



North Ayrshire Council
Comhairle Siorrachd Àir a Tuath

Planning Committee

A meeting of the **Planning Committee** of North Ayrshire Council will be held remotely on **Wednesday, 29 September 2021** at **14:00** to consider the undernoted business.

Arrangements in Terms of COVID-19

In light of the current COVID-19 pandemic, this meeting will be held remotely 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>. In the event that live-streaming is not possible, a recording of the meeting will instead be available to view at this location.

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 meeting of the Committee held on 1 September 2021 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 **North Coast and Cumbraes**

Submit reports on the following applications:

3.1 **21/00676/PP - Site To North Of The Cathedral Of The Isles, College Street, Millport**

Erection of 5 no holiday lodges and reception building to include formation of access, car park, landscaping and ancillary works.

3.2 21/00787/PP: 44-46 Boyd Street, Largs

Change of use of existing vacant shop unit to form restaurant with ancillary takeaway and erection of flue.

3.3 Notice under Section 127 of the Town and Country Planning (Scotland) Act 1997: 9 Stakehill, Largs

Seeking approval to serve a Notice under Section 127 of the Town and Country Planning (Scotland) Act 1997 requiring a reduction in height of a fence at 9 Stakehill, Largs.

4 Development Plan Scheme

Submit report by the Executive Director (Place) on an indicative timetable and participation strategy for the preparation of the next Local Development Plan (LDP3) (copy enclosed).

5 Urgent Items

Any other items which the Chair considers to be urgent.

Webcasting - Virtual Meeting

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Planning Committee Sederunt

Tom Marshall (Chair)
Timothy Billings (Vice-Chair)
Robert Barr
Ian Clarkson
Robert Foster
Christina Larsen
Shaun Macaulay
Ellen McMaster
Ronnie McNicol
Donald Reid

Chair:

Apologies:

Attending:

**Planning Committee
1 September 2021**

Agenda Item 2

At a Meeting of the Planning Committee of North Ayrshire Council at 2.00 p.m. involving participation by remote electronic means.

Present

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

Also Present

Todd Ferguson.

In Attendance

J. Miller, Chief Planning Officer, I. Davies, Senior Development Management Officer, L. Dempster, Technician, K. Gee, Technician (Planning); A. Craig, Head of Service (Democratic Services), L. Ingram, Solicitor (Legal Services) and A. Little and H. Clancy, Committee Services Officers (Chief Executive's Service).

Chair

Councillor Marshall in the Chair.

Apologies

Ellen McMaster.

1. Declarations of Interest

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

2. Minutes

The Minutes of the meeting of the Planning Committee held on 16 June 2021 were confirmed and the Minutes signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

3 Call In Request: 21/00676/PP – Millport, College Street Erection of 5 holiday lodges

Submitted report by the Chief Executive on a call in request in relation to an application for planning permission which would otherwise be determined by an officer under the Council's Scheme of Delegation to Officers.

The stated reason for the call in request was detailed in the call in request dated 17 July 2021 and summarised as follows: -

- Application will affect the setting of the Cathedral of the Isles - a Category A listed building - and its environs;
- Large number of local objections; and
- Overprovision of this type of tourist accommodation in Millport.

Councillor Ferguson was in attendance and addressed the committee in support of the call in request.

Councillor Foster, seconded by Councillor McNicol, moved to call in the application and that it should be determined by the Planning Committee.

Councillor Reid, moved not to call in the application and that it should be determined by an officer under the Council's Scheme of Delegation to Officers. There being no seconder, the amendment fell.

There being no amendment, the motion was carried.

Accordingly, the Committee agreed to call in the application to be determined by the Planning Committee.

Councillor Ferguson left the meeting at this point.

4.1 21/00655/PP: Glenard Manse Road Brodick, Arran, KA27 8DN

Mr Bruce Jenkins has applied for the removal of condition 1 of planning approval 04/00333/PP and retain use as dental surgery at Glenard Manse Road, Brodick, Arran. No objections were received.

Councillor Billings, seconded by Councillor Foster, moved to grant the application subject to conditions.

There being no amendment the motion was declared carried.

Accordingly, the Committee agreed to grant the application subject to the following condition:

- 1 That the operating hours of the surgery hereby approved shall be limited to between 0800 and 1800 hours, Monday to Friday inclusive unless otherwise agreed in writing by North Ayrshire Council as Planning Authority.

5.1 21/00547/PP: Plot 1 Craig-En-Ros Road Millport Ayrshire

Mr and Mrs F Taylor have applied for planning permission for the erection of a detached dwelling house and variation of Conditions 2 and 8 of N/06/01108/PP at Plot 1, Craig-En-Ros Road, Millport. Four objections were received and summarised in the report. A late objection had also been received and circulated to the Committee.

Councillor Foster, seconded by Councillor McNicol, moved to grant the application subject to conditions.

There being no amendment the motion was declared carried.

Accordingly, the Committee agreed to grant the application, subject to the following conditions:-

1. That prior to the commencement of the development hereby approved, full details of the finishing materials shall be submitted 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.
2. That prior to the commencement of the development hereby approved, full details of any proposed boundary treatments shall be submitted 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.
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.

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.

4. That, notwithstanding the permission granted by Article 3 of and Classes 1A, 1B, 1D, 3A and 3B of Schedule 1 of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (or any Order revoking or re-enacting that Order), the express approval of North Ayrshire Council as Planning Authority shall be required in respect of any development within the curtilage of the dwellinghouse, hereby approved.
5. That prior to the commencement of the development hereby approved, the applicant shall obtain a valid Construction Consent and Road Bond for the upgrading of the access road from the end of the currently adopted section of Craig-en-Ros Road up to the access to the dwellinghouse hereby approved. The road shall then be upgraded prior to the first occupation of the dwellinghouse to the satisfaction of North Ayrshire Council as Planning Authority.
6. That the first 2m of the driveway of the dwellinghouse hereby approved shall be surfaced in a hard, bituminous material to the satisfaction of North Ayrshire Council as Planning Authority and designed to ensure that no surface water shall issue from the access onto the road. Vehicular access to the site shall be

provided with a drop kerb crossing to be formed as detailed in the Roads Development Guidelines.

7. That prior to the commencement of the development hereby approved, full details of the solar photovoltaic panels shall be submitted 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.

5.2 21/00555/PP: 10 Kirkton Crescent Millport Ayrshire KA28 0HJ

Ms Carol Fox has applied for planning permission for the erection of a detached dwelling house at 10 Kirkton Crescent, Millport. No objections were received.

Councillor McNicol, seconded by Councillor Larsen, moved to grant the application subject to conditions.

There being no amendment the motion was declared carried.

Accordingly, the Committee agreed to grant the application subject to the following conditions:-

1. That prior to the commencement of the development hereby approved, the applicant 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 the approved details to the satisfaction of North Ayrshire Council as Planning Authority.
2. That prior to the commencement of the development hereby approved, the applicant shall obtain a valid Construction Consent, including a Road Bond, for the upgrading of Kirkton Crescent to adoptable standards up to the driveway access to the dwellinghouse hereby approved. The road shall then be upgraded prior to the first occupation of the dwellinghouse to the satisfaction of North Ayrshire Council as Planning Authority.
3. That prior to the first occupation of the dwellinghouse hereby approved, the first 2m of the driveway shall be hard surfaced to the satisfaction of North Ayrshire Council as Planning Authority and designed to ensure that surface water shall not issue from the driveway onto the public footway or carriageway.
4. 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.

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

5. That no development shall take place until details of a mature planting screen along the southeast boundary of the site is provided for the written approval of North Ayrshire Council as Planning Authority. Thereafter, the screen shall be provided in accordance with the approved details within 6 months of the occupation of the house.
6. That prior to the commencement of the development hereby approved, the applicant 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 the approved details to the satisfaction of North Ayrshire Council as Planning Authority.
7. That, prior to the commencement of the development hereby approved, details of the heat and power systems for the house, which shall include low and/or zero carbon technologies to demonstrate that at least 10% of the current carbon emissions reduction set by Scottish Building Standards will be met, shall be submitted 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 unless otherwise agreed in writing with North Ayrshire Council as Planning Authority.

5.3 21/00596/PP: Site To North Of Fairlie Bowling Club Main Road Fairlie Largs Ayrshire

Mr David Castelvechi has applied for planning permission for the erection of a garden centre and restaurant with associated access, parking and landscaping at the site to the north of Fairlie Bowling Club, Main Road, Fairlie, Largs. Six objections and one representation were received and summarised in the report.

The Committee was advised that advice on flooding had now been received and could be shared with the Committee.

Councillor Foster, seconded by Councillor Macaulay, moved to refuse the application on the grounds set out in the report.

As an amendment, Councillor McNicol seconded by Councillor Barr, moved that the application be granted, subject to conditions to be agreed at a future meeting of the Committee.

On a division and a roll call vote, there voted for the amendment, Councillors McNicol, Barr, Clarkson and Reid (4) and for the motion, Councillors Foster, Macauley, Marshall, Billings and Larsen (5) and the motion was declared carried

Accordingly, the Committee agreed to refuse the application on the following grounds:-

1. The development would be contrary to Policies 15 and Strategic Policy 2 of the adopted North Ayrshire Local Development Plan, as inappropriate development which would undermine the setting of Fairlie, with potential for visual and physical coalescence along the coast, set an undesirable precedent for other unjustified development, and have an unacceptable impact on the Special Landscape Area.
2. The development would be contrary to Policy 17 of the adopted North Ayrshire Local Development Plan, as it would fail to take account of the wider objectives of Clyde Muirshiel Regional Park.

Councillor Foster left the meeting at this point.

5.4 21/00247/PP: 120-122 Irvine Road Largs Ayrshire

GHG Holdings Ltd have applied for planning permission for the erection of 30 dwelling flats with associated access and landscaping at 120-122 Irvine Road, Largs. Seventeen objections and one representation were received and summarised in the report.

Councillor Billings, seconded by Councillor Marshall, moved to grant the application subject to conditions.

There being no amendment the motion was declared carried.

Accordingly, the Committee agreed to grant the application subject to the following conditions:-

1. That if the development, hereby approved, does not commence prior to 1st May 2022, then prior to the date of commencement of the development a Preliminary Bat Roost Assessment, dated between May and August in the year of the proposed date of commencement, shall be submitted to the Council, as Planning Authority, for written approval. Thereafter the development will be carried out in accordance with the recommendations of any Assessment as may be approved
2. Prior to the commencement, the proposed means of access to the A78 shall be constructed in accordance with drawing 5822-PA-3C. The type (and method) of construction to be approved by the Planning Authority, in consultation with Transport Scotland, as Trunk Roads Authority, before the development is commenced. For the avoidance of doubt there shall be no drainage connections to the trunk road drainage system.
3. That prior to the commencement of the development, details of tree protection measures for the trees identified as to be retained on approved drawing 5822-PA-3C shall be submitted to the Council, as Planning Authority, for written

approval. The development will thereafter commence in accordance with any details as may be approved.

4. The trees identified as to be retained on approved drawing 5822-PA-3C shall not be cut down, topped, lopped, uprooted, wilfully damaged or wilfully destroyed except with the written permission of the Council, as Planning Authority.
5. That prior to the commencement of the development, the applicant shall submit for the written approval of North Ayrshire Council, as Planning Authority, a scheme of landscaping. Any landscaping scheme as may be approved shall be carried out in the first planting season following completion or first occupation of the development, whichever is soonest, or unless otherwise agreed in writing by North Ayrshire Council, as Planning Authority. 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.
6. That prior to the commencement of the development, details of the surface water attenuation shall be submitted for the written approval of North Ayrshire Council, as Planning Authority. Thereafter the development will be carried out in accordance with any details as may be approved.
7. That prior to the commencement of the development details of the bin stores shall be submitted to the Council, as Planning Authority, for written approval. Any details as may be approved shall be implemented prior to the occupation of the relevant block.
8. That prior to the commencement of the development, details of the external finish materials for the blocks shall be submitted to the Council, as Planning Authority, for written approval. The development will thereafter commence in accordance with any details as may be approved.
9. That prior to the commencement of the development details of the eastern boundary treatment shall be submitted to the Council, as Planning Authority, for written approval. This must include visibility splays from the vehicle access as shown on drawing 5822-PA-3C . In a vertical plane, nothing shall obscure visibility measured from a driver's eye height between 1.05m and 2m positioned at the set back dimension to an object height of between 0.26m and 1.05m along the y dimension. Any details as approved must be implemented prior to the occupation of the first property.
10. That, prior to the commencement of the development hereby approved, details of the heat and power systems for the house, which shall include low and/or zero carbon technologies to demonstrate that at least 10% of the current carbon emissions reduction set by Scottish Building Standards will be met, shall be submitted 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 unless otherwise agreed in writing with North Ayrshire Council as Planning Authority.

11. That prior to the commencement of the development, details of obscure glazing for the southernmost elevation windows of Block 1 and northernmost elevation windows of Block 2 shall be submitted to the Council, as Planning Authority, for written approval. Any glazing, as may be approved, shall be installed prior to occupation of the relevant flat and retained thereafter.

6. Notice under Section 179 of the Town and Country Planning (Scotland) Act 1997: Land outside of Laigh Gree and East Laigh Gree, Burnhouse.

Submitted report by the Chief Planning Officer seeking authority to serve a notice under Section 179 of the Town and Country Planning (Scotland) Act 1997 requiring the clearance of all deposited rubble, boulders and masonry blocks on the land outside of Laigh Gree and East Laigh Gree, Burnhouse for the abatement of the adverse impacts on the amenity of the local area.

The Chief Planning Officer advised the Committee that a report regarding the placement of a single row of boulders within the area of land between the carriageway of the B706 Dunlop to Beith Road and the entrances to Laigh Gree Cottage and the neighbouring East Laigh Gree, was received by Planning Services on the 15 February 2021.

An apparent disagreement between the neighbours on the exact position of the boulders was considered by Planning Services to be a private matter for the interested parties to address between themselves. Further reports were received on the 29 March and 27 May 2021 by Planning Services on the additional placement of rubble, boulders, and masonry blocks. As the neighbours now appear unlikely to be able to resolve the matter between themselves, it is considered necessary to serve a notice under Section 179 of the Town and Country Planning (Scotland) Act 1997 on the owner of the land to require the clearance of all deposited rubble, boulders, and masonry blocks, returning the land to an acceptable condition.

The Committee unanimously agreed to grant authority for the service of a Notice under Section 179 of the Town and Country Planning (Scotland) Act 1997 to improve and safeguard the amenity of the area.

The meeting ended at 3.35 p.m.

NORTH AYRSHIRE COUNCIL

29th September 2021

Planning Committee

Locality	North Coast and Cumbraes
Reference	21/00676/PP
Application Registered	30th June 2021
Decision Due	30th August 2021
Ward	North Coast And Cumbraes

Recommendation	Approved subject to Conditions
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Location	Site To North Of The Cathedral Of The Isles College Street Millport Ayrshire
Applicant	Alt Stays Scotland
Proposal	Erection of 5 no holiday lodges and reception building to include formation of access, car park, landscaping and ancillary works

1. Description

The application site is located to the north of the Cathedral of the Isles, Millport. It consists of an L-shaped field which is currently used as grazing for horses. The field is bounded on the west side by a stone wall and College Street and on the south by a cemetery. The northern boundary of the site is defined by a stone wall and hedgerow and there are open agricultural fields beyond. The site slopes up towards the east and there are more trees and hedgerows along the eastern boundary. The site measures some 5,400sqm in area.

It is proposed to erect 5 holiday lodges and a reception building on the site, and to form an access and car park, as well as landscaping and ancillary works. The lodges would be sited in a linear layout along the northern boundary of the site. The access and parking area would be located immediately adjacent to College Street. Adjacent to the carpark would be the reception building, bin store, cycle store and benches.

The lodges would measure approx. 35sqm in area. and would have a flat roof design approx. 3.6m in height. They would be finished primarily in larch timber cladding with sections of green wall and a perforated aluminium panel on the front elevation. The roof would be finished in grey single ply membrane and the windows and doors would be timber. Each lodge would have a gravel terrace approx. 34sqm in area to the front which would

include an outdoor hot tub and timber privacy screen. Four of the lodges would be 'standard' which would include a double bed, and the lodge closest to the car park would be 'accessible' with a single bed.

The proposed office building would measure approx. 14sqm in area. It would have a flat roof approx. 3m high. It would be finished in larch timber cladding with a single ply roof membrane. Six standard parking spaces and one accessible parking space would be provided in the car park. A pedestrian access path would be located to the north of the lodges and a grasscrete access would be located to the south. Landscaping would include planting within the site as well as additional boundary planting.

In the adopted North Ayrshire Local Development Plan (LDP) the site lies within a Countryside allocation and the Cumbrae Special Landscape Area. The following LDP policies are relevant to this application:

- The Countryside Objective of Strategic Policy 1: Spatial Strategy
- Strategic Policy 2: Placemaking
- Policy 6: Supporting Sustainable Tourism
- Policy 10: Listed Buildings
- Policy 15: Landscape and Seascape
- Policy 23: Flood Risk Management
- Policy 27: Sustainable Transport and Active Travel
- Policy 29: Energy Infrastructure Development

The applicant engaged with North Ayrshire Planning Officers in early 2020 for advice with regard to a proposed tourism proposal in Largs or Cumbrae. Throughout late 2020 and early 2021, the applicant sought pre-application advice on a large number of sites in Cumbrae for this proposal. In January 2021 pre-application advice was provided with regards to the application site (21/00027/PREAPP). The advice with regards to this site noted that it was well screened from the south and that additional planting could better screen the site from the north.

The application has been revised as a result of officer comments and Active Travel and Transportation requirements. The stone boundary wall along College Street would be reduced in height to 1m and a new vehicular entrance formed in the wall in order to achieve the required visibility splays. Increased levels of screening (Hawthorn, Rowan, Beech and Ash) have been proposed along the site boundaries with the cemetery to the south and neighbouring agricultural field to the north. The signage on the lodges has been revised to be less visually intrusive. The applicant has provided additional information on the sustainability credentials of the proposal.

Supporting Documents:

Supporting Statement: Includes a description of the design concept and features.

Market Research Document: Includes an assessment of the current tourist accommodation market on Cumbrae as well as providing a description and justification of the proposed development. The applicant considers that the proposal for 'glamping' and eco-tourism meets a gap in the market that is not currently catered for on Cumbrae. The proposal is to be marketed towards families and couples. The proposal would create one part-time housekeeping job.

Sustainability Statement: The lodges would be constructed from locally and sustainably sourced materials. The fittings, lighting, appliances, and contents of the lodges are to be energy efficient. The lodges would be connected to the mains electricity grid, however, the electricity provider that the applicant has chosen utilised 100% renewable sources of generation. The applicant has a partner who will plant 10 trees for every booking made. The hot tubs would be fuelled by wood, however, the applicant will source the wood from a local supplier and will utilise efficient hot tubs.

Relevant Development Plan Policies

SP1 - The Countryside Objective The Countryside Objective

We recognise that our countryside areas play an important role in providing homes, employment and leisure opportunities for our rural communities. We need to protect our valuable environmental assets in the countryside while promoting sustainable development which can result in positive social and economic outcomes. We want to encourage opportunities for our existing rural communities and businesses to grow, particularly on Arran and Cumbrae, and to support these areas so that they flourish.

We also recognise that, in general, countryside areas are less well suited to unplanned residential and other developments because of their lack of access to services, employment and established communities. We will seek to protect our prime and locally important agricultural land from development except where proposals align with this spatial strategy. In principle, we will support proposals outwith our identified towns and villages for:

- a) expansions to existing rural businesses and uses such as expansions to the brewery and distillery based enterprises in the area.
- b) ancillary development for existing rural businesses and uses, including housing for workers engaged in agriculture or forestry.
- c) developments with a demonstrable specific locational need including developments for renewable energy production i.e. wind turbines, hydroelectric schemes and solar farms.
- d) tourism and leisure uses, where they would promote economic activity, diversification and sustainable development, particularly where they develop our coastal tourism offer/ infrastructure.
- e) developments which result in the reuse or rehabilitation of derelict land or buildings (as recognised by the Vacant and Derelict Land Survey) for uses which contribute to the Green and Blue Network such as habitat creation, new forestry, paths and cycle networks.
- f) sensitive infilling of gap sites consolidating existing developments where it would define/provide a defensible boundary for further expansion.
- g) small-scale expansion of settlements on Arran and Cumbrae for community led proposals for housing for people employed on the island, where a delivery plan is included, and infrastructure capacity is sufficient or can be addressed by the development and where the proposal meets an identified deficiency in the housing stock and is required at that location. All proposals will be expected to demonstrate the identified housing need cannot be met from the existing housing land supply.
- h) new housing in the countryside where it is a replacement or converted building or it is a house of exceptional design quality.
- i) sympathetic additions to existing well-defined nucleated groups of four or more houses (including conversions) in close proximity

to one another and visually identifiable as a group with some common feature e.g. shared access. Additions will be limited to 50% of dwellings existing in that group as of January 2005 up to a maximum of four new housing units (rounded down where applicable).

2. Consultations and Representations

Neighbour notification was undertaken, and the application was advertised in the local press. Thirty-four letters of objection, including two reports by consultants on behalf of one of the objectors, three neutral representations and eleven letters of support were received.

The application has also been subject to a 'Call-in' request to the Planning Committee by three Members, two of whom have provided email correspondence providing their reasons for the call-in. All representations are summarised and responded to below:

Objections

1. There are high walls and trees adjacent to the vehicular access to the site which could pose a road and pedestrian safety issue when cars are exiting the proposed development. The proposed level of parking is insufficient.

Response: North Ayrshire Council (NAC) Active Travel and Transportation has not raised any concerns on the proposed access or parking arrangements, subject to conditions. In order to achieve the required visibility splays the applicant is proposing to reduce the height of the wall to 1m. It is not considered that the reduction in height of the wall would have a negative visual impact on the appearance of the area, however, more details on the final appearance of all the boundary treatments can be required via condition.

2. The site is prone to flooding and erecting additional hardstanding and buildings could exacerbate this flooding issue. There are insufficient details relating to water supply and drainage details.

Response: The site is not identified as being at risk of flooding by SEPA. The applicant has stated that a SuDs system will be designed to deal with excess surface water, however, no details have been provided. A condition could ensure further details of surface water drainage are provided. Foul water is to be discharged to the combined sewer. Water supply would be utilising Scottish Water mains.

3. The field is a habitat for various wildlife including protected species and the proposed development would have a negative impact upon the habitat and therefore the wildlife. The horse which currently lives in the field would have to be rehomed. There are concerns that the applicants will carry out works to the existing trees and bushes in the site, which would have a negative impact on the appearance and the wildlife of the site.

Response: The site is currently a field used for equestrian purposes with trees and hedgerows around the perimeter. Any felling of the trees and hedgerows has not been proposed, and it is not considered that developing a section of a grazing field would have any impact on any protected species or habitats. The applicant proposes additional planting which will include planting Hawthorn, Rowan, Beech and Ash, along the site boundaries.

Full details of the proposed landscaping and landscape management could be secured via condition.

4. The proposed development would not be sustainable as it would connect to the grid and would require the burning of wood/biomass to power the hot tubs.

Response: While the proposal would connect to the grid, the applicant is proposing to use a sustainable electricity supplier. The wood for the hot tubs would be sourced locally and the hot tubs would, it is claimed, be energy efficient. More details are required to demonstrate how the carbon emissions reduction targets for the development will be met through the use of low and zero carbon generating technologies, and could be ensured via condition.

5. The proposed development would create noise and light disturbance in the neighbouring cemetery, the Cathedral grounds and nearby houses. The applicants claim that the lodges will only be offered to couples and families and group booking will not be taken, however, there are concerns that this commitment would not be honoured. There are concerns that the proposed development will be marketed at young people or people having hen-parties or stag-dos.

Response: The proposed development would be located approx. 150m away from the cathedral and approx. 250m away from the nearest houses and there would therefore be no significant impact on the cathedral or houses in terms of noise or light from the proposed lodges. The site is immediately adjacent to the cemetery, and the potential noise impacts of the proposed development on the cemetery are discussed below. It is not considered that the proposal would result in light pollution at the cemetery. The potential clientele of the proposal is not a material Planning consideration. However, any acute disturbance from occupiers of the lodges, should any occur, could be investigated by the Council's Environmental Health under its powers.

6. The proposed development would affect the setting of the 'A' Listed Building, The Cathedral of the Isles and the Millport Conservation Area. Historic Environment Scotland and the Architectural Heritage Society of Scotland should have been consulted. The development description is inaccurate as the proposed development is within the Cathedral grounds and not to the north of the cathedral.

Response: It is not considered that the proposed development would have any significant impact on the Listed Building or its setting. The proposal is located some 150m away from the Cathedral and there is significant screening between the proposed lodges and the Cathedral in the form of trees and bushes. The lodges would not be visible from the land immediately surrounding the Cathedral. The proposed development is located to the north of the Cathedral of the Isles, and therefore the description is accurate. As there is no significant impact on the cathedral or its setting, there is no requirement to consult Historic Environment Scotland or the Architectural Heritage Society of Scotland.

7. The proposed site is a green-field site which should not be developed, and suggest the Water Sports Centre as an alternative site for the proposal. The design of the cabins is not in-keeping with surrounding area or the Special Landscape Area. The site is too small for five lodges.

Response: The application site is located in the countryside and therefore the application requires to be assessed in terms of The Countryside Objective of Strategic Policy 1: Spatial

Strategy of the LDP. There is no requirement to consider alternative sites. Notwithstanding, the applicant has provided details of a site selection process for this proposal and consideration of a number of alternative sites on the island. It is not considered that the site is too small for five lodges or that the design of the lodges is unacceptable with regards to the Special Landscape Area (see analysis below).

8. The economy of Cumbrae is too focused on tourism to the detriment of other sectors of the economy. There is already sufficient similar tourist accommodation in Millport/Cumbrae and there is no requirement for further similar accommodation. There is insufficient infrastructure on the island to accommodate the high volume of tourists it receives in the summer. In particular there are concerns over the ferry wait times and the impact additional accommodation could have on this.

Response: While the Council supports tourism on Cumbrae, it also recognises the need for a well-balanced year-round economy on the island. It is not considered that the proposed development would be significantly detrimental to other sectors of the island's economy. It is not considered that there is any similar tourist accommodation in Millport (see analysis below). The potential impact of the proposed development on infrastructure and the ferry is not considered to be significant due to the scale of the proposal.

9. The proposed development is a for profit venture which would not benefit the local community. The applicants are not residents in Millport. There are comments regarding the sale of the land and suggesting it should have been sold to the existing tenant or a community group.

Response: The proposed development would result in a positive impact on other local businesses due to the increase in overnight visitors on the island. The fact that the applicants are not residents of Millport is not a material Planning consideration, However, it is noted that they are residents of North Ayrshire. The sale of the land is also not a material planning consideration.

10. The application is not supported by any ecological or archaeological surveys, and no evidence has been submitted to demonstrate a site-specific locational need.

Response: An ecological survey is not required as the proposal would not impact upon any protected species or habitats. The West of Scotland Archaeological Service (WoSAS) was consulted. WoSAS does not object and considers that an archaeological survey prior to works commencing would be appropriate.

11. The proposed lodges would be a potential fire hazard due to them being located close together.

Response: It is not considered that the proposal poses any particular fire safety concerns.

12. The applicant may propose further expansions to the number of lodges on the site in the future.

Response: Any additional lodges in the future would be determined on their merits. Notwithstanding, the applicant has stated that there is no intention of expanding the development.

13. The Millport and Cumbrae Economic Plan 2015 and Vision 2025 referenced by the applicant in the supporting information was never adopted.

Response: Agreed, the plan has no adopted status.

14. There are a number of issues with the application form, drawings and plans provided in the application and there are some drawings and supporting information missing, for example an existing block plan, tree report or protected species survey. The application is not in-keeping with the 'Heads of Planning Scotland Validation Guidance Note'. The application is incomplete.

Response: The application form, drawings and plans provided in support of the application are both considered acceptable and sufficient to determine the application. No additional supporting documents or reports were considered necessary. The Guidance Note is not adopted by North Ayrshire and has no status in terms of valid applications.

15. The proposed development is contrary to Policies 4, 6, 9 and 10 of the LDP and it is not possible to assess the application against Policies 14, 16, 18, 23 and 27 due to a lack of information in the application.

Response: Policy 4: Leisure, Retail and other Tourism-Related Development on Arran, of the LDP does not apply to this proposal as it is not located on Arran. Likewise, Policy 9: protecting and Enhancing our Conservation Areas, does not apply as the site is not located in a Conservation Area and is located approx. 100m from the boundary of the Conservation Area, and would have no impact on the Conservation Area. Policy 14: Green and Blue Infrastructure, would not apply to the proposal as the proposal would not have any significant environmental impacts. Policy 16: Protection of our Designated Sites, also does not apply as the site is not subject to any designations included in this policy. Policy 18: Forestry, Woodland, Trees and Hedgerows does not apply as the proposal would not result in the loss of any hedgerows within the site. The proposed development is considered to comply with Policies 6, 10, 23 and 27 (see the analysis section below).

Neutral

1. More information should be provided regarding the sustainability credentials of the proposal.

Response: Agreed, more details were sought by the case officer and have been received.

2. More details should be provided regarding how the screening would reduce noise levels and soften the visual impact of the proposal.

Response: Additional information on the proposed landscaping screening would be secured via the landscaping condition. While screening will lessen the visual impact of the development it is not likely to have any significant impact on noise reduction. Notwithstanding, it is not considered that the proposed development would generate significant noise.

3. The applicant should contact the relatives of those buried in the adjacent cemetery to see if they have any comments on the proposal.

Response: The standard neighbour notification process was carried out and the application was advertised in the local press.

Support

1. The proposed development would benefit the local economy by increasing over-night visitor numbers who are likely to spend money in the local area and support local business. The proposal would increase the number of visitors over the winter months.

Response: Agreed.

2. The proposal is for sustainable lodges which is appropriate given the climate emergency.

Response: Noted. The sustainability of the lodges has been questioned. However, this is assessed further below.

3. There is a lack of high-end short-stay tourist accommodation on the island.

Response: Noted. The applicant has provided information which the applicant considers demonstrates a gap in the market for this type of accommodation.

4. The proposed development is not located close to any neighbouring properties and the proposals for additional planting and screening would ensure that the development is secluded.

Response: Agreed.

5. The proposed target market for the proposed accommodation would be families and couples and this is considered appropriate and would not lead to any noise issues. There is a large static caravan site close to the island's main cemetery on Golf Road and there are no noise issues there.

Response: While it is not possible for Planning to ensure that the lodges are only occupied by families or couples, the proposed lodges have one bed each. It is agreed that the proposal is not likely to lead to any significant noise amenity issues (see the Analysis section below). The caravan park adjacent to the cemetery on Golf Road is noted.

Consultations:

NAC Active Travel and Transportation: No objections, subject to conditions relating to hard surfacing the access and maintaining visibility splays.

Response: Noted, such conditions could be added to any permission.

Cumbrae Community Council: Object to the proposal. The reasons for the objection include the proximity to the listed Cathedral of the Isles, the potential amenity impacts in the neighbouring cemetery, the lack of ecological credentials of the lodges, impact on wildlife, use of the non-adopted Millport and Cumbrae Economic Plan 2015 and Vision 2025 to support the application and impact on the Special landscape Area.

Response: These points have been considered above in the various points of objection.

West of Scotland Archaeology Service: No objections, subject to condition requiring a scheme of investigation to be agreed and carried out prior to works.

Response: Noted, such a condition could be added to any Planning Permission.

3. Analysis

Criterion (d) of the Countryside Objective of Strategic Policy 1: Spatial Strategy of the LDP states that we will in principle support proposals in the countryside for tourism and leisure uses where they would promote economic activity, diversification, and sustainable development, particularly where they would develop our coastal tourism offer/infrastructure.

The applicant's Market Research Document states that the proposal would attract a projected additional 1,200 overnight stays to the island per annum who would spend money on the island and benefit the local economy. The applicant also hopes that the accommodation can attract visitors during the winter utilising dynamic pricing and advertising and would therefore also benefit the island economy in the off-season. The applicant is arranging partnerships with other local tourism and hospitality businesses to promote local business and encourage the potential customers to spend money on the island rather than bringing their own provisions from the mainland. The proposed development is in easy walking distance of most of the local business located in Millport town centre. The proposal would create one part-time housekeeping job. It is considered that sufficient information has been provided to demonstrate that the proposal would benefit the local economy.

With regards to promoting diversification, while the applicant acknowledges that Scotland wide the 'glamping' market has become oversaturated, there is not any glamping type accommodation on Cumbrae, and the intention of the proposal is to provide a unique accommodation experience not found elsewhere on the island. The applicant's Market Research Document provides a list of the existing tourist accommodation in Millport which comprises of a hotel, guest houses, Airbnb, and caravans. There are no existing lodges or cabins in Millport. There are lodges at Westbourne Caravan Park on the west coast of Cumbrae and at the Watersports Centre on the east side of the island, however, these are significantly larger than the proposed lodges and cannot therefore be considered the same type of accommodation. It is not considered that there are any similar 'glamping' style lodges in Millport or on Cumbrae, and the proposed development would diversify the islands tourism offering.

The proposed lodges are to be constructed locally with local sustainable materials. They are to be 100% powered by renewable energy, although this energy is to be supplied via the grid. It is proposed that 10 trees would be planted for every booking and the applicant is also supporting UK reforestation projects. The hot tubs would be fuelled by wood, although the applicant has taken steps to limit the environmental impact of this method of heat generation. On balance, while the extent to which the lodges can be considered 'eco-lodges' is debatable, the applicant has taken various steps to lessen the environment impact of the proposed development.

The site is located approx. 0.5Km from the seafront at Millport. As discussed above, it is considered that by bringing a new type of accommodation to the island, the proposal would add to the coastal tourism offering in Millport. In summary, it is considered that the applicant has suitably demonstrated that the proposed development would promote economic activity, diversification, sustainable development, and our coastal tourism offering. The development is therefore in accordance with the Countryside Objective of Strategic Policy 1: Spatial Strategy.

Turning to Strategic Policy 2: Placemaking, this policy states that all applications for planning permission should meet the qualities of successful places. The proposal is for a relatively small-scale development comprising of five lodges, each containing one bed. The primary target market of lodges would be couples and small family groups, aimed at the premium end of the glamping market. A proposal of this size is considered appropriate for the site and the surrounding area.

The lodges would be relatively small in scale both in terms of footprint and height. They would have a slightly contemporary appearance due to their flat roof design and choice of finishing materials. The visualisations provided in the initial Design Statement displayed large sections of signage on the lodges which was not considered to be in-keeping with the rural character of the area. A revised Design Statement has been provided which indicates a reduction in the signage, although this is not displayed on the plans. For the avoidance of doubt, a condition could ensure further details of signage be provided. The scale and design of the proposed reception building is acceptable. No details have been provided regarding the design of the bin store or the cycle store, which again could be ensured via condition. While the proposed site plan gives a general indication of the hard and soft landscaping layout, further details are required regarding exact finishing materials, planting species, planting densities and landscaping maintenance, which could be ensured via condition.

There are no nearby neighbouring residential properties which could have their amenity affected by the proposed development. Many of the public comments note concern that the proposed development would generate significant noise which would affect the neighbouring cemetery. Generally, tourist accommodation would not be considered as a high noise generating use. The proposal is for five cabins each containing one bed and the applicant has stated that the target market for the lodges would be couples and small families and that they would not be encouraging group bookings. Elsewhere on the island Millport Holiday Park is located a similar distance from the islands largest cemetery and Planning Officers are not aware of such concerns at this site. It is not considered that tourist accommodation would be incompatible with a neighbouring cemetery use.

Finally, with regards to access, there is an existing access which would be utilised. A parking area with seven spaces would be provided, which would offer sufficient parking provision. The site is also accessible via the public footpath on College Street which is approx. 500m from Glasgow Street where there are bus stops. The proposed access arrangements are appropriate. The proposed development meets the qualities of successful places as highlighted above, and therefore it complies with Strategic Policy 2: Placemaking.

Policy 6: Supporting Sustainable Tourism, states that we will in principle support the creation and enhancement of tourism proposals that are in accordance with the Tourism Framework for Scotland and the Council's current Tourism Strategy. While the North Ayrshire Tourism Action Plan 2018-2022 does not comment on the suitability or otherwise of

glamping lodges, it is considered that the proposal is in accordance with the overall aims of the strategy to enhance North Ayrshire's coastal tourism offering. The proposal would provide a new type of accommodation currently not catered for on the island. The proposal accords with Policy 6.

With regards to Policy 10: Listed Buildings, the application site is owned by the Cathedral of the Isles. The Cathedral is a category A Listed Building. As discussed above, it is not considered that the proposed development would have any significant impact on the Listed Building or its setting. The proposal is located some 150m from the Cathedral and there is significant screening between the proposed lodges and the Cathedral in the form of trees and bushes. The lodges would not be visible from the land immediately surrounding the Cathedral. While the lodges would be located next to the cemetery which is associated with the Cathedral, the cemetery is not mentioned in the building listing and is separate from the listed building. Notwithstanding, it is not considered that the lodges would have a negative impact on the setting of the cemetery due to existing and proposed screening between the cemetery and the proposed lodges. Given the foregoing, the proposal accords with Policy 10.

Criterion (b): Special Landscape Areas, of Policy 15 states that The Council will only support development which affects Special landscape Areas where it would not have an unacceptable impact on their special character, qualities and setting. The area surrounding the application site is characterised by attractive agricultural land with extensive hedgerows and tree belts. The application site is mostly screened on all sides by boundary planting. At 3.6m in height, the proposed lodges would be visible over the boundary planting when viewed from the north or west but would be screened by foliage and topography from the east and south. Further proposed planting in the northern hedge row could improve the screening of the lodges from the northern approach along College Street. The proposed timber cladding of the lodges would further soften the impact of the development with regards to the rural and agricultural landscape setting. It is considered that the proposed development would not have a negative impact on the Special Landscape Area and would therefore accord with Policy 15.

With regards to Policy 23: Flood Risk Management, Cumbrae is identified as an area potentially vulnerable to flood risk. The site is not located immediately adjacent to the coast or a water course and is not at risk from coastal or fluvial flooding. The site does sit at the bottom of a slope and may be at risk from pluvial flooding during extreme weather events. The applicant has stated that a SuDs system will be designed to deal with excess surface water, however, no details have been provided. A condition could ensure further details of surface water drainage are provided. Subject these details, the proposal accords with Policy 23.

Turning to Policy 27: Sustainable Transport and Active Travel, the proposed access arrangements have already been assessed in this Report under Strategic Policy 2: Placemaking and were considered acceptable. The proposal accords with Policy 27.

Policy 29 requires that all proposals for new building demonstrate that at least 10% of the current carbon emissions reduction targets set by Scottish Building Standards will be met using low or zero carbon generating technologies. The proposed lodges are to be constructed locally with sustainable materials. All fixtures and appliances are to be energy efficient models. The proposed lodges are to be 100% powered by renewable energy. A

condition could be used to ensure that full details of how the carbon emissions reduction targets will be met are provided. The proposal accords with Policy 29.

The proposed development accords with the relevant policies of the LDP and there are no material considerations which would outweigh this determination. Therefore, it is recommended that Planning Permission be granted for the proposed development subject to the conditions outlined 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, full details of the proposed bin store and cycle store shall be provided 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 design and appearance of the bin store and cycle store are acceptable; in the interest of visual amenity.

Condition

2. That prior to the commencement of the development hereby approved, full details of the proposed signage, including any signage displayed on the buildings, shall be provided 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 design and appearance of the signage is acceptable; in the interest of visual amenity.

Condition

3. That prior to the commencement of the development hereby approved, full details of the proposed boundary treatments, including alterations to the existing stone wall, shall be provided 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 design and appearance of the boundary treatments is acceptable; in the interest of visual amenity.

Condition

4. 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 landscaping is acceptable; in the interest of visual amenity.

Condition

5. 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 plan is suitably carried out and maintained; in the interest of amenity.

Condition

6. That prior to the commencement of the development hereby approved, full details of the proposed surface water drainage proposals, utilising Sustainable Urban Drainage (SuDS), shall be provided 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 site is suitably drained; in the interest of flood prevention.

Condition

7. That prior to the first occupation of the lodges hereby approved, the first 6m of the vehicular access shall be surfaced in a hard, bituminous material to the satisfaction of North Ayrshire Council as Planning Authority. No surface water shall issue from the access onto the public road.

Reason

In order to prevent surface water of loose material from being deposited onto the public road; in the interest of road safety.

Condition

8. That prior to the first occupation of the lodges hereby approved, visibility splays of 2.5m by 90m in both directions shall be provided at the access to the site from the public road to the satisfaction of North Ayrshire Council as Planning Authority. No item of higher than 1.05m above the adjacent carriageway shall be located in these sightline triangles. These visibility splays shall be maintained in perpetuity to the satisfaction of North Ayrshire Council as Planning Authority.

Reason

In order to ensure that vehicles leaving the access have clear sightlines in both directions; in the interest of road safety.

Condition

9. That no development shall take place until the developer has secured the implementation of a programme of archaeological works in accordance with a written

scheme of investigation which has been submitted by the applicant and agreed in writing by North Ayrshire Council as Planning Authority, in consultation with The West of Scotland Archaeology Service. Thereafter, the developer shall ensure that the programme of archaeological works is fully implemented and that all recording and recovery of archaeological resources within the development site is undertaken to the satisfaction of North Ayrshire Council as Planning Authority, in agreement with The West of Scotland Archaeology Service.

Reason

In order to ensure that any historic artefacts or remains on the site are suitably preserved and recorded; in the interest of historic preservation.

Condition

10. That prior to the commencement of the development hereby approved, the applicant shall provide full details demonstrating 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, for the written approval of North Ayrshire Council as Planning Authority. The development shall then progress in accordance with such details as may be approved.

Reason

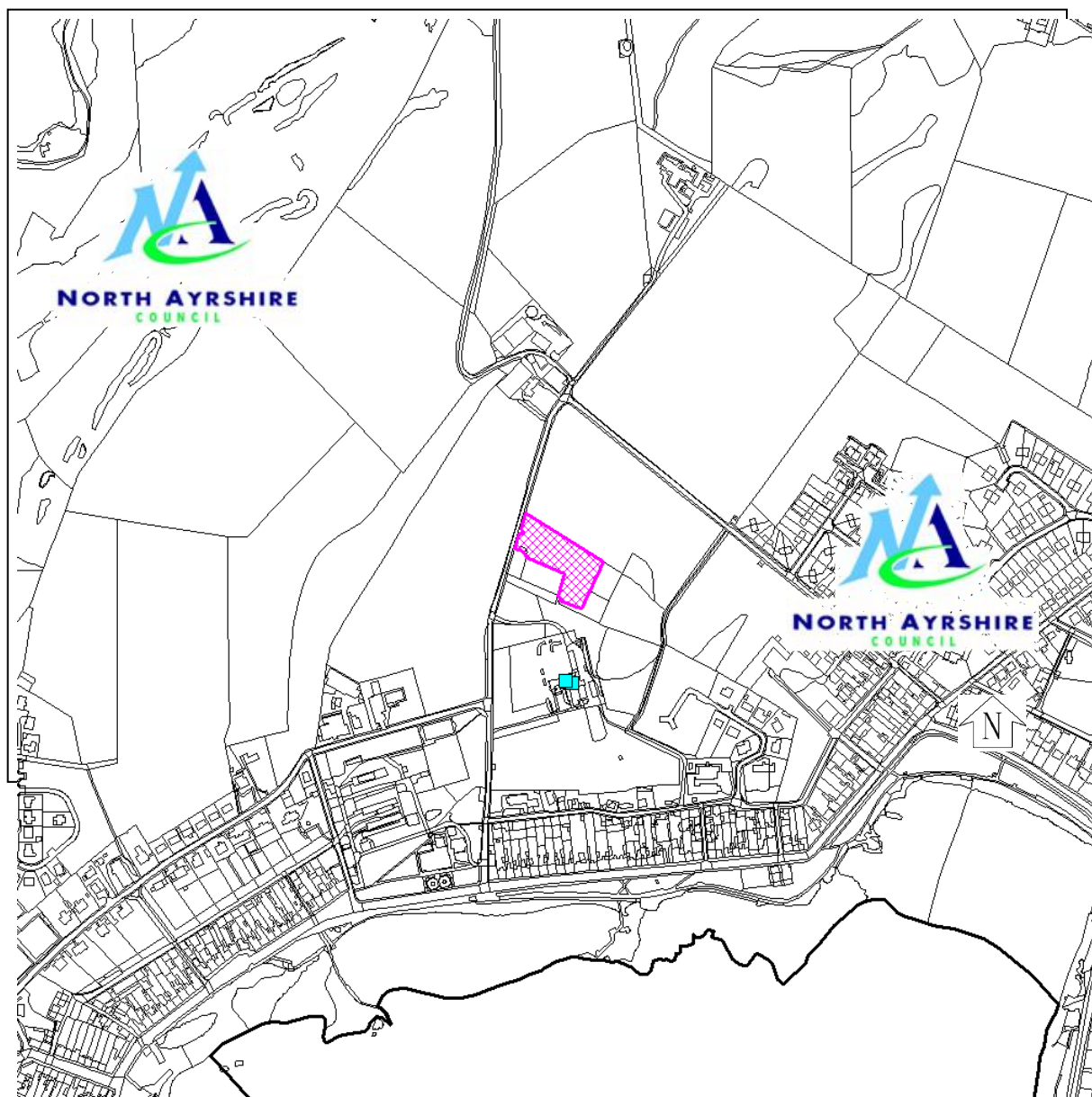
In order to ensure that the development is sustainable and has a low environmental impact.

James Miller
Chief Planning Officer

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

Appendix 1 – Location Plan

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NORTH AYRSHIRE COUNCIL
Planning Committee

Locality	North Coast And Cumbraes
Reference	21/00787/PP
Application Registered	10th August 2021
Decision Due	10th October 2021
Ward	North Coast And Cumbraes

Recommendation	Approved subject to Conditions
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Location	44-46 Boyd Street Largs Ayrshire KA30 8LE
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Applicant	HK Properties
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Proposal	Change of use of existing vacant shop unit to form restaurant with ancillary takeaway and erection of flue
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1. Description

This application seeks planning permission to change the use of a vacant podiatry clinic at 44-46 Boyd Street, Largs, to a restaurant with an ancillary takeaway facility. The applicant has provided a supporting statement, which confirms that the proposed use would be operated between 10am and 11pm on Sundays to Thursdays and from 10am and 12midnight on Fridays and Saturdays.

No. 44-46 is a single storey building with a hipped and pitched roof, a shopfront on Nelson Street and a side elevation on Boyd Street along with an adjoining flat roofed building to the rear that has a separate shopfront on Boyd Street. Both buildings were originally separate units before being amalgamated to form the existing premises, which last accommodated a podiatry clinic. The proposal would see the creation of a kitchen, servery and a small waiting area in the flat roofed southernmost building while a small restaurant seating area, an accessible W.C. and an internal bin store would be located in the adjoining northernmost building.

The applicant's supporting statement confirms that the only external change would be the installation of a flue on the roof plane facing the flat roofed (southernmost) building. On negotiation with the case officer, the originally designed flue, which had a jet roof cowl termination, has been replaced and a 500mm diameter galvanised steel duct with a roof cap

termination is now proposed. The flue would have a maximum height of around 1.5m when measured from the adjacent roof plane.

The application property occupies a corner plot and is adjoined by single storey shop units on both sides. The application property backs on to the shared rear garden of a three-storey block of flats at 42 Nelson Street.

In terms of the adopted Local Development Plan (LDP), the site is located within Largs town centre. Strategic Policy 1 (Towns and Villages Objective) applies to development in built-up areas. The application requires to be considered in terms of Strategic Policy 2 on 'placemaking' and Policy 3 on 'town centres and retail' of the LDP.

A previous application to change the use of the premises to a hot food takeaway was refused planning permission on the 1st July 2013 (ref. 13/00301/PP). The reasons for refusal were that the proposal did not meet the town centre policy requirements of the 2009 North Ayrshire Local Plan, which has since been replaced twice, most recently by the 2nd Local Development Plan (adopted November 2019), and because it was considered that the proposed hot food takeaway business would unacceptably affect the amenity of nearby residential properties. The decision to refuse was upheld by the Local Review Body.

Relevant Development Plan Policies

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 3 -Town Centres & Retail

Policy 3:

Town Centres and Retail

Our town centres are the social and economic heart of our communities, providing jobs, homes and employment. Appropriate development within our town centres has the potential to improve their vitality and vibrancy. This can also ensure that investment in our communities is directed in a way that is most beneficial to residents, employees and visitors to our towns.

In principle, we will support development in our network of centres shown in schedule 6 where it would be of a scale appropriate to that centre.

For development that has the potential to generate significant footfall, we will support proposals that have adopted a town centre first sequential approach. This includes retail and commercial leisure uses, offices, community and cultural facilities and where appropriate, public buildings such as education and health facilities.

We will require that locations are considered, and a reasoned justification given for discounting them, in the order of preference:

- o Town centres (as defined in Strategic Policy 1).
- o Edge of town centres.
- o Other commercial centres (as defined above).
- o Out-of-centre locations that are, or can be made, easily accessible by a choice of transport modes.

We will be flexible and realistic in applying the sequential approach, in particular where key sector and employment uses are proposed, to ensure that different uses are developed in the most appropriate locations. It is important that community, education and healthcare facilities are located where they are easily accessible to the communities that they intend to serve. We recognise that for some uses, such as sports centres and schools, a town centre location may not always be the appropriate location for them, particularly where sports pitches are part of the proposal.

When a development is proposed within our Network of Centres, we will support proposals which positively contribute to:

- o The role and function of the centre within the network, including by addressing an identified opportunity.
- o Quality of character and identity that creates a shared sense of place for users, visitors and residents
- o Community well-being, including by supporting the integration of residential uses and by enhancing links with surrounding residential areas and tourist attractions via the road and path network with associated blue & green network.
- o Vitality, viability and vibrancy of the centre, supporting it as a place for business to locate, expand and flourish by enhancing and diversifying the mix of uses including supporting economic and social activity.
- o Our important retail streets/areas (as described in schedule 6 and in our Town Centre Audits), recognising the fragile nature of some of our retail areas.
- o Accessibility of the town centre including considering the location of regular rail and bus routes.

In principle, we will also support proposals which align with town centre strategies and we will continue to encourage other regeneration initiatives, such as Conservation Area renewal projects, which improve the quality, accessibility and perception of town centre environments.

2. Consultations and Representations

Neighbour notification was carried out and the application was advertised in the local press. There were no representations received.

NAC Active Travel & Transport - offer no transport related objections to the proposal and confirmed that no dedicated parking is required for the proposed use at this location. While waiting restrictions are present on the public road outside of the application property, on road parking is available nearby.

Response: Noted.

Largs Community Council - viewed the proposed development positively but noted potential concerns around parking and odour nuisance.

Response: Noted. As stated above, the Council's Active Travel and Transport responded with no transport related objections and stated that on road parking is available nearby. The proposal is required to be assessed against the placemaking policy of the LDP, which requires proposals to acceptably respect the amenity of existing and future users in terms of

smells, amongst a range of wider amenity considerations. The emission of any odour that would constitute a statutory nuisance could be controlled by environmental health legislation.

NAC Environmental Health - offer no objections to the proposal subject to the rated noise level from the operation of all external plant not exceeding the background noise level by 5dB(A) or more at the curtilage of any noise sensitive property. Other matters raised can be addressed within the Environmental Health legislation.

Response: Noted. A condition could be attached to any permission to control noise levels and the performance and maintenance of the proposed ventilation system.

3. Analysis

As noted above, the application site is located within a designated town centre in a built-up area. In principle, the change of use of a vacant podiatry clinic in a town centre to a restaurant with an ancillary takeaway facility is acceptable and raises no land use policy issues in relation to the Towns and Villages Objective of Strategic Policy 1. The application requires to be considered in terms of Strategic Policy 2 on 'Placemaking' and Policy 3 on 'Town Centres and Retail'. In terms of Policy 3 on 'Town Centres and Retail', the proposal is considered to be one that would be appropriate in Largs town centre, which supports the needs of neighbouring settlements, visitors and residents and would therefore be supported in principle by Policy 3.

The stated purpose of the Placemaking Policy in the LDP is to ensure "all development contributes to making quality places". It goes on to state "the policy also safeguards, and where possible enhances environmental quality through the avoidance of adverse environmental or amenity impacts." Of the six qualities of a successful place, those most relevant to this proposal are limited to 'safe and pleasant' and 'adaptable'.

The only external change would be the provision of a flue on the hip of the existing roof, which would be visible from the street. While such features are not generally expected on public elevations of buildings, the proposed location is one that limits the visual impact on the streetscape. It would only be readily visible in oblique angles to the east. The detail of the flue has been amended so that it would not have an overly prominent appearance. The visual quality of the proposed development is considered to be acceptable.

In terms of the proposed developments impact on the amenity of existing and future users, a planning condition could be used to control the noise impact of any external plant and the overall hours of operation of the proposed restaurant and takeaway. With the imposition of planning conditions, the proposed use, by merit of its town centre location, is considered to be acceptable in terms of its impact on the amenity of the surrounding area. Given the above, it is considered that the proposed restaurant and takeaway would maintain the area's 'safe and pleasant' character.

The proposal also indicates that the application property is capable of being adapted to meet the changing needs of town centre users, without harming the quality of the streetscape or the amenity of the surrounding area. Therefore, the proposal is considered to meet the relevant requirements of the LDP's placemaking policy. As the proposal is acceptable in terms of the placemaking policy, it would meet the detailed requirements of

Policy 3, which requires proposals to positively contribute to the centre's quality of character and identity.

There are no other material considerations. As such, planning permission should be granted.

4. Full Recommendation

Approved subject to Conditions

Reasons for Decision

Condition

1. That the use of the site as a restaurant with ancillary takeaway hereby approved shall not operate outside the hours of 10am to 11pm on Sundays to Thursdays and from 10am to 12midnight on Fridays and Saturdays without the written approval of North Ayrshire Council as planning authority.

Reason

In recognition of the proposed hours of operation and to minimise disturbance to occupants of nearby residential properties.

Condition

2. That the rated noise level from the operation of all external plant shall not exceed the background noise level by 5dB(A) or more at the curtilage of any noise sensitive property, as measured in accordance with the principles of BS 4142 or any future updated or replacement recognised standard for measuring the impact of noise.

Reason

To meet the requirements of the Council's Environmental Health Team and to protect the amenity of the surrounding area in terms of noise.

Condition

3. That prior to the first use of the site as a restaurant with ancillary takeaway hereby approved, full details of the performance and maintenance requirements of the proposed extraction system shall be provided for the written approval of North Ayrshire Council as planning authority. Thereafter, the approved details shall be fully implemented prior to the first use of the site as a restaurant with ancillary takeaway and the extraction system shall be maintained in perpetuity in accordance with the approved details to the satisfaction of North Ayrshire Council as planning authority.

Reason

To meet the requirements of the Council's Environmental Health Team and to protect the amenity of the surrounding area in terms of noise and smells.

James Miller
Chief Planning Officer

For further information please contact Mr Marc Miller Assistant Planning Officer on 01294 317285.

Appendix 1 – Location Plan

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NORTH AYRSHIRE COUNCIL

29th September 2021

Planning Committee

Title:	Notice under Section 127 of the Town and Country Planning (Scotland) Act 1997: 9 Stakehill, Largs KA30 9NQ
Purpose:	To seek approval to serve a Notice under Section 127 of the Town and Country Planning (Scotland) Act 1997 requiring reduction in height of fence at 9 Stakehill, Largs KA30 9NQ
Recommendation:	That the Committee grants authority for the service of a Notice under Section 127 of the Town and Country Planning (Scotland) Act 1997 requiring the reduction in height of fence at 9 Stakehill, Largs KA30 9NQ

1. Executive Summary

- 1.1 To seek authority to serve an Enforcement Notice requiring the reduction in the height of an unauthorised fence at 9 Stakehill, Largs KA30 9NQ.
- 1.2 It is considered that the fence, which has been erected on this land has an adverse impact on the visual amenity of the area.

2. Background

- 2.1 Works comprising the erection of a fence exceeding one metre have been undertaken at 9 Stakehill, Largs. The fence is on a boundary of the front garden fronting onto Stakehill.
- 2.2 The fence is approx. 15m in length, curving around the northern and eastern side of the garden. The fence is approx. 1.8m in height to the northern boundary. The height of the fence is reduced to approx. 1.2m on the eastern boundary to the road turning head. The fence has been erected behind an existing brick wall approx. 0.5m in height.
- 2.3 The works were brought to the Council's attention in May 2021 by a member of the public. The owner has been advised of the need for permission and requested to remove the fence but has not responded. On the balance of probability, the works were carried out within the last four years.
- 2.4 The property is located within an area identified in the Local Development Plan (LDP) as part of the general urban area of Largs. The area is residential. The front boundaries are characterised by open space or low boundaries, including the

immediately adjacent 18a Millburn Gardens which is a similar type of property, and has an approx. 1m high rendered boundary wall. Where higher boundaries are visible in the area these are either to the rear or side boundaries.

- 2.5 Strategic Policy 2 (Placemaking) of the LDP aims to safeguard and where possible enhance environmental quality through the avoidance of unacceptable adverse environmental or amenity impacts. This policy encourages proposal to create a pleasant, positive sense of place by promoting visual quality. The fence is out of keeping with the character of the front boundaries in the area. It is considered to harm the visual amenity of the area. It is not considered that the works comply with Strategic Policy 2 and is therefore contrary to the LDP.
- 2.6 Class 3E of the Town and Country Planning (General Permitted Development) (Scotland) Order, as amended, permits the erection of a boundary fence fronting a road so long as it does not exceed 1m in height.
- 2.7 Given the above, it is recommended that authority for the service of a Notice under Section 127 of the Town and Country Planning (Scotland) Act 1997, as amended, an "Enforcement Notice") be approved. An Enforcement Notice would require the reduction in height of the fence so that it does not exceed 1m. The Enforcement Notice would take effect not less than 35 days from the date on which it is served, unless an appeal is lodged before it takes effect. There is a right of appeal against an Enforcement Notice, but not on the grounds that planning permission ought to be granted.

3. Proposals

- 3.1 In the interest of the visual amenity and residential character of the area, it is recommended that the Committee approve the service of a Notice under Section 127 of the Town and Country Planning (Scotland) Act 1997 to require the following:
 - (i) Reduction in the height of the fence so that it does not exceed 1m in height.
- 3.2 It is proposed that the owner would be given 6 weeks from the date of any Notice taking effect in which to carry out the requirements.

4. Implications/Socio-economic Duty

Financial

- 4.1 The Council can take direct action against non-compliance with an enforcement notice and seek any costs incurred from the landowner or lessee.

Human Resources

- 4.2 None

Legal

- 4.3 The proposed Enforcement Notice is in accordance with Statutory Regulations. Non-compliance with such a Notice is an offence and the Council, as Planning Authority, could report such an offence to the Procurator Fiscal.

Equality/Socio-economic

- 4.4 None

Environmental and Sustainability

- 4.5 None

Key Priorities

- 4.6 The proposed Enforcement Notice supports the Council Plan priority – “Vibrant, welcoming and attractive places.”

Community Wealth Building

- 4.7 None.

5. Consultation

- 5.1 None

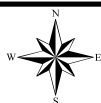
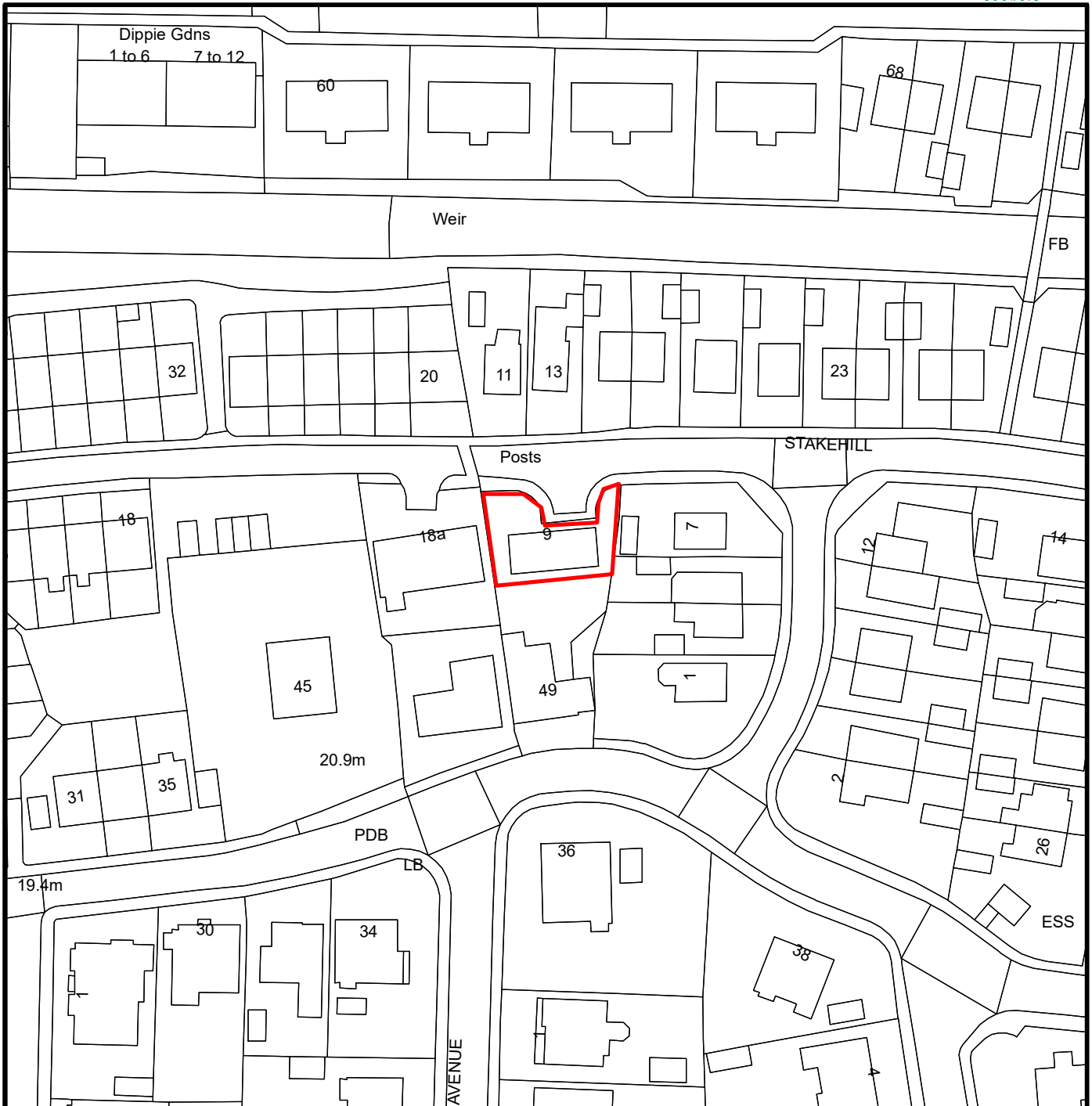
RUSSELL McCUTCHEON
Executive Director (Place)

For further information please contact **Iain Davies, Senior Development Management Officer**, on **01294 324 320**.

Background Papers

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Notice under Section 127 of the Town and Country Planning (Scotland) Act 1997: 9 Stakehill, Largs KA30 9NQ



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NORTH AYRSHIRE COUNCIL

29 September 2021

Planning Committee

Title:	Development Plan Scheme
Purpose:	To update Members on an indicative timetable and participation strategy for preparing the next Local Development Plan (LDP3) and seek formal approval of the 2021 Development Plan Scheme.
Recommendation:	It is recommended that the Planning Committee adopts the Development Plan Scheme.

1. Executive Summary

- 1.1 An updated Development Plan Scheme has been prepared which sets out a programme for preparing and reviewing North Ayrshire's Local Development Plan (LDP) and a statement on when, how and with whom consultation on the plan will take place. It is intended to formally commence work on preparing LDP3 after the Scottish Government publish new regulations for development planning, expected to be in Spring/Summer 2022, with the aim of adopting a new LDP by May 2025.

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, plans for a 10-year period to 2029 and, under current planning legislation, must be replaced within five years, i.e. by November 2024.
- 2.2 As planning authority we are required to prepare a Development Plan Scheme at least annually. A Development Plan Scheme sets out an authority's programme for preparing and reviewing their 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 June 2020.
- 2.3 An updated Development Plan Scheme has been prepared that looks forward to the preparation of Local Development Plan 3. The indicative programme reflects the position of the planning system in Scotland within a period of substantial transformation. The Planning (Scotland) Act 2019 makes significant changes to the format and approach to preparing local development plans; the Scottish Government are currently

working collaboratively to develop the regulations and guidance that will implement the new Act and guide the development planning system.

- 2.4 Transitional arrangements allow planning authorities to commence a local development under the 'old' legislation and regulations, however, as North Ayrshire's Local Development Plan is up-to-date it is intended to prepare our next LDP under the new arrangements, once they are laid in Parliament and published.
- 2.5 The proposed timetable for producing LDP3 set out in the Development Plan Scheme has been pushed back approximately six-months to reflect that the Scottish Government's timetable for implementing the Planning Acts has been impacted by the coronavirus pandemic. At the time of the previous Development Plan Scheme it was expected the regulations and guidance relating to LDPs would be published in the latter part of 2021. It is now anticipated, however, that these will come into force in Spring/Summer 2022.
- 2.6 When the provisions of the 2019 Act are brought into force, Scottish Government expects that the first round of 'new style' plans be brought forward in a timely fashion and envisage that every planning authority in Scotland will have a 'new style' local development plan in place within 5 years of the development plan regulations coming into force (i.e. Spring/Summer 2027). Our ambitious timetable seeks to adopt LDP3 by May 2025. This may be subject to change once the full details of the development planning system come to light.
- 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. The new Act places a specific focus on promoting and facilitating participation by children and young people and we will develop in more detail how this can be achieved.

Next Steps

- 2.8 Once adopted, the Development Plan Scheme will be sent to Scottish Ministers and published online in accordance with the Act. A copy will also be placed in all libraries as soon as it is practicable to do so and we will distribute to all Members, Community Councils and other relevant stakeholders in the meantime.

3. Proposals

- 3.1 It is recommended that the Planning Committee adopts the Development Plan Scheme.

4. Implications/Socio-economic Duty

Financial

- 4.1 None.

Human Resources

- 4.2 None.

Legal

- 4.3 The preparation of a Development Plan Scheme at least every year is a requirement of planning legislation. The Planning (Scotland) Act 2019 introduces a new legislative framework for preparing a Local Development Plan. The Act will be implemented through the preparation of new regulations and guidance, which are still to be published.

Equality/Socio-economic

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

Environmental and Sustainability

- 4.5 Once commenced, the preparation of a new Local Development Plan for North Ayrshire will be required to be subject of a Strategic Environmental Assessment.

Key Priorities

- 4.6 NPF4 will align with wider national priorities, programmes and strategies, including on infrastructure and economic investment. These align with many the Council's key priorities, including a sustainable environment; affordable, modern and well-designed homes; and effective infrastructure.

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 The Participation Statement outlines when and how consultation will be undertaken throughout the process of preparing the next Local Development Plan.
- 5.2 There is no requirement to consult on the content of Development Plan Schemes, however, it is good practice and once new planning legislation comes into force we will be required to seek the views of the public on the content of the participation statement. We published a draft Development Plan Scheme and Participation Statement on 9 March 2020 and sought comments from Key Agencies, Locality Planning Partnership, Community Councils and those on our mailing list.

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

September 2021

Introduction

A Development Plan Scheme sets out a planning authority's programme for preparing and reviewing their development plan. As the local planning authority, we are required to prepare a Development Plan Scheme every year. Our last Development Plan Scheme was published in June 2020.

The Development Plan Scheme must also include a Participation Statement stating when, how and with whom consultation on the plan will take place.

Our Current Development Plan

The development plan for North Ayrshire comprises a single plan – the Adopted Local Development Plan. This is North Ayrshire's second Local Development Plan and was adopted on **28 November 2019**.

LDP2 sets out how we aim to guide development and investment in North Ayrshire over the next 20 years. The policies and proposals – sites allocated for development – within LDP2 are the basis for decision-making on planning applications.

The Plan's vision is shared with the North Ayrshire Community Planning Partnership: "A Better Life" where every person in North Ayrshire is valued and has the best opportunities to live their life to their full potential.

The spatial strategy of the LDP is an overarching policy for land-use and development that supports the aspirations of the Community Planning Partnership, as set out in the Local Outcomes Improvement Plan. This strategy is based on the principle that we want to direct the right development to the right place, principally our towns, villages and developed coast where we have infrastructure capacity, where there is access to existing services and where we have opportunities to re-use and redevelop brownfield land.

Our **Action Programme**, published in February 2020, supports LDP2 by outlining how and when we intend to deliver the policies and proposals of LDP2.

We will continue to liaise with internal and external stakeholders and developers to discuss the proposed delivery and phasing of development, provision of infrastructure and any potential issues and update the Action Programme to reflect major progress and changing circumstances. We will also more closely align the document with our annual [Housing Land Audit](#), given the focus of LDP2 on housing delivery.

The Action Programme is an important part of the framework for how we monitor and measure LDP2. Monitoring the performance of LDP2 will be central to the preparation of our next local development plan.

You can view the Local Development Plan, including interactive mapping, Action Programme and other supporting documents online: www.north-ayrshire.gov.uk/ldp

Our Next Development Plan

The context for preparing our next Local Development Plan – LDP3 – has changed significantly. The Planning System in Scotland is undergoing a substantial transformation. Following an independent

review carried out in 2015, the Scottish Government has embarked on a programme of change to simplify and strengthen the planning system, guided by the following six outcomes:

- ▶ Strong and flexible development plans
- ▶ The delivery of more high-quality homes
- ▶ An infrastructure first approach to planning and development
- ▶ Efficient and transparent development management
- ▶ Stronger leadership, smarter resourcing and sharing of skills
- ▶ Collaboration rather than conflict – inclusion and empowerment

Wide engagement and collaboration following the review led to the Planning (Scotland) Act 2019, passed by the Scottish Parliament in June 2019. Work is ongoing to implement the Act and wider planning reforms; with focus remaining on these six key outcomes. For more information on the changes to the planning system, visit: <https://www.transformingplanning.scot/>

With regards to development planning, The Act introduces Regional Spatial Strategies and makes significant changes to the approach to preparing local development plans, with the aim of making them more effective, with greater community involvement and more focus on delivery. It introduces a requirement to produce evidence reports, along with an early ‘gatecheck’ to ensure the evidence is sufficient; new requirements for participation and engagement of communities and particular groups; and a range of issues which must be considered in the plan. The Act also removes the provisions relating to main issues reports and statutory supplementary guidance and moves LDPs onto a 10-year cycle from the current 5-year period.

Rather than commencing a new plan under the ‘old’ system, we will wait and prepare our next local development plan – LDP3 – under the new arrangements, once they are published.

The Scottish Government are currently working collaboratively to develop the regulations and guidance that will implement this new development planning system. At the time of the previous Development Plan Scheme, it was expected the regulations and guidance relating to LDPs would be published in the latter part of 2021. It is now anticipated, however, that the regulations and guidance relating to local development plans will come into force in Spring/Summer 2022, in line with the publication of National Planning Framework (NPF) 4.

LDP2 has a vision that looks forward 20 years and plans for a 10-year period to 2029. Current planning legislation requires local development plans to be replaced at intervals of no more than 5 years. This requirement will remain in place until the provisions of the 2019 Act are enacted, at which point local development plans will be required to be reviewed at intervals of no more than 10 years.

After the provisions of the 2019 Act are brought into force, Scottish Government expects that the first round of ‘new style’ plans to be brought forward in a timely fashion and envisage that every planning authority in Scotland will have a ‘new style’ local development plan in place within 5 years of the development plan regulations coming into force (i.e. Spring/Summer 2027).

Proposed Timetable

Our proposed timetable for producing LDP3 is set out below. Due to the delay in the regulations and guidance relating to local development plans to come into force, the milestones and expected date

of adoption have been pushed back six months compared to last year's Development Plan Scheme. This proposed timetable remains indicative and subject to change as the full details of the development planning system are not yet known.

Evidence Report

Once the guidance for preparing Local Development Plans is published and regulations have come into force, we will move quickly to prepare an Evidence Report. A key part of this will be engaging with key agencies, local communities and children and young people.

The Evidence Report will be the first formal stage of preparing **LDP3**. Under the new legislation, the Evidence Report will be submitted to Scottish Ministers who will assess whether the report contains sufficient information to enable us to prepare LDP3. This stage has been called a 'gate check'.

Submit to Scottish Ministers – February 2023

Gatecheck – March 2023 to May 2023

Draft Plan

When our Evidence Report has been confirmed as sufficient, we will then prepare a Draft Local Development Plan. The new Planning Act removes the requirement for a main issues report and, in its place, a draft LDP will be published and widely consulted on. Responses to the draft plan could guide changes to the LDP, with any changes explained in feedback to those who have been involved.

Publish for Consultation – August 2023

Proposed Plan

Our Proposed Plan will be our settled view on the policies and proposals that will make up LDP3. We will publish the Proposed Plan to allow representations which will seek changes to the plan. Following the close of the period for representations on the Proposed Plan, we may make modifications, but only to take account of representations, consultation responses or minor drafting and technical matters. When we reach the point where there are 'unresolved representations' we will republish the Proposed Plan and submit it to Scottish Ministers, who will examine these unresolved representations.

Publish – April 2024

Submit to Scottish Ministers – October 2024

Examination – October to March 2025

Adoption

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

Adopt LDP3 – May 2025

National Planning Framework and Regional Spatial Strategy

Preparing LDP3 as a 'new style' plan under the forthcoming development plan regulations and guidance will enable the Plan to emerge within the context of National Planning Framework 4, and its wider coverage of planning policies.

The National Planning Framework (NPF) is the long-term plan for Scotland that sets out where development and infrastructure is needed to support sustainable and inclusive growth. The current National Planning Framework (NPF3) was published in 2014 and will remain in place until a fourth NPF is adopted by Scottish Ministers.

The Scottish Government has begun the process of reviewing NPF3. During the early engagement phase, Government was working towards submitting a draft NPF4 to the Scottish Parliament in September 2020 and carrying out formal public consultation at that point. To reflect the different environment and pressures that we are now working in, it is now expected draft NPF4 will be laid in Parliament in Autumn 2021. In November 2020, a [Position Statement](#) was published, setting out current thinking on the issues that will need to be addressed when preparing Scotland's fourth National Planning Framework.

NPF4 will incorporate Scottish Planning Policy (SPP) which contains detailed national policy on a number of planning topics and, unlike NPF3, will have the status of the development plan for planning purposes. This will mean that its policies will have a stronger role in informing day to day decision-making. Adoption of NPF4 is now anticipated in Spring/Summer 2022, alongside the development planning regulations and guidance

The new Planning Act also introduces a requirement to prepare and adopt a regional spatial strategy: a long-term spatial strategy in respect of the strategic development of an area which identifies the need for strategic development; the outcomes to which that strategic development will contribute; priorities for delivery and the proposed locations for strategic development.

Last year, North Ayrshire Council worked with East Ayrshire Council and South Ayrshire Council to prepare an indicative Ayrshire Regional Spatial Strategy. The key purpose of the indicative Regional Spatial Strategy was to inform the preparation of NPF4.

Like with local development plans, the regulations and guidance for preparing these new style Regional Spatial Strategies is not expected to be published until next year. Our third LDP will need to align with NPF4 and have regard to an Ayrshire Regional Spatial Strategy. Over the next twelve months we will consider, with East and South Ayrshire, the governance and resourcing requirements to bring forward a Regional Spatial Strategy for Ayrshire.

Participation Statement

In preparing LDP2 we encouraged everyone with an interest in North Ayrshire to get involved in the update of the Local Development Plan. Consultation and engagement are important to us; the LDP can affect where people live, work, shop, play and travel in North Ayrshire plus local people and organisations have useful knowledge which can help us understand potential issues in North Ayrshire and build a better plan.

We will continue this approach into LDP3.

WHO? We will engage with the following groups in the preparation of LDP3:

- ▶ North Ayrshire residents
- ▶ Children and Young People

- ▶ Community Bodies, including Community Councils
- ▶ Locality Partnerships
- ▶ Other Community and Interest Groups
- ▶ Landowners and Developers
- ▶ Business and Industry
- ▶ Public Bodies
- ▶ Internal Consultees and Councillors

The new Planning Act states we must promote and facilitate participation by children and young people (aged 25 or under) in the preparation of the local development plan, including by working with schools, youth councils and youth parliament representatives within our area.

WHEN? We will engage and consult with these groups throughout the preparation of LDP. We will update our proposed timetable and participation statement when the development planning regulations are published and there is more detail on the process.

To be informed of key updates on the preparation of LDP3 please email ldp@north-ayrshire.gov.uk and ask to be added to our mailing list.

HOW? We want to make it as easy as possible for everyone with an interest to engage in the preparation of LDP3. For LDP2, we encouraged public involvement in several different ways:

- Publicising opportunities to get involved in the process, using a wide range of media, including: adverts and press releases in local newspapers; statutory notices; the Council's website; posters; via our mailing list.
- Providing copies of consultation documents on our website, at libraries and Council offices.
- By working closely with colleagues in Community Planning including the Locality Planning Partnerships and other Council services and volunteer groups to encourage people to get involved in planning.
- Public events, at convenient times and locations.
- Keeping everyone up-to-date of progress, including the use of social media.
- Regular meetings with key agencies and by making ourselves available – where possible – to attend the meetings of community groups and interest groups.

Ahead of the new provisions for development planning being enacted next year, we will develop a detailed Participation Strategy, setting out in detail how we will engage all stakeholders in the preparation of LDP3. This will take account of guidance on effective community engagement guidance to be issued by Scottish Ministers under Section 16C of the Planning Act and reflect the potential of on a number of innovate new approaches that have used during the coronavirus pandemic, when traditional forms of face-to-face engagement has not been possible.

Local Place Plans

The Planning (Scotland) Act 2019 also 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.

Consultation on proposals for regulations on the content, preparation, submission and registration of LPPs took place earlier in 2021 and it is expected that this secondary legislation to govern the implementation of LPPs will come into force at the end of this year, allowing community bodies to formally begin preparation of such plans.

We want to support and work with community bodies who wish to develop Local Place Plans to maximise their potential to inform the next LDP and have

