
NORTH AYRSHIRE COUNCIL

8th June 2022

Planning Committee

Locality	Garnock Valley
Reference	22/00295/PP
Application Registered	20th April 2022
Decision Due	20th June 2022
Ward	Dalry And West Kilbride

Recommendation	Approved subject to Conditions
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Location	Site To the East Of 1 Kirkland Crescent Dalry Ayrshire
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Applicant	Bradagh Interiors
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Proposal	Erection of 3 No. single storey terraced dwellinghouses to include associated garden ground, parking and boundary treatment
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1. Description

Planning permission is sought to erect three terraced bungalows on the site of a shop that was demolished in the 1970s. The site consists of an area of maintained grassland at the corner of Craig Avenue and Kirkland Crescent in Dalry. The area of the site is 0.26 hectares. The proposed houses would be single storey, each with two bedrooms. Two driveway parking spaces would be provided for each house as well as one visitor space to serve the development. Each house would have an enclosed rear garden. The two end-terraced houses would have a front garden with side driveway, whereas the mid-terraced house would have its driveway and parking spaces to the front.

Each of the houses would have solar panels on the rear facing roof slope as well as entrance porches to the front and a small porch to the rear for a utility room. Bin storage areas would be provided within the rear gardens along with a paved patio and grass area. The rear gardens would be enclosed by timber fencing. Parking spaces would be surfaced with permeable paving.

The design of the houses would be typical of single storey cottages, with gabled roofs finished in grey tiles with integrated solar PV panels on the rear slope. External wall finishes would consist of facing brick basecourses and corners; dry dash rendered walls and

brown/grey vertical cladding on the porches to front and rear. Windows and doors would be white uPVC framed with low 'E' double glazing.

In support of the application, a design and access statement has been submitted. The statement describes and explains the site and its surroundings; identifies underground services at and around the site and highlights that the reasoning for single storey bungalows is to minimize the visual impact of the development. The statement notes that the highest part of the proposed roof would be approximately 5.5 metres lower than the roof of the nearest two storey house to the rear of the site at 1 Kirkland Crescent.

Although the existing housing at Kirkland Crescent is within a General Urban area in terms of the adopted Local Development Plan, the site itself is designated as being within a much larger area of public open space, which serves the existing housing estate. As well as the site itself, the parcel of open space includes land to the rear of Kirkland Crescent, fronting onto West Kilbride Road. The open space at, and adjoining, the site consists of maintained grass. There are neither any paths, play facilities nor landscaped areas. In contrast, the main area of functional open space, serving the existing housing, is on the opposite side of Craig Avenue, where there is a small football pitch, a tarmac hardstanding, footpaths, landscaped areas and a children's play park. Since the proposed development would result in the loss of designated open space, Policy 19 therefore applies. Policy 29 on low/zero carbon energy for new buildings also requires consideration, as does Strategic Policy 2 on Placemaking.

There is a history of planning decisions for the site, both of which date from previous development plans, which had different development strategies and policies in relation to development on open space, and have since been superseded by the current LDP:

16/00814/PPP - Residential development (in principle) - refused and dismissed on appeal to Scottish Ministers due to the loss of open space and detrimental impact on the character, appearance and amenity of the surrounding area. (LDP 1 adopted 2014)

08/00554/PP - Erection of 2 semi-detached dwelling houses and 1 retail shop - refused on the grounds that the development would have a detrimental impact on the amenity, character and appearance of the surrounding area and may set an undesirable precedent for incremental loss of open space. In addition, no evidence had been provided to demonstrate that the shop would meet a recognised local need and could attract traffic into the area resulting in parking problems. (North Ayrshire Council Local Plan adopted 2005)

Relevant Development Plan Policies

SP1 - Towns and Villages Objective **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:
 - o 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).
 - o 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 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 19 - Open Space Devs

Policy 19:

Developments Involving Open Space

Developments involving the loss of open space (excluding outdoor sports facilities) will only be supported where they accord with the Council's current Open Space Strategy and in the following exceptional circumstances:

- o the open space is:
- o of limited amenity and/or recreational value (not as a result of neglect or poor maintenance) and does not form part of a recognised upgrading/ improvement scheme or strategy; or
- o a minor part of a larger area of functional open space and the development would not harm or undermine the function of the main site; or

- o a minor part of the wider provision of open space and its loss would not result in a significant deficiency of open space provision within the immediate area; or
- o the development would result in
- o a local benefit in terms of either alternative equivalent provision being made or improvement to an existing public park or other local open space; or
- o significant benefits to the wider community which outweigh the loss of open space.

Detailed Policy 29 - Energy Infrastructure Development

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.

2. Consultations and Representations

The application was subject to the statutory publicity procedures, which included neighbour notification and a notice in a local newspaper. One letter of representation was received, as follows:

1. A new fence is requested along the rear boundary of the site to include the removal of the old fencing. Access is also requested to the side of the existing garage (for maintenance purposes).

Response: The above matters were raised with the applicant's agent who has advised that new fencing would be erected. Any access arrangements to the side of the garage within the neighbouring property would be for the developer and neighbour to address since this is not a material planning consideration.

Consultations

NAC Active Travel and Transportation - no transport related objections to this proposal. Previously the applicant submitted a layout with only one-off street parking for Plot D2. The applicant has since amended the layout to provided 2 off-street parking spaces for each dwelling.

Response: Noted. The design statement highlights that the proposed building and site levels have been designed to prevent any surface water run-off from the site onto the adjacent public footpath/road and to collect surface water run-off from the site within the site boundary.

Scottish Water - no objections but highlight that the development proposals impact on existing Scottish Water assets (a 6" Iron Water Main pipe).

Response: The applicants are aware of this matter and are proposing to divert the water pipe with Scottish Water's permission. An informative could be attached to ensure the matter is addressed.

3. Analysis

As noted above, the application requires to be considered in terms of LDP Strategic Policy 1 (Towns and Villages Objective), Strategic Policy 2 (Placemaking), Policy 19 (open space) and Policy 29 (low and zero carbon energy for new buildings). In addition, the planning history of the site is a material consideration which requires to be addressed.

LDP 1 Strategic Policy 1 and Policy 19 are considered together along with the planning history, below. Firstly, the site is within the settlement boundary of Dalry in terms of the current LDP which was adopted in 2019. The Towns and Villages Objective supports new housing in settlements such as Dalry. Private housebuilding activity in Dalry and across the Garnock Valley has been very limited in recent years and it is the role of the LDP to support new housing delivery. The proposal would provide 3 small bungalows that would add to housing choice and variety in the town. Whilst noting the history of two refused applications for housing on the site, these date from previous development plans which had different strategies in respect of housing. It is not considered that the proposal would result in any significant loss of open space nor result in adverse amenity impacts for the surrounding area. The previous applications submitted to the Council were for two storey housing and there was also a proposal for a retail shop in 2008.

The current proposal differs in that the applicants have carried out market research which identifies a shortfall in the provision of smaller single storey housing in a locality where there have been very limited new build options available for many years. The single storey design would greatly reduce the visual impacts on the surrounding area in comparison to the previously refused 2 storey development.

Policy 19 states that development on open space will only be supported where the open space is of limited amenity and/or recreational value; is a minor part of a larger area of functional open space and where any loss would not result in a significant deficiency in provision for the area concerned.

The open space at the site is not used for any specific purpose (e.g., sports or recreation). Although maintained as grassland, it is of limited amenity value, with no trees, landscaping or planting. When the housing at Kirkland Crescent was originally developed in the 1950s, the site was occupied by a retail shop. Since the shop closed and was demolished during the 1970s, the land has been maintained by the local authority to prevent the ground from becoming vacant/derelict. As such, the site has previously been developed and is therefore brownfield land.

There would be no loss of any functional open space across the street. The football pitch and play area would be unaffected. In addition, the corridor of land which borders West Kilbride Road would not be affected, leaving a green buffer 12 metres wide along the rear of the existing housing and along the side of proposed housing. At 0.26 hectares, the site area

is relatively small. The development would consolidate the existing housing by developing the land at the corner of Craig Avenue and Kirkland Crescent. It is not considered that proposed housing would act as a precedent for any further loss of open space nearby, especially given that the remaining open space is owned by the local authority, whereas the application site is privately owned.

In summary, it is considered that the proposed housing development would accord with the Towns and Villages Objective of Strategic Policy 1. It is not considered that the proposal would be contrary to Policy 19, since the small loss of open space would be outweighed by the availability of three bungalows of an appropriate scale and of high-quality design, featuring energy efficient measures such as solar panels and a high standard of insulation. The development would help to address the lack of this type of accommodation available locally. The main area of open space across Craig Avenue would not be affected, and the corner roadside setting of the site reduces the potential for any further housing development by rounding off the existing grouping.

The proposed development would accord with Policy 29 (Energy Infrastructure Development - New Buildings) in that each house would have an energy efficient design with renewable energy provided by solar panels on their roofs.

Finally, the application requires to be assessed against Strategic Policy 2 (Placemaking) which identifies six qualities of a successful place which all applications for planning permission are expected to meet. The overall aim of Strategic Policy 2 is to ensure that "all development contributes to making quality places."

Welcoming

The proposed houses would face onto Craig Avenue and would act as a 'gateway' into the existing housing estate when approaching from West Kilbride Road.

Distinctive

The proposed housing would offer contemporary design features whilst being based on a traditional gable roofed design that would be compatible with the existing timber clad housing at Kirkland Crescent.

Safe and Pleasant

The proposed housing would be single storey with windows to front and rear. The front windows would face onto Craig Avenue with the existing open space beyond. The rear windows would face onto an enclosed rear garden space which have been designed to be low maintenance for the occupants. The houses would be sited on land below the ground level of the nearest housing on Kirkland Crescent. Parking for the houses would be provided within the plots. As such, the development would have no adverse impacts on the existing housing nearby in terms of privacy and sunlighting/daylighting.

Adaptable

The proposed development indicates that the site is capable for redevelopment without adverse impacts on the surrounding area. The loss of open space needs to be considered in context of a larger area of open space that would not be affected.

Resource Efficient

The proposal has addressed this requirement in terms of Policy 29.

Easy to Move Around and Beyond

The site is within an established residential area of Dalry. Public transport is available on Craig Avenue and there are a number of established routes for walking/cycling in the locality.

Based on the above observations, the proposal complies with the relevant policies of the current LDP notwithstanding the loss of open space, which would be offset by the delivery of new housing in an acceptable format. There are no other material considerations to indicate otherwise. Therefore, planning permission should be granted.

4. Full Recommendation

Approved subject to Conditions

Reasons for Decision

Condition

1. That details of the boundary enclosures shall be agreed in writing with North Ayrshire Council as Planning Authority prior to the commencement of any works. Thereafter any such details, which may be agreed, shall be implemented prior to the occupation of each house and thereafter maintained all to the satisfaction of North Ayrshire Council as Planning Authority.

Reason

In the interest of the amenity of the area.

James Miller
Chief Planning Officer

For further information please contact Mr A Hume Planning Officer on 01294 324318.

Appendix 1 – Location Plan

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