
NORTH AYRSHIRE COUNCIL

Planning Committee

Locality	Irvine
Reference	22/00094/PPM
Application Registered	9th February 2022
Decision Due	9th June 2022
Ward	Irvine East

Recommendation	Approved subject to Conditions
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Location	1 - 5 Crompton Way North Newmoor Irvine Ayrshire KA11 4HU
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Applicant	Manse Irvine LLP Fao Mr Andrew Statham
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Proposal	Erection of 60 dwellinghouses including the formation of access roads, open space, landscaping and ancillary works
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1. Description

The application site relates to an area of approximately 1.98ha in the North Newmoor area of Irvine. The site is bounded by Crompton Way to the west, Arkwright Way to the south, the Amer Sports distribution warehouse to the east and housing development, which is under construction to the north. The character of the site is brownfield land. An industrial building previously occupied the site and there are the remains of a redundant car park.

The proposed development would be a housing estate comprising of 60 units. The housing would include detached, semi-detached, and terraced houses, with a total of six different designs (house types). All house types would be two storeys in height, and some would feature integral garages. The roofs would be gabled and finished with grey concrete tiles. The walls would be finished in a combination of facing brick and dry dash render.

The proposed layout of the site features a single vehicular access from Crompton Way in the northwest. There would be two pedestrian accesses onto Arkwright Way in the south. Internally the layout would feature two blocks and the houses on the perimeter of the development would face onto Crompton Way and Arkwright Way. A SuDS detention basin for the treatment and storage of surface water would be located in the northwest corner of

the site adjacent to the vehicular access. The houses facing Arkwright Way would be set back approx. 20m from the road to accommodate a gas main wayleave. In addition, the houses facing Crompton Way would be set back due to a change in levels. The majority of the parking would be in-curtilage parking with the exception of two small parking courts to serve some of the terraces.

The proposed vehicular access for the site is the current access to the Amer Sports Service Yard. The applicant owns the Amer Sports building as well as the application site and, independently of the development, would provide a new access to the Amer Sports Service Yard to the east of the application site from Arkwright Way. This proposal falls outwith the development area and could be carried out under permitted development rights, which are available to existing industrial and warehouse sites. A security fence/acoustic barrier would be erected along the eastern boundary of the application site where it bounds the proposed new access and existing service yard for Amer Sports. Within the site, rear gardens would be delineated by 1.8m high timber fences and front gardens would be open in character.

The application site is located in a General Urban Area land allocation in the adopted North Ayrshire Local Development Plan (LDP). It also comprises part of the North Newmoor Industrial Estate effective housing site. The relevant policies of the LDP to this proposal are:

- 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 2: Regeneration Opportunities
- 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

The applicants initially approached North Ayrshire Council (NAC) Planning for pre-application discussions with regards to a residential development of the site in July 2021 (21/00705/PREAPP). They submitted their Proposal of Application Notice on the 4th November 2021(21/01066/PREAPM).

Significant design changes to the layout have been achieved via discussions between the applicant and North Ayrshire Council (NAC) Planning and NAC Active Travel and Transportation officers since the original submission. These include:

- re-orientation of houses in the south of the development to front onto Arkwright Way;
- increase in the number of houses with in-curtilage parking and reduction in size of parking courts including provision of in-curtilage parking for houses facing onto Crompton Way to prevent on-street parking;
- changes to internal road layout to reduce vehicle speeds;
- more even distribution of visitor parking spaces; and
- enhanced landscaping and street layout.

The following supporting information was included with the application:

Design and Access Statement (DAS)

The DAS contains an analysis of the site and details of the design proposals.

Drainage Strategy Report

There is not a water course which runs through the site, with the nearest watercourse, the Annick Water approx. 450m to the south of the site. The proposed SuDS solution would include porous paving and a detention basin. Foul water drainage would connect to the existing Scottish Water foul network at the junction with Crompton Way.

Flood Risk Assessment (FRA)

The SEPA flood map indicates low risk of fluvial flooding but small areas of potential pluvial flooding. Surface water may enter the site from the northeast and could pool. The FRA recommends that finished floor levels for the houses should be raised above the adjacent ground levels and requirements for SuDS should be discussed and agreed with Scottish Water.

Environmental Noise Assessment

Noise is likely to come from two primary sources: road traffic noise associated with the A78 to the west, and noise from fixed plant associated with adjacent industrial activity. Mitigation for the road noise would include insulation in the form of double glazing and trickle vents for properties affected. Mitigation for the fixed plant at the warehouse is suggested to be a 3-4m high acoustic barrier and a close window strategy at plots 40-42.

Ground Investigation Report

The ecologist noted the presence of invasive species such as cotoneaster and horsetail. No remediation is required, however, these should be cleared in a controlled manner. The coal mining risk assessment did not identify any coal mining hazards.

Planning Statement

The applicant considers that the proposal complies with the relevant policies of the LDP and offers an assessment of the proposal against these policies.

Pre-application Consultation Report

The applicant engaged in pre-application consultation discussions with north Ayrshire Council Planning Service. A Proposal of Application Notice (PAN) was submitted on the 4th of November 2021. A virtual exhibition was held on the 25th of November 2021. The website was visited 24 times and no feedback was received.

Transport Assessment

There is a footbridge to the west of the site which crosses the A78 Irvine Bypass. The streets to the west of the A78 provide access on foot to Irvine town centre approx. 1.5km away. Irvine train station is an approx. half hour walk from the site. The nearest bus stop is on the Broomlands Busway approx. 400m from the site. An analysis of the impact of the proposed development on the nearby roads junctions was undertaken and it was concluded that all junctions would continue to operate satisfactorily when the additional traffic resulting from the development was taken into account.

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:
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 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/Land Supply

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 2 - Regeneration Opportunities

Policy 2:

Regeneration Opportunities

In principle, we will support and promote development of brownfield land (including vacant and derelict land) within our settlements, where the development aligns with the placemaking policy. In particular, we support the re-use of sites shown in schedule 4 for a range of urban uses which would contribute to the placemaking agenda, subject to their impact on the surrounding established amenity, assessment against the Placemaking Policy and in particular their impact on utility and service capacity.

Note that proposals for significant footfall generating uses considered against this policy should accord with the Town Centre First Principle and must not undermine the vitality or viability of town centres or the delivery of the effective housing and industrial land supplies except where they would support the principle of sustainable development.

We will support development of the regeneration opportunities for a range of integrated urban uses including:

- o Residential.
- o Local-scale community and leisure uses.
- o Other local employment uses like shops, banks, cafes, workshops, garages, and small offices (including working from home).

We will also support alternative solutions which would improve the amenity or economic outlook of the surrounding area such as

- o Greening (Woodland planting, allotments etc.)
- o Renewable Energy Generation
- o Protection and enhancement of green and blue networks

There may also be instances in the plan period where new regeneration sites are identified. In principle we will support proposals which are innovative, contribute to our placemaking agenda and align with our vacant and derelict land strategy.

Detailed Policy 22 - Water Environment Quality

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
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:

- o 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 Gables.

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

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

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 piperuns 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 requirements, and the application was advertised in local newspaper. One letter of objection was received, the points raised in which are summarised below:

1. The red line boundary of the application site includes land used as the car park for the neighbouring sporting goods distribution warehouse.

Response: Following discussion with the applicants and their agent, the red line boundary has been adjusted so that it only includes the residential development and not any part of Amer Sport's site. The site area has been slightly reduced to exclude the route for the private access which is to be formed independently of the planning application under permitted development rights.

2. The proposed residential development would be located close to neighbouring sporting goods distribution warehouse which could lead to conflict between these two neighbouring land uses. In particular the sporting goods distribution warehouse operates 24 hours a day so there could be noise concerns for residents of the proposed development.

Response: An acoustic barrier would be provided along the boundary between the proposed residential development and Amer Sports.

Consultations

NAC Active Travel and Transportation: Initially objected due to the proposals for houses to face directly onto Crompton Way with no in-curtilage parking. It was considered that this would have led to excessive on-street parking on Crompton Way and potential road safety issues. In addition, it was not considered that the initial internal roads layout complied with Designing Streets. Following several discussions with the applicants, the above issues were addressed and the layout amended, and NAC Active Travel and Transportation has therefore removed the objection. A number of small remaining issues can be addressed at the Roads Construction Consent phase.

Response: Changes have since been made to the layout to address the concerns of NAC Active Travel and Transportation.

NAC Environmental Health: No objections, however there are reservations with regards to the impact of the effect of the noise from existing commercial undertakings on the proposed development. Environmental Health recommend a number of conditions relating to noise, remediation, contamination and air quality.

Response: Such conditions could be applied to any planning permission which may be granted.

NAC Flooding: No objections, subject to conditions relating to the surface water drainage system.

Response: Such conditions could be applied to any planning permission which may be granted.

NAC Education: No objection. The proposal is for 60 units in the catchment of Glebe and St John Ogilvie primary schools. It is expected that this would generate up to 19 children and this is within the capacity of these schools.

Response: Noted.

The Coal Authority: No objections, however, recommend an informative be placed on any planning permission with regards to coal mining hazards.

Response: Such an informative could be applied to any planning permission which may be granted.

Glasgow Prestwick Airport: No objections.

Response: Noted.

Scottish Environmental Protection Agency (SEPA): The proposal does not meet the threshold for SEPA consultation.

Response: Noted.

Scottish Water: No objections

Response: Noted.

West of Scotland Archaeological Service (WOSAS): The land has previously been developed and there is therefore unlikely to be significant archaeological remains. No objection.

Response: Noted.

3. Analysis

Strategic Policy 1 (Towns and villages objective) of the LDP states that the Council wants to provide the right new homes in the right places. Policy 1: New Homes and Maintaining an Effective Housing Land Supply, of the LDP states that we will in principle support and promote residential development of the 51 effective housing supply sites shown in Schedules 2a and 2b of the LDP. The site is part of the North Newmoor Industrial Estate housing site as listed in Schedule 2b of the LDP. The site has an indicative capacity of 260 units.

There have been two consented developments in the North Newmoor site, one of which is completed (17/00581/PPM) and one of which is being developed (19/00908/PPM). The proposed development would occupy the final part of the North Newmoor housing site. The total number of units already consented is 290 and the proposed development would bring the total number of units in North Newmoor to 350, which would be some 90 units above the indicative capacity. It is not however considered that the proposed development would be overdevelopment of the site as the density of the site would be approx. 30 dwellings per hectare, which is considered to be an acceptable density for a suburban housing site. The previously consented developments were similarly not considered to be overdevelopment. The proposed development accords with Policy 1: New Homes and Maintaining an Effective Housing Land Supply and The Towns and Villages Objective of Strategic Policy 1: Spatial Strategy.

Strategic Policy 2: Placemaking states that all development proposals must meet the qualities of successful places as outlined in the policy. The proposed development incorporates 6 house types including terraced, semi-detached, and detached houses. All the houses would have two storeys with gabled roof designs. The housing developments to the north consist of similar house types with similar finishing materials. The design of the proposed development is consistent within the immediate context. It is considered appropriate to attach a condition which would require further details with regards to the external finishes to ensure the final choice of materials is appropriate for the locality and contains enough variety to provide visual interest.

The development layout consists of a network of small, interconnected blocks which would promote a pedestrian friendly environment and provide attractive enclosed streetscapes. The street layout would be similar to the other developments to the north and would create consistency for the entire North Newmoor development. Unfortunately, whilst the case officer sought to create a pedestrian link from the proposed development to the development to the north, this was not agreed by the developer of the site to the north. Notwithstanding, it is considered that the proposed layout has adequate connectivity with the surrounding streetscape and would create an environment that is easy to move within and beyond. The case officer secured design improvements to ensure that the houses on the perimeter of the development face onto Crompton Way and Arkwright Way. This layout would ensure that the development aligns with the existing streetscape and provide an attractive and welcoming frontage to existing streets.

No significant areas of amenity space have been proposed within the development site itself. There would be open space at the SuDS basin and over the gas main wayleave. There would be a small area of amenity space in the north of the development as well as a playground across the bridge over the A78 approx. 200m from the site. All houses within the development would have private gardens enclosed by 1.8m high timber fences. Given this locational context, the site is considered to be well served for open and amenity spaces. Full details of landscaping and boundary treatments could be ensured via a planning condition.

The layout of the site has been designed in order to ensure that the houses would not have their privacy or access to daylight affected through overlooking or overshadowing from other properties. An acoustic barrier would be provided along the eastern boundary of the site with Amer Sports. Full details of the design of this barrier would be required via a planning condition. All houses would be provided with two parking spaces, the majority of which are located in-curtilage. Visitor parking would be spread evenly throughout the site. In

conclusion, the proposed development meets with the qualities of successful places and therefore accords with Strategic Policy 2: Placemaking.

Policy 2: Regeneration Opportunities, states that we will in principle support and promote the development of brownfield land within our settlements where that development aligns with the placemaking policy. The site was formerly occupied by an industrial/warehouse building however this was demolished some years ago and therefore the site can be considered as a brownfield site. The North Newmoor area was formerly an industrial estate, however, with the recent residential development it is now a mixed-use area between residential and the remaining industrial/warehouse uses. As highlighted above, the development accords with the placemaking policy, and therefore it also accords with Policy 2: Regeneration Opportunities.

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. Taking both of these policies together, there are not any watercourses which run through or adjacent to the site, and the nearest watercourse is the Annick Water approx. 450m to the south of the site. The site is not considered to be at particular risk of flooding. The proposal includes a SuDS basin in the northwest corner of the site. Full details of the surface water drainage arrangements can be ensured via condition. Foul water drainage is proposed to tie in with the existing Scottish Water sewer at Crompton Way. The development accords with Policies 22 and 23.

Policy 27 relates to sustainable transport and active travel. The North Newmoor area is located in between two busy roads (the A78 and B7080). There are footbridges over these roads on either side, the footbridge to the west providing access towards Irvine town centre and the footbridge to the east providing access to Bourtreehill and Girdle Toll. In terms of public transport, the nearest bus stop is 400m away and Irvine train station is about 2km away. Overall, the site is reasonably well served by public and active travel links, and the internal design of the site has been reconfigured to enhance access to these linkages for the convenience of future residents of the area. Two parking spaces have been provided per dwelling plus additional visitor parking, and this level of parking provision is supported, given the suburban location. The proposal is considered to accord with Policy 27 Sustainable Transport and Active Travel.

Policy 29: Energy Infrastructure Developments, requires that all proposals for new buildings demonstrate that at least 10% of the current carbon emission reduction targets set by Scottish Building Standards are met through the use of low or zero carbon generating technologies. No details have been provided by the applicant to demonstrate how this requirement will be met. It is considered that a suitably worded condition could ensure that any development would accord with Policy 29: Energy Infrastructure Developments.

Policy 31 relates to future proofing for heat networks. The proposed development would utilise modern building designs which would minimise the energy requirements for heating through modern insulation. The houses have been oriented to take advantage of solar gain where possible. The site is not considered to be a suitable candidate for a district heating system. The proposal accords with Policy 31.

In conclusion, the proposal is in accordance with the relevant policies of the LDP, and the development would entail the delivery of the final section of a major housing site, which has

been identified and allocated as part of the local development plan process. Accordingly, the application is recommended for approval subject to the conditions referred to in this report.

4. Full Recommendation

Approved subject to Conditions

Reasons for Decision

Condition

1. That prior to the commencement of the development hereby approved, the developer shall provide full details of the proposed finishing materials 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

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

Condition

2. That prior to the commencement of the development hereby approved, the developer shall provide full details of the proposed boundary treatments 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

In order to ensure that the appearance of the boundary treatments is acceptable; in the interest of the visual amenity of the area.

Condition

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

Reason

In order to ensure that the site is appropriately landscaped, in the interest of amenity.

Condition

4. That all planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting season and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which, within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless North Ayrshire Council as Planning Authority gives written consent to any variation.

Reason

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

Condition

5. That prior to the commencement of the development, hereby approved, full details of the site's surface water drainage system, including the discharge rate, basin capacity, other temporary storage capacity, water quality treatment measures and post development flood flow paths shall be submitted for the agreement of North Ayrshire Council as Planning Authority. Thereafter the agreed details shall be implemented prior to the completion of the development and maintained thereafter to the satisfaction of North Ayrshire Council as Planning Authority.

Reason

In order to ensure that the development would not lead to flooding.

Condition

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

Reason

In order to ensure that the development would not lead to flooding.

Condition

7. That prior to the commencement of the development hereby approved, the developer shall provide full details of the low and zero carbon generating technologies to be used in the development for the written approval of North Ayrshire Council as Planning Authority. For the avoidance of doubt, at least 10% of the current carbon emission reduction targets set by Scottish Building Standards shall be met through the use of low or zero carbon generating technologies. Thereafter, the development shall progress in accordance with such details as may be approved.

Reason

In recognition of the climate emergency.

Condition

8. That prior to the commencement of the development hereby approved, the developer shall provide full details of the proposed acoustic barrier to be erected between the development and the Amer Sports warehouse for the written approval of North Ayrshire Council as Planning Authority. Thereafter, the barrier shall be erected in accordance with such details as may be approved prior to the first occupation of the development, and maintained in perpetuity unless otherwise agreed in writing by North Ayrshire Council as Planning Authority.

Reason

In order to ensure that the dwellinghouses hereby approved are not affected by noise from the neighbouring warehouse; in the interest of amenity.

Condition

9. The internal noise level from road traffic during daytime hours (0700-2300 hours) in any habitable room within any residential property to which this consent relates must not exceed LAeq 16-hour 35dB. In addition, the internal noise level from road traffic during night hours (2300-0700 hours) in any habitable room within any residential property to which this consent relates must not exceed LAeq 8-hour 30dB. If these levels cannot be achieved with an open window strategy, then alternative means of ventilation will require to be provided.

Reason

In order to ensure that the dwellinghouses hereby approved are not affected by road noise; in the interest of amenity.

Condition

10. The rated noise level, as defined in BS4142, from any existing or consented commercial undertakings at the time of consent (excluding noise from fixed plant or equipment during night hours), must not exceed the background noise level by 5dB(A) or more at the curtilage of any of the proposed dwelling houses. For the avoidance of doubt, there will be no onus on any existing or consented legitimate commercial undertaking to modify, amend or curtail their existing procedures or working arrangements and responsibility for ensuring any occupier of any of the consented dwellings is not subjected to a statutory noise or dust nuisance in terms of Section 79 of the Environmental Protection Act 1990 rests with the developer as the "agent of change".

Reason

In order to ensure that the dwellinghouses hereby approved are not affected by noise from commercial undertakings; in the interest of amenity.

Condition

11. During night hours (2300-0700 hours) the noise from fixed plant and equipment associated with existing or consented commercial undertakings must not exceed the levels specified in NR 25 as detailed in BS8233 in any habitable room within any residential property to which this consent relates. Compliance with this condition must be met with windows open in a typical manner for ventilation. For the avoidance of doubt, there will be no onus on any existing or consented legitimate commercial undertaking to modify, amend or curtail their existing procedures or working arrangements and responsibility for ensuring any occupier of any of the consented dwellings is not subjected to a statutory noise or dust nuisance in terms of Section 79 of the Environmental Protection Act 1990 rests with the developer as the "agent of change".

Reason

In order to ensure that the dwellinghouses hereby approved are not affected by noise from fixed plant; in the interest of amenity.

Condition

12. That prior to the commencement of the development, the applicants shall finalise the ground investigation report submitted in support of the application by JPB Reference Number VG190-18/SAG/MAK Draft Issue and dated December 2021 and submit a Remediation Strategy. All documentation shall be verified by a suitably qualified Environmental Consultant and submitted to the satisfaction of North Ayrshire Council as Planning Authority. On completion of the proposed works written verification, detailing what was done by way of any remediation, shall also be submitted.

Reason

In order to ensure that the site is suitably remediated, in the interest of public health.

Condition

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

Reason

In order to ensure that any contamination is dealt with in an appropriate manner, in the interest of public health.

Condition

14. The applicant must demonstrate that the increased road traffic, generated as a result of this development, shall not have a detrimental effect on the local air quality or result in an increase in concentrations of atmospheric pollutants such that statutory Air Quality Objectives would be exceeded at any location of relevant public exposure.

Reason

In order to ensure the development would not negatively affect the air quality in the area, in the interest of public health.

James Miller
Chief Planning Officer

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

Appendix 1 – Location Plan

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