental

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

Community

- o Establishing the use of the site for energy infrastructure development;
- o providing a net economic impact - including socio-economic benefits such as employment, associated business and supply chain opportunities;

- o Scale of contribution to renewable energy generation targets;
- o Public access - including impact on long distance walking and cycling routes and scenic routes identified in the National Planning Framework;
- o Impacts on tourism and recreation;
- o Specific locational opportunities for energy storage/generation.

Public Safety

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

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

Buildings: Low and Zero Carbon Generating Technology

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

This requirement will not apply to:

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

Detailed Policy 31 - Future Proofing for Heat Networks

We will support proposals for the creation or enhancement of district heat networks in as many locations as possible in North Ayrshire (even where they are initially reliant on carbon-based fuels if there is potential to convert them to run on renewable or low carbon sources of heat in the future).

We will seek to identify and safeguard existing and future heat network generation and distribution infrastructure, including pipeworks and pipework within, and to the curtilage of, new developments.

Proposals for development that constitute a significant heat source or substantial development* which would not result in the creation or enhancement of district heat networks should include:

- i) provision for on-site heat recovery and re-use infrastructure; or
- ii) a heat network generation and distribution infrastructure plan (a district heating plan), taking into account the potential to connect to future heat demand sites; or
- iii) demonstrable evidence that district heating or other forms of renewable generation storage have been explored but are not feasible for technical (proximity, geography, safety etc) or economic reasons.

* 'Substantial' developments consist of urban extensions, large regeneration areas or large development sites subject to master planning or large mixed use developments and major sites (50 residential units and above). There is, however, an element of judgment that will need to be applied here and it might be that some other locations offer significant potential for heat networks due to their local context, support from the local authority, and 'buy in' from developers.

2. Consultations and Representations

Neighbour notification was undertaken in accordance with statutory procedures. The application was advertised in a local newspaper, the Irvine Herald. A total of 12 representations were received, all expressing objections to the application. The points received were raised with the applicant who submitted a statement in response. These are summarised below.

1. The proposed development would have an impact on the amenity of neighbouring properties to the south (all 1 or 1.5 storeys) including potential privacy and overlooking impacts.

Response: The proposed development has been designed to meet the requirements of Strategic Policy 2 (Placemaking), the principles of 'Designing Streets,' and to accord with NAC Neighbourhood Design Guidance to ensure that the development integrates well with the surrounding area, to minimise the impact on the Local Landscape Area, and to not give rise to any privacy or overlooking impacts. The amenity impacts of the proposed development, including those relating to privacy and overlooking of neighbouring houses, are considered in the Analysis section below (see Strategic Policy 2: Placemaking).

2. The development would be on a greenfield site rather than brownfield. Brownfield sites should be addressed first in line with NAC Regeneration Delivery Plan.

Response: The site is allocated for residential development in Schedule 3 of the LDP. The proposed development would contribute to delivering a range and choice of residential development across North Ayrshire. The principle of the proposed development at this site

is considered in the Analysis section below (See Strategic Policy 1: Spatial Strategy and Policy 1: New Homes and Maintaining an Effective Housing Land Supply).

3. The proposed development would have an impact on wildlife/green economy.

Response: The submitted Preliminary Ecology Assessment (PEA) provides a detailed assessment of the environmental features of the site. The site is not subject to any environmental designations of local or national importance. It largely consists of open grazing land with biodiverse habitats such as hedgerows. These would be preserved and enhanced where possible. The PEA proposes mitigation measures to minimise potential impacts on natural features and suggests various opportunities for biodiversity enhancements. The proposed SuDS feature would play a key role in the management of green and blue infrastructure, as well as providing a sustainable flood risk solution and an additional biodiverse habitat. The impact of the proposed development will be considered in the Analysis section below (see Policies 16 and 18).

4. The proposed development conflicts with the Council's Strategy on Sustainability and Climate Change.

Response: As noted above, the site is allocated for residential development in Schedule 3 of the LDP. An Energy Statement has been submitted as part of the application which demonstrates that the proposed development meets the requirements of the relevant LDP policy. The sustainability of the proposed development is considered in the analysis section below (see Policy 29: Energy Infrastructure Development).

5. The proposed development would have an adverse impact on local services and facilities.

Response: New developments can benefit Kilwinning as new residents and increased density of development sites can provide the critical mass needed to support improved local services. The relationship between the site and the surrounding area of Kilwinning is considered in the analysis section below (see Strategic Policy 2: Placemaking and Policy 27: Sustainable Transport and Active Travel). See also consultations with NAC Education and Active Travel and Transport below.

6. Concerns over vehicle access and cycle access to Blair Road.

Response: The site includes an active travel link to Blair Road to the west, which would increase accessibility to the site for people walking and cycling. The connectedness of the site is considered in the Analysis section below (see Strategic Policy 2: Placemaking and Policy 27: Sustainable Transport and Active Travel). See also consultation with NAC Active Travel and Transport below.

7. Concerns over flooding to adjacent properties.

Response: The proposed development is considered not to increase the risk of surface water flooding to other properties, neither would the site itself be at risk of flooding. All rain and surface water would be managed through sustainable urban drainage systems (SuDS), and the design has sought to minimise the area of impermeable surface and has demonstrated that it can be connected to the public water mains. The flood risk implications

of the site are considered in the Analysis section below (see Policy 23: Flood Risk Management). See also consultation with NAC Flooding below.

8. Failure to properly notify neighbouring residents of the proposed development. The application was advertised in the wrong newspaper.

Response: Both the online and in person public consultations were advertised in the Irvine Times. As noted above, neighbour notification has been undertaken for the application in accordance with statutory procedures.

9. Concerns over the traffic impacts. There is too much car parking proposed.

Response: It is considered that the car parking proposed is in line with the parking standards set out in NAC guidance. The connectedness of the site for a variety of transport modes is considered in the analysis section below (see Strategic Policy 2 and Policy 27: Sustainable Transport and Active Travel). See also consultation with NAC Active Travel and Transport below.

10. The proposed development would overdevelop the site with green space removed from previous design.

Response: The site is allocated for residential development in Schedule 3 of the LDP. The layout was proposed following public consultation and pre-application discussions with NAC. The density and layout of the proposed development are appropriate for the site. A communal 'village green' (public open space) is proposed to accommodate informal children's play, social gatherings, and games. The design and layout of the proposed development are considered in the Analysis section below (see Strategic Policy 2: Placemaking).

11. There is not enough variation of house types within the development (e.g. flats, bungalows).

Response: The applicant has carried out consultation with members of the public and pre-application discussions with NAC. The design, layout, and housing mix has been agreed with NAC and is considered to be in keeping with the character of the local area. The design and layout of the proposed development are considered in the analysis section below (see Strategic Policy 2: Placemaking).

12. Concerns over the construction impacts of the proposed development.

Response: A construction environmental management plan will be put in place to manage any pollution and noise during construction. See also consultation with NAC Environmental Health below.

13. The proposed development would result in a reliance on private cars. There is no bus route.

Response: The site is in a sustainable location in the Kilwinning General Urban Area and within a short walking distance of the nearest bus stops and is within a reasonable walking distance from Kilwinning Railway Station. The site is also within short walking distance of many local amenities, including the primary school at Corsehill and Kilwinning town centre,

making active travel a viable attractive option for residents to access the local area and for connections beyond. The connectedness of the site for a variety of transport modes is considered in the Analysis section below (see Strategic Policy 2: Placemaking and Policy 27: Sustainable Transport and Active Travel).

Consultations

NAC Flooding - no objection. The site is outwith the flood risk area as defined by NPF4 and the submitted FRA finds that the site would be at a very low risk of flooding from the nearby watercourse at present and in the future. It is recommended that the details, performance, and maintenance of water runoff systems be controlled by planning conditions in the interest of both flood risk management and water/environmental quality. Planning conditions should also require that the flood risk connected with the designed drainage infrastructure would be identified and appropriate mitigation should be incorporated into the development.

Response: The above raised matters could be dealt with through condition in the event of planning permission being granted.

Scottish Water - no objection. The applicant should be made aware that this does not confirm that the proposed development can currently be serviced. Further comments for the applicant are provided on water and wastewater capacity. It is highlighted that there is live infrastructure in the proximity of the development area that may impact on existing Scottish Water assets - 300mm surface water main and abandoned main with the site boundary. The applicant must identify any potential conflicts with Scottish Water assets and contact the Asset Impact Team for an appraisal of the proposed development.

Response: An informative note could be added to any planning consent granted instructing the applicant to contact Scottish Water.

NAC Active Travel and Transport – initially expressed concern that there are lengths of street where speeds will be greater than 20mph. Alterations required particularly at the site entrance to ensure that speeds are kept below 20mph as vehicles enter the site. Alterations required to reduce speeds through design rather than "add-on" traffic calming. The radius at the junction of road one to road two is excessive and will encourage vehicles to speed round this junction. Visitor parking spaces should be spread evenly throughout the site with no groupings. Given the number of spaces, single bays spread throughout the site is recommended.

Response: The above comments were raised with the applicant, who subsequently submitted a revised site layout to address the matters raised.

West of Scotland Archaeology Service (WoSAS) - the application lies in an area of some archaeological potential based on the presence of recorded archaeological sites of prehistoric, medieval, and later periods in the surrounding landscape. WoSAS agree with the findings of the submitted archaeological desk-based assessment - that the large area of greenfield ground that will be disturbed by the development stands a chance of unearthing buried unrecorded remains which could be of any period, and which may survive below ground level. As such, a potential archaeological issue is raised by the proposed development. A condition is recommended.

Response - A condition relating to the above raised matter could be added in the event of planning permission being granted.

NAC Education - The proposed 85 new homes are within the catchment area for Corsehill and St Winning's Primary Schools as well as Kilwinning and St Matthews's Academies. The roll projection model shows that the catchment schools should have capacity for the 27 additional children that could be generated from the proposed new homes.

Response: Noted.

NAC Environmental Health - no objections to the development subject to conditions relating to the air quality, noise levels from road traffic noise, and a Dust Management Plan. Further observations are made relating to a range of Environmental Health matters.

Response - Conditions relating to the above matters could be added in the event of planning permission being granted. A further Air Quality Screening Assessment was submitted to the Council in October 2023. The applicant/agent has been advised of the matters raised.

3. Analysis

To accord with the provisions of the Town and Country Planning (Scotland) Act 1997, the application requires to be determined in accordance with the development plan unless material considerations indicate otherwise. Each relevant development plan policy is considered individually below.

Strategic Policy 1: Spatial Strategy and Policy 1: New Homes and Maintaining an Effective Housing Land Supply

The Towns and Villages Objective of Strategic Policy 1 (Spatial Strategy) states that, in principle, the Council will support development proposals within North Ayrshire's towns and villages that provide the right new homes in the right places. Policy 1 (New Homes and Maintaining an Effective Housing Land Supply) states that, in principle, the Council will support and promote residential development of our 27 long-term housing sites shown in schedule 3 of the LDP. The site at Mosscolloch Farm is identified as a long-term housing site in Schedule 3 (ref. Na1112). The site has an indicative capacity of 50 units. The total number of proposed units is 85, which would be 35 units above the indicative capacity. However, it is not considered that the proposed development would result in the overdevelopment of the site. The density of the site would be approx. 31.7 dwellings per hectare. This is considered an acceptable density given that the majority of proposed houses would have in-curtilage parking and private garden spaces to the front and rear. Houses without in-curtilage parking would be served by dedicated parking courtyards and there would be 22 no. additional visitor parking spaces provided throughout the site. In addition, the proposed development would feature an area of public open space and a SuDS feature. As such it is considered that the proposed development accords with Strategic Policy 1 and Policy 1 of the LDP.

Strategic Policy 2: Placemaking

The stated purpose of Strategic Policy 2 on Placemaking is to ensure "all development contributes to making quality places." The policy also seeks to "safeguard, and where

possible enhances environmental quality through the avoidance of adverse environmental or amenity impacts."

The proposed development would provide a variety of house types (8 in total) including both detached and semi-detached houses. All houses would have either 2 or 2.5 storeys with gabled roof designs and a consistent material finishes throughout the development. There are a range of house types in the surrounding area, including single storey detached bungalows immediately to the south at Hazeldene Park and 2-storey terraced houses on the opposite side of the B778 at Hazelgrove. There are also examples of 1.5 storey houses in the immediate area on both Blair Road and the B778. The proposed development draws upon the variety of existing house types in the area. The gabled roof design and material finishes also draw upon the existing palette of materials in this area of Kilwinning. If planning permission is granted, a condition could be added requiring the submission of further details to ensure the final choice of materials is appropriate.

The development would primarily consist of 2 road loops with the majority of the proposed housing facing onto the internal road layout providing an attractive enclosed streetscape for residents and visitors with path connections, landscaping, and public open spaces provided throughout the development. The houses along the eastern boundary of the site would front on the B778 creating an attractive and welcoming streetscape on both the approach and entrance to the application site. The development would form the new urban edge of Kilwinning, and it is considered that the streetscape provided along the B778 would create a positive sense of place on approach and entrance to the north-east edge of Kilwinning.

The proposed layout and boundary treatments would provide each house with a rear garden area of adequate size and enclosures to ensure that there would be no adverse privacy or overlooking between residents. The proposed housing along the southern site boundary would back onto the existing rear boundaries of the housing at Hazeldene Park. The applicant has stated that existing hedgerows would be retained and enhanced where possible. It is also considered that there would be adequate spacing between the new and existing housing to ensure no unacceptable overlooking or privacy impacts. Each house would also be provided with either in-curtilage parking or a dedicated parking courtyard to ensure that there would be no adverse parking impacts. There would be 22 no. additional visitor parking spaces provided throughout the development.

The applicant submitted a Statement of Energy as part of the application to demonstrate the resource efficiency of the proposed development and its compliance with other relevant policies of the LDP (Policy 29). Whilst the development would use energy efficient gas fired combi boilers with integrated flue gas heat recovery for their primary heating system, the Statement of Energy advises that the development would achieve over 8.5% improvement on the relevant Scottish Technical Standards (Section 6 Carbon Emission minimum standards/Section 7 Aspect 1 Silver) and with a 10.17% contribution from low and zero carbon generating technologies in compliance with Policy 29 of the LDP. The site layout has been designed to maximise southwest and southeast facing aspects with predominantly vertical window proportions. Approx 2.5kwp solar (photovoltaic) panels per dwelling have been included in the submitted scheme, with the potential for householders to increase the number in the future.

The proposed development would provide a range of internal and outdoor spaces that could be adapted in the future to meet the needs of the residents.

It is considered that the site would be well connected for a variety of transport modes. There would be path connections formed throughout the site with access from both the B778 to the east and Blair Road to the west. At the request of the case officer, the applicant included a full path connection between the site and Blair Road. This was only shown as a 'potential' connection on the initial submitted layout, with the applicant claiming that site levels prevented the delivery of a connection at this side of the development. As noted above, the ground level would be raised at this side of the site to facilitate the site drainage systems. As such, 2 no. flights of steps would be required to form the connection between the site and Blair Road. However, while a step-free accessible path would be desirable, given the difficulty of overcoming the ground levels as a result of the proposed land raising, it is considered that the path connection as proposed would be acceptable in that it would create a direct walking/cycling link between the site and Blair Road from where National Cycle Network Route 7 can be accessed to the north. The site would also be within walking distance of public transport connections with the nearest bus stops at Redstone Avenue/Hazelgrove and Bridgend Lane (B778) an approx. 8-minute walk to the south. Kilwinning Railway Station would be an approx. 27-minute walk or 8-minute cycle from the site. The site would also be connected for private vehicular travel via the B778, with all anticipated parking requirements accommodated within the site boundaries.

Therefore, given the above, it is considered that the proposed development would meet the relevant requirements of Strategic Policy (Placemaking).

Policy 15: Landscape and Seascape

As noted above, the site is located within a local landscape character area. Policy 15 states that the Council will support development that protects and/or enhances our landscape/seascape character avoiding unacceptable adverse impacts on our designated and non-designated landscape area and features. In this particular case, it is noted that the site is allocated for residential development in the LDP and therefore the principle of the development of the site for housing has been established, notwithstanding the above designation. The applicant has stated that existing hedgerows along the boundary of the site would be retained and enhanced where possible. There are no watercourses nor notable natural features within the site, and it is not considered that the development would have any adverse impact on any nearby features. The development would include the provision of a new SuDS detention basin to the north-west corner of the site. An area of public open space and a scheme of landscaping and planting would be provided throughout the site and path connections within and beyond the site to tie the development into the neighbouring green network corridors. As noted above, the development would create a new streetscape along the B778 at the edge of Kilwinning, providing a welcoming approach on the eastern entrance to the town. As such, it is not considered that the development would have any significant adverse impact on the local landscape character area in accordance with Policy 15.

Policy 16: Protection of our Designated Sites and Policy 18: Forestry, Woodland, Trees and Hedgerows

In terms of Policies 16 and 18, the site is not subject to any environmental designations of local or national importance. However, a Preliminary Ecology Assessment (PEA) providing a detailed assessment of the environmental features of the site was submitted as part of the application, which followed a site survey. The PEA recommends that there is no requirement for a Protected Species Licence from NatureScot. The site largely consists of

open grazing land with biodiverse habitats such as hedgerows, which would be preserved and enhanced where possible. The PEA proposes mitigation measures to minimise potential impacts on natural features and suggests various opportunities for biodiversity enhancements. The proposed SuDS feature would play a key role in the management of green and blue infrastructure, as well as providing a sustainable flood risk solution and an additional biodiverse habitat. A condition requiring the implementation of the mitigation and enhancement measures recommended by the PEA could be added to any consent granted in the interest of the biodiversity of the site and Policies 16 and 18.

Policy 22: Water Environment Quality and Policy 23: Flood Risk Management.

Policy 22 of the LDP states that development will be required to ensure no unacceptable adverse impact on the water environment. Development should ensure that appropriately sized buffer strips are maintained between the built and water environments. Related to this issue is Policy 23, which deals with flood risk management and states that generally development should avoid locations of flood risk and should not lead to significant increase in the flood risk elsewhere. The site is located outwith the flood risk area defined by NPF4 and the submitted Flood Risk Assessment finds that the site would be at a very low risk of flooding from the nearby watercourse at present and in the future. Both NAC Flooding and Scottish Water have no objection to the proposed development subject to recommended conditions relating to the surface water runoff systems and the drainage infrastructure. As such, it is considered that the development accords with Policies 22 and 23.

Policy 27: Sustainable Transport and Active Travel

As noted above, the site is bounded by the B778 to the east and Blair Road to the west. As noted above under Strategic Policy 2, the site is considered well connected for a wide range of transport modes, including walking, cycling, public transport, and private car travel. As such, it is considered that the development accords with Policy 27.

Policy 29: Energy Infrastructure Developments

Policy 29 states that proposals for all new buildings will be required to demonstrate that at least 10% of the current carbon emissions reduction set by Scottish Building Standards will be met through the installation and operation of low and zero carbon generating technologies. As noted above, a Statement of Energy was submitted by the applicant. Following consideration of the submitted information, the proposed development would accord with Policy 29.

Policy 31: Future Proofing for Heat Networks

Policy 31 supports proposals for the creation or enhancement of district heat networks in as many locations as possible in North Ayrshire. The site is not considered to be a suitable candidate for a district heating system since there are no heat sources available nearby which could be utilised for this purpose in the short - medium term.

NPF4

Turning to NPF4, the applicant has provided a statement which appraises the proposed development against the spatial framework and the relevant national policies. It is considered that that, in principle, the proposed development accords with the spatial

strategy of NPF4 in that it would provide a new residential development on an allocated site. NPF4 is broadly in alignment with the LDP in respect of its other strategic policy objectives, including those tackling the climate and nature crises.

As noted above, several mitigation and enhancement measures have been recommended in the submitted PEA including the retention and enhancement of existing hedgerows where possible. An area of public open space and a scheme of landscaping and planting would be provided throughout the site and a new SuDS feature would be provided to the north-west of the site. A condition could be attached to require the implementation of the PEA recommendations during the development of the site. This would ensure that the principles set out in NPF4 for nature are implemented. Similarly, the submitted Statement of Energy sets out how the proposed development would utilise low and zero carbon generating technologies to reduce carbon emissions. Finally, the path links into Kilwinning and onto Blair Road would support active travel for a variety of purposes, and thus promote local living. In summary, it is considered that the proposed development has considered the climate emergency, would be 'nature positive' and would accord with NPF4.

There are no other material considerations. In conclusion, it is considered the proposed development would accord with the development plan. Therefore, it is recommended that planning permission is granted, subject to the conditions noted below.

4. Full Recommendation

Approve subject to the following conditions

Reasons for Decision

Condition

1. That the development hereby approved shall be implemented in accordance with the submitted plans, drawings and recommendations contained in the application (inclusive of all associated supporting documentation) unless otherwise indicated below, all to the satisfaction of North Ayrshire Council as Planning Authority.

Reason

To secure the implementation of the development in accordance with the supporting information.

Condition

2. That prior to the commencement of the development hereby approved, the applicant shall submit a Construction Environmental Management Plan for the written approval of North Ayrshire Council as Planning Authority. Thereafter, the development shall be implemented in accordance with such details as may be approved to the satisfaction of North Ayrshire Council as Planning Authority.

Reason

In the interests of environmental protection during the construction phase.

Condition

3. That prior to the commencement of the development hereby approved, the developer shall provide full details of the proposed finishing materials to be used for the written

approval of North Ayrshire Council as Planning Authority. Thereafter, the development shall progress in accordance with such details as may be approved.

Reason

To ensure that the finishing materials are high quality and attractive; in the interest of the visual amenity of the area.

Condition

4. That prior to the commencement of the development hereby approved, full details of the surface water drainage system for the development, including the discharge rate, basin capacity, other temporary storage capacity, water quality treatment measures and post development overland flood flow paths shall be submitted for the approval of North Ayrshire Council as Planning Authority. The scheme shall be prepared in accordance with the principles and practices contained in 'The SuDS Manual' (CIRIA report C753, published November 2015). Thereafter, the scheme as may be approved shall be implemented prior to the completion of the development and maintained thereafter to the satisfaction of North Ayrshire Council as Planning Authority.

Reason

To ensure that the development would not lead to flooding.

Condition

5. That prior to the commencement of the development hereby approved, the developer shall provide comprehensive details of the proposed path connection to Blair Road for the written approval of North Ayrshire Council as Planning Authority. The path shall incorporate ramped sections adjacent to the steps for the wheeling of cycles and shall be adequately edged and hard surfaced. Thereafter, the development shall progress in accordance with such details as may be approved to the satisfaction of North Ayrshire Council as Planning Authority.

Reason

To ensure that the path is designed and constructed to an acceptable standard for walking and cycling.

Condition

6. That no development shall take place until the applicant has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation to be submitted by the applicant, agreed by the West of Scotland Archaeology Service, and approved by North Ayrshire Council and Planning Authority. Thereafter, the applicant 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 the Planning Authority in agreement with the West of Scotland Archaeology Service.

Reason

To ensure any archaeological remains below the ground are investigated and recorded/recovered before the development commences.

Condition

7. 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 dwellings or the completion of the development, whichever is the sooner. 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 until established, unless North Ayrshire Council as Planning Authority gives written consent to any variation.

Reason

To ensure that the approved landscaping is carried out and maintained, in the interest of amenity.

Allan Finlayson
Chief Planning Officer

For further information please contact Mr Joe Thompson Assistant Planning Officer on 01294 324313.

Appendix 1 – Location Plan

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