
NORTH AYRSHIRE COUNCIL

Planning Committee

Locality	North Coast and Cumbraes
Reference	22/00163/PP
Application Registered	3rd March 2022
Decision Due	3rd May 2022
Ward	North Coast And Cumbraes

Recommendation	Approved subject to Conditions
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Location	120 - 122 Irvine Road Largs Ayrshire
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Applicant	GHG Holdings Ltd
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Proposal	Amendment to planning permission 21/00247/PP to include 4 additional dwelling flats
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1. Description

Planning permission (ref. 21/00247/PP) was granted on 1st September 2021 for the erection of four blocks of flats, comprising a total of 30 units at 120-122 Irvine Road, also known as Walkerstone House, Largs. This application seeks to amend the permission by the inclusion of four additional dwelling flats. The roofs of the blocks of flats would be amended.

The site currently comprises two dwellinghouses with a shared curtilage. The buildings have been unoccupied and boarded up since July 2015. The main building is a two-storey villa dating to around the mid-20th century with a bungalow (No. 122) sited as a gatehouse in the south-eastern corner. There are other garden buildings within the curtilage. Prior approval of the demolition of these building was determined to not be required in April 2021 (ref: 21/00249/DN).

The plot is some 6126sqm in area. There is an area of some 2240sqm of woodland, part of the garden grounds, to the south-west which is not included in this application. The plot sits on the west side of Irvine Road (A78) and is accessed from that road. The plot slopes east to west, being relatively flat for the eastern most 54.8m, falling from 30.4mAOD to 26.74mAOD. The site then falls sharply from 26.75mAOD to 14mAOD over the last 27.4m at the western end.

The siting and layout would largely be unchanged from the extant permission. The blocks would be arranged in two rows. Blocks 1 and 2 would be 'L' shape in plan form and sited in the south-east and north-east corners respectively. The access to the site would be between these two blocks. Blocks 1 and 2 would be sited some 6m from the eastern boundary and 6.9m from the southern boundary and 7.3m from the northern boundary. These blocks would face towards Irvine Road and the access, with the south-west corner and north-west corner respectively being a courtyard.

Blocks 3 and 4 would be sited some 13.2m to the west of Blocks 1 and 2. They would be positioned as a row with a landscaped pedestrian access, some 3.5m wide, between and a shared garden area to the west. These blocks would face onto the internal access, where parking spaces would be provided, and have views to the west towards the sea. Surface water attenuation tanks would be constructed under the car parking spaces.

Changes in layout include Blocks 3 and 4 being approx. 2.5m further from the southern and northern boundaries respectively. 56 parking spaces are proposed, where 52 parking spaces were previously approved. The extra 4 spaces would be formed at the southern end of Block 3. The bin stores would be relocated, with two bin stores, one at the southern and one at the northern end of the access, proposed. A formal terrace to the west of Blocks 3 and 4 is no longer proposed and steps down to the garden area are proposed instead.

Blocks 1 and 2 would have footprints of some 314sqm, reduced from the permitted 368sqm. Blocks 3 and 4 would have footprints of some 216sqm, reduced from the permitted 295sqm.

Blocks 1 and 2 would have hipped roofs some 9.95m in height to the ridge and 8.1m to the eaves. The roofs of these blocks were previously permitted as being some 11.8m in height to the ridge and 8.1m to eaves with wall head dormers.

Blocks 3 and 4 would have ridged roofs expressed sloping east/west, some 13.8m in height and 10.9m to the eaves. The roof would be expressed as 3 and half storeys with wall head dormers. The roofs of these blocks were previously permitted as hipped, some 13.2m in height to ridge and 9.8m to eaves, with wall head dormers.

The 4 additional flats would be created in Blocks 3 and 4, and has been achieved by decreasing internal floor area and ceiling height as well as by the changes to the roof. There would be 28 two-bed flats ranging between 73sqm and 84sqm and 6 three-bed flats of 94sqm. The permitted layout is for 1 three-bed flat with a floor area of some 148sqm and 29 two-bed flats ranging between 86sqm and 110sqm.

To facilitate the development the eastern portion of the site would be graded to create a fall from 30.7mAOD to 25.2mAOD, 0.3m lower than previously approved. Blocks 1 and 2 would have finished floor levels (FFL) of 29.9mAOD. Blocks 3 and 4 would have FFLs of 27.2mAOD, 0.3m lower than previously approved. The western most 23.9m of the site would be unchanged except for a set of garden steps in the middle of the site, west of Blocks 3 and 4.

The applicant has submitted a design statement (DS) to accompany the application. The DS states that the currently permitted proposal has been assessed by quantity surveyors and construction priced. It is concluded that the current scheme is not viable with the price of a two-bed flat in Largs limited and overly generous floor areas and ceiling heights provide no commercial benefit. The proposed changes are sought to make the redevelopment of the site viable whilst minimising the visual changes from the permitted scheme.

The statement advises that whilst the roof height of Blocks 3 and 4 has been raised, the reduction in the floor area has allowed for these blocks to be further from the boundaries. The proposed roof height would match the heights of proposed Blocks 1 and 2, when viewed from outwith the site, which are considered to be significantly lower than permitted.

The site is identified as being within the settlement of Largs, in the North Ayrshire Council Local Development Plan (LDP). There are residential properties to all side and with Largs Golf Club also to the east across Irvine Road. The development requires to be assessed against Strategic Policy 1: The Towns and Villages Objective, Strategic Policy 2, Policy 2, Policy 18, Policy 27 and Policy 29 of the LDP.

Relevant Development Plan Policies

SP1 - Towns and Villages Objective **Towns and Villages Objective**

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

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

- a) Support the social and economic functions of our town centres by adopting a town centre first principle that directs major new development and investment to town centre locations as a priority including supporting town centre living.
- b) Provide the right new homes in the right places by working alongside the Local Housing Strategy to deliver choice and variety in the housing stock, protecting land for housing development to ensure we address housing need and demand within North Ayrshire and by supporting innovative approaches to improving the volume and speed of housing delivery.
- c) Generate new employment opportunities by identifying a flexible range of business, commercial and industrial areas to meet market demands including those that would support key sector development at Hunterston and i3, Irvine.
- d) Recognise the value of our built and natural environment by embedding placemaking into our decision-making.
- e) Prioritise the re-use of brownfield land over greenfield land by supporting a range of strategic developments that will deliver:
 - o regeneration of vacant and derelict land through its sustainable and productive re-use, particularly at Ardrossan North Shore, harbour and marina areas, Montgomerie Park (Irvine) and Lochshore (Kilbirnie).

- o regeneration and conservation benefits, including securing the productive re-use of Stoneyholm Mill (Kilbirnie) and supporting the Millport Conservation Area Regeneration Scheme.
- f) Support the delivery of regional partnerships such as the Ayrshire Growth Deal in unlocking the economic potential of the Ayrshire region.

Strategic Policy 2

Placemaking

Our Placemaking policy will ensure we are meeting LOIP priorities to make North Ayrshire safer and healthier by ensuring that all development contributes to making quality places. The policy also safeguards, and where possible enhances environmental quality through the avoidance of unacceptable adverse environmental or amenity impacts. We expect that all applications for planning permission meet the six qualities of successful places, contained in this policy. This is in addition to establishing the principle of development in accordance with Strategic Policy 1: Spatial Strategy. These detailed criteria are generally not repeated in the detailed policies section of the LDP. They will apply, as appropriate, to all developments.

Six qualities of a successful place

Distinctive

The proposal draws upon the positive characteristics of the surrounding area including landscapes, topography, ecology, skylines, spaces and scales, street and building forms, and materials to create places with a sense of identity.

Welcoming

The proposal considers the future users of the site and helps people to find their way around, for example, by accentuating existing landmarks to create or improve views (including sea views), locating a distinctive work of art in a notable place or making the most of gateway features to and from the development. It should also ensure that appropriate signage and lighting is used to improve safety and illuminate attractive buildings.

Safe and Pleasant

The proposal creates attractive places by providing a sense of security, including by encouraging activity, considering crime rates, providing a clear distinction between private and public space, creating active frontages and considering the benefits of natural surveillance for streets, paths and open spaces.

The proposal creates a pleasant, positive sense of place by promoting visual quality, encouraging social and economic interaction and activity, and by considering the place before vehicle movement.

The proposal respects the amenity of existing and future users in terms of noise, privacy, sunlight/daylight, smells, vibrations, glare, traffic generation, and parking. The proposal sufficiently investigates and responds to any issues of ground instability.

Adaptable

The proposal considers future users of the site and ensures that the design is adaptable to their needs. This includes consideration of future changes of use that may involve a mix of densities, tenures, and typologies to ensure that future diverse but compatible uses can be integrated including the provision of versatile multi-functional greenspace.

Resource Efficient

The proposal maximises the efficient use of resources. This can be achieved by re-using or sharing existing resources and by minimising their future depletion. This includes consideration of technological and natural means such as flood drainage systems, heat networks, solar gain, renewable energy and waste recycling as well as use of green and blue networks.

Easy to Move Around and Beyond

The proposal considers the connectedness of the site for people before the movement of motor vehicles, by prioritising sustainable and active travel choices, such as walking, cycling and public transport and ensuring layouts reflect likely desire lines, through routes and future expansions.

Detailed Policy 2 - Regen Opportunities

Policy 2:

Regeneration Opportunities

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

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

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

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

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

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

There may also be instances in the plan period where new regeneration sites are identified.

In principle we will support proposals which are innovative, contribute to our placemaking agenda and align with our vacant and derelict land strategy.

Detailed Policy 18 - Forestry, Woodland

Policy 18:

Forestry, Woodland, Trees and Hedgerows

Development proposals will only be supported when it would not result in the loss or deterioration of an ancient or long- established plantation or semi-natural woodland unless

there are overriding public benefits from the development that outweigh the loss of the woodland habitat.

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

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

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

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

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

Detailed Policy 27 Sustainable Transport and Active Travel

We will support development that:

contributes to an integrated transport network that supports long term sustainability

- o reduces inequality by improving the accessibility and connectivity of employment opportunities and local amenities
- o provides safe and convenient sustainable transport options and supports modal shift to sustainable transport and active travel.
- o reduces the need to travel or appropriately mitigates adverse impacts of significant traffic generation, road safety and air quality, including taking into account the cumulative impact.
- o takes a design-led, collaborative approach to street design to provide safe and convenient opportunities for integrated sustainable travel in the following order of priority: pedestrians, people on cycles, people using collective transport (buses, trains etc.) and people using private transport.
- o considers the potential requirements of other infrastructure providers, including designing for the potential development of district heat networks by for example incorporating access points into the transport network to allow for future pipe development

or creating channels underneath the road/infrastructure to enable pipe development with minimal disruption to the networks.

- o enables the integration of transport modes and facilitates movement of freight by rail or water (in preference to road). This would include, for example, the provision of infrastructure necessary to support positive change in transport technologies, such as charging points for electric vehicles and the safeguarding of disused railway lines with the reasonable prospect of being used as rail, tram, bus rapid transit or active travel routes.
- o considers the impact on, and seeks to reduce risk to level crossings, including those located within Ardrossan, Stevenston and Gales.

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

We will take account of:

- o the implications of development proposals on traffic, patterns of travel and road safety.
 - o Significant traffic generating uses should be sited at locations that are well served by public transport, subject to parking restraint policies, and supported by measures to promote the availability of high-quality public transport services. Where this is not achievable, we may seek the provision of subsidised services until a sustainable service is achievable.
 - o the potential vehicle speeds and level of infrastructure provided for the expected numbers of trips by all modes.
 - o the relationship between land use and transport and particularly the capacity of the existing transport network, environmental and operational constraints, and proposed or committed transport projects.
 - o committed and proposed projects for the enhancement of North Ayrshire's transport infrastructure, including improved park and ride provision.
 - o specific locational needs of rural communities. We recognise that in rural areas we need to be realistic about the likely viability of public transport services and innovative solutions such as demand-responsive public transport and small scale park and ride facilities at nodes on rural bus corridors will be considered.
 - o The Council's adopted Local Transport Strategy, Core Paths Plan, Town Centre Parking Strategy and parking requirements.
 - o The need to mitigate and adapt to climate change with regard to the Climate Change (Scotland) Act 2009.
 - o The provision of new and improved links to existing and proposed active travel routes which are integrated with the wider strategic network, including the National Walking and Cycling Network, core paths and the Ayrshire Coastal Path.
- Developments likely to generate significant additional journeys will be required to be accompanied by a Transport Assessment, Air Quality Assessment and a Travel Plan. A Transport Statement will be required for smaller scale developments that will not have a major impact on the transport network, but are still likely to have an impact at a local level on the immediate transport network.

National Development:

The National Walking and Cycling Network (NWCN) was designated as a national development within the National Planning Framework (NPF3). This is an ambitious project which aims to grow Scotland's

network of paths from 6,000 to 8,000 km by 2035. Key routes in North Ayrshire which will contribute to this network are detailed below. These are being developed in partnership with Sustrans and Scottish Natural Heritage as lead organisations for the delivery of the NWCN.

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

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

Detailed Policy 29 - Energy Infrastructure

Policy 29:

Energy Infrastructure Development

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

Environmental

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

Community

- o Establishing the use of the site for energy infrastructure development;
- o providing a net economic impact - including socio-economic benefits such as employment, associated business and supply chain opportunities;
- o Scale of contribution to renewable energy generation targets;
- o Public access - including impact on long distance walking and cycling routes and scenic routes identified in the National Planning Framework;
- o Impacts on tourism and recreation;
- o Specific locational opportunities for energy storage/generation.

Public Safety

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

- o Decommissioning of developments - including ancillary infrastructure, and site restoration and aftercare.

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

Buildings: Low and Zero Carbon Generating Technology

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

This requirement will not apply to:

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

2. Consultations and Representations

Neighbour notification has been carried out and the application has been advertised. There have been 4 objections received and one representation, which can be summarised as follows:

1. Design and development type: The developer is seeking to maximise profits rather than create a good development. The application should be considered a new scheme rather than an amendment. Four storey blocks are excessive in size and scale. The development is not compatible with the surrounding area. Largs does not require flatted developments.

Response: Planning permission has been granted for a 30 flat development at the site. Any proposal for the site must be considered in the context of the planning history. As such it considered appropriate to describe this application as an amendment to the extant permission. The size and scale of the development is considered fully below. It is noted the roofs of Blocks 3 and 4 are higher than permitted but also that their footprint is smaller. An assessment of the changes is given below. There is a wide variance of property types in the area and the principle of flats on the site has already been approved by the current extant permission.

2. Privacy: The increase in height and the blocks being closer to neighbours will impact on privacy. The balconies will impact on privacy.

Response: Blocks 1 and 2 are lower than the permitted scheme and as such not considered to give rise to any additional overlooking impacts. Blocks 3 and 4 are further from the boundary than permitted although the roofs are higher. However, the position of the balconies, which are also a feature of the permitted scheme, are not considered to cause any significant additional overlooking. The highest balcony on the rear of Blocks 3 and 4 would be some 9.5m above ground level, previously permitted at 8.4m. The balconies would look to the west over Walkerston Avenue at a distance of between 23m and 42m. Obscure glazing of side panels could be required by condition to limit overlooking to the north and south and between balconies. Additional windows are proposed for the side elevations. However, again, these are not considered to give rise to significant additional overlooking given the siting of Blocks 3 and 4. This is assessed more fully below.

3. Drainage: No new drainage details have been provided.

Response: It is proposed that surface water attenuation tanks be located beneath parking bays. Further details could be required by condition. Any water draining outwith the site would be a private legal matter.

4. Parking and access: No new parking has been proposed. Irvine Road (A78) is very busy and should not be parked on.

Response: An additional 4 spaces are proposed, an increase to 56 from the permitted 52 spaces. NAC Active Travel and Transportation has been consulted and the response is outlined below.

5. Bin Stores: The proposed bin stores are much larger than previously permitted and are too close to neighbouring houses. The approved bin stores were separate for each block and over 7m from the nearest property to the north. As proposed, they would be approx. 4m distant. The bin stores will impact on neighbours by way of smell, noise, vermin and visual impact. A condition relating to the design of the bin stores is on the current permission and must be on any new permission. The stores should be built of materials to match the flats and should not be underneath habitable rooms. The stores should be at least 1m off the boundary wall, roofed, be completely closed to the closest neighbouring boundary and be properly maintained.

Response: The approved scheme has 4 bin stores, one for each block. They are to be between 1m and 8.5m from the side boundaries. This scheme proposes 2 stores. They would be sited roughly in the same position as the previously approved stores for Blocks 1 and 2. The approved scheme stores were approx. 20sqm in area each whereas this scheme proposes 30sqm each. However, the applicant has revised the proposed bin stores so that they would now be 1.5m off the north and south boundaries respectively. The stores are considered sufficient in terms of the Council's guidance. The exact finish details of the stores, including roofs, could be governed by condition.

6. Trees and Landscaping: The parking areas will affect the stability of trees along the southern boundary. There is no amenity space for the flats.

Response: A tree survey drawing identifying trees to be retained and removed has been provided, which is considered sufficient for determining this application. No works to trees on adjoining land are proposed. In any event such works would be a private legal matter between landowners. Conditions requiring protection of trees could be added to any permission if approved. A garden area of some 1990sqm would be provided to the west of Blocks 3 and 4, with footpaths and a relatively flat grass area for amenity. Blocks 1 and 2 would be surrounded by courtyards and amenity space of approx. 400sqm each. The exact details of the landscaping could be governed by condition.

7. Wildlife: Bats forage in the surrounding trees and other animals live in the trees.

Response: A bat survey was undertaken. NatureScot is the licensing authority for any required works affecting a protected species. The need to resurvey if required could be secured by condition. Any developers of the site would have to ensure they meet the requirements of all other legislation including ensuring they do not disturb any nesting birds.

8. Construction noise will disturb the area and should be kept to appropriate hours. Would the flats have access to Walkerston Avenue?

Response: Construction noise is not a material planning consideration. Any acute noise disturbance can be reported to NAC Environmental Health who has powers to deal with statutory nuisances. No access to Walkerston Avenue is proposed on the plans. However, this would be a private legal matter.

Representation

The representation states that traffic turning right into the development will exacerbate the problems with queuing on the road, particularly given the traffic lights at the Haylie Brae. The representation considers the matter is yet to be finally addressed by Transport Scotland.

Response: Transport Scotland has been consulted and the response is outlined below.

Consultations

Transport Scotland - No objections. Any permission should be subject to conditions. Details of the type and method of construction of the access onto the A78 shall be agreed with the Council and Transport Scotland. Visibility splays must be provided. No drainage connections to the trunk road drainage system.

Response: Noted. Details of access and visibility splays could be required by condition. The applicant would have to seek approval of the Trunk Roads Authority to connect to the trunk road drainage system.

Scottish Water - No objection. Advice is given on further steps required to be undertaken to meet their requirements.

Response: Noted.

NAC Active Travel and Transport - No objections. 56 spaces are proposed for 34 flats. The access and parking will remain private.

Response: Noted.

Largs Community Council - Objects on the same grounds as previously namely, overdevelopment of site and impact on road network through cars accessing and exiting the A78. An additional 4 flats exacerbate the concerns regarding the junction to the A78. Considers that there is a lack of amenity space and that the flats will overshadow the main road. The pavement on the A78 is considered to be too narrow.

Response: Transport Scotland, as Trunk Roads Authority, and NAC Active Travel and Transportation have been consulted and offer no objection. Pedestrian access via Seabank Avenue has been considered but as that is a private road, it is not considered appropriate to require an access that would be outwith any developer's control. The site is considered to have acceptable pedestrian links. Notwithstanding, the proposed layout maintains the possibility of a link to Seabank Avenue should an arrangement be made with the owners of that road. The applicant has provided detail of the trees that would be lost, and an assessment is undertaken below. It is noted that at least 2240sqm of woodland to the south-west would be retained. There would be approx. 2800sqm of amenity space outwith the wooded area. The impact of the development on the A78 is considered below. However, it is noted the blocks are smaller than approved and Blocks 1 and 2, have lower roofs and remain as distant from the A78 as proposes.

3. Analysis

The Towns and Villages Objective of Strategic Policy 1 states that in principle support will be given to the right new homes in the right places. Proposals which regenerate vacant and derelict land will also be supported. The site is within the settlement of Largs. The site has been vacant for approx. 7 years. Permission has been granted, and remains extant, for the development of the site for flats. The proposal for residential development is therefore acceptable in principle.

Policy 2 of the LDP states that development of brownfield land will be supported in principle, where the development aligns with the placemaking policy. A range of regeneration opportunities for a range of urban uses, including residential and local employment will be supported.

Strategic Policy 2: Placemaking of the LDP sets out the six qualities of a successful place: distinctive, safe and pleasant, resource efficient, welcoming, adaptable, easy to move around and beyond.

Policy 27 of the LDP relates to sustainable transport and active travel, and states that the Council will support development which meets criteria including improving accessibility to amenities, mitigates adverse impacts of significant traffic generation and provides safe and convenient sustainable transport options.

As stated above, permission has been granted for the development of the site for flats. The main considerations for this application are therefore the additional four flats with changes to the design and layout.

The layout of the scheme has minor changes. An additional four parking spaces are proposed. NAC Active Travel and Transportation has no objection to the parking or internal

layout. Transport Scotland has no objection to an additional four flats and has confirmed that the access onto the A78 is suitable subject to conditions which could be imposed on any permission. The proposal is therefore considered to accord with Policy 27 of the LDP.

The plot has a large area, and the proposal is for buildings which would occupy approx. 17% of the site, reduced from 21% as per the permitted scheme. With access and hard landscaping, including the proposal to replace a terrace with a garden area, the developed area comprises approx. 32% of the total area, reduced from approx. 48%.

Blocks 1 and 2 would be reduced in area from some 368sqm to some 314sqm, a reduction of approx. 20%. Their positions in respect of the eastern, northern and southern boundaries would be largely unchanged, being some 6m from Irvine Road, 7.3m from the property to the north and 6.9m to property to the south. The height of Blocks 1 and 2 would be reduced with a ridge approx. 2m lower although the eaves height would remain the same.

Visually, Blocks 1 and 2 are considered to have less of an impact on the area than the permitted scheme. Whilst the permitted scheme has these blocks expressed as 2 and a half storeys, it is considered that there is a wide variance of house types, including flats, within the area. The lower ridge height would further reduce any visual impact from the A78 and further prevent a canyon effect.

Given the level differences, Blocks 3 and 4 would appear as the same height as Blocks 1 and 2 when viewed from the east. Although the roof shape would be changed from hips at the northern and southern ends, it is not considered that this would appear out of keeping with Blocks 1 and 2 or the wider area.

Blocks 3 and 4 would be reduced in area from some 295sqm to some 216sqm, a reduction of approx. 25%. The reduction in area means these blocks would be further from the northern, southern and western boundaries. Block 3 would be some 17m from the southern boundary, as opposed to the permitted 14.7m. Block 4 would be some 16.7m from the northern boundary, as opposed to the permitted, 14m. Details of the finish materials for the blocks could be secured by condition, as per the extant permission.

The Council produced 'Neighbourhood Design Guidance,' is not statutory and pre-dates the current LDP. It does not form part of the LDP and therefore only carries limited weight. Notwithstanding the guidance states that proposals should provide an appropriate relationship between building type and plot and consider the massing of the development. A canyon effect, where a building dominates an area, should be avoided. Given the size of the plot and set back from boundaries, outlined above, it is considered the proposal has taken cognisance of the guidance.

The proposal is therefore considered to accord with Strategic Policy 2 in terms of design and visual amenity.

As stated above, Blocks 1 and 2 are smaller in both area and height and of similar distance to the external boundaries as approved. The extant permission required obscure glazing for the southernmost elevation of Block 1 and northernmost of Block 2, which could again be required by condition for any further permission. It is considered that there would be no significant additional impacts in terms of overshadowing or overlooking from Blocks 1 and 2. Indeed the amenity impacts of these blocks would likely be reduced in comparison to the permitted scheme.

Blocks 3 and 4 would be between 23m and 42m from the western boundary. Balconies are proposed for the western elevation. These would look towards properties on Walkerston Avenue. However, the distance to the rear elevations of those properties is between 42m and 54m. The retention of mature trees is proposed on the western boundary and landscaping for the northern corner could be secured by condition, as per the current permission.

Blocks 3 and 4 are approx. 2.5m further from the side boundaries. There would be additional windows on the northern and southern elevations. These would look towards the front gardens of properties at 124 Irvine Road and the street of Seabank Avenue respectively. The windows would be some 27.4m from the nearest window on the front of 19 Seabank Avenue and 33.5m to the side elevation of 124 Irvine Road. Notwithstanding, a condition relating to obscure glazing for these side windows could be attached to any permission as per Blocks 1 and 2.

Balconies are proposed for the western elevation of Blocks 3 and 4. As above, these would be between some 23m and 42m from the western boundary. The sides of these balconies would also give views to the north and south. Given the position of the balconies, it is not considered they would give rise to any significant overlooking. However, a condition could be attached to any permission requiring the side panels to be at least 1.5m in height and obscure glazed in order to lessen any perception of overlooking and intervisibility between the balconies.

Given all of the above it is not considered that there are any significant additional amenity impacts, such as overlooking or overshadowing, compared to the permitted scheme arising from Blocks 3 and 4.

The bin storage is considered to accord with the Council's Guidance for Waste & Recycling Collection Services in that sufficient capacity has been provided. The exact details of the appearance of the stores could be controlled by condition in the interests of amenity. The proposal is therefore also held to accord with Strategic Policy 2 in terms of the amenity of occupiers and neighbouring properties. As the proposal accords with Strategic Policy 2 it also accords with Polic 2 of the LDP.

Policy 18 states that development proposals will only be supported when it would not result in the deterioration of semi-natural woodland unless there are overriding public benefits. The site is a mature domestic garden. Notwithstanding it is noted there is an area of semi-natural woodland to the south-west outwith the application site. It is not proposed to remove trees from within this area. The applicant has indicated that mature trees along the southern and western boundaries will be retained. Retention of those trees and their protection during construction works could be secured by condition.

A bat survey concludes that the site has moderate suitability for roosting and foraging bats and negligible suitability for hibernation. One roost for an individual bat was found. The survey states that a licence should be sought from NatureScot to ensure compliance with current wildlife legislation. Further information is given as to steps a developer should take during construction.

The content of the survey is noted, and it is the developer's responsibility to ensure the works are compliant with wildlife legislation. It is noted NatureScot is the licensing body for

such works. A condition could be attached to any permission requiring an updated bat survey, as per the extant permission.

Given the above it is considered the proposal accords with Policy 18 of the LDP.

Policy 29 states that all new buildings should demonstrate that at least 10% of the current carbon emissions reduction set by Scottish Building Standards will be met through the installation and operation of low and zero-carbon technologies. Compliance with this requirement can be required through condition.

It is proposed that surface water attenuation tanks be located beneath parking bays. As the details of these relate to a previous layout, it is considered that further details should be required by condition. Notwithstanding the surface water attenuation is considered to be acceptable.

Given all of the above the proposal is held to accord with the relevant policies of the LDP. Accordingly, the application should be approved subject to the conditions referred to in this report.

4. Full Recommendation

Approved subject to Conditions

Reasons for Decision

Condition

1. That prior to the 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.

Reason

To ensure an appropriately up-to-date Preliminary Bat Roost Assessment in recognition of the possibility of protected species to move onto the site.

Condition

2. Prior to the commencement the proposed means of access to the A78 shall be constructed in accordance with drawing 5822-R-3B . 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.

Reason

In the interests of road safety

Condition

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-R-3B 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.

Reason

To protect the trees to be retained on site in the interests of the visual amenity of the area.

Condition

4. The trees identified as to be retained on approved drawing 5822-R-3B shall not be cut down, topped, lopped, uprooted, wilfully damaged or wilfully destroyed except with the written permission of the Council, as Planning Authority.

Reason

To retain the trees identified in the interests of the amenity of the area.

Condition

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.

Reason

To ensure an appropriate landscaping scheme in the interests of visual amenity.

Condition

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.

Reason

To ensure an appropriate surface water attenuation in the interests of the drainage of the site

Condition

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.

Reason

To ensure appropriate bin stores in the interest of the amenity of the area.

Condition

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.

Reason

To ensure appropriate external finishes in the interest of the visual amenity of the area.

Condition

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-R-3B . 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.

Reason

In the interests of the visual amenity of the area and road safety, meeting Transport Scotland's requirements.

Condition

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.

Reason

In the interests of environmental protection in accordance with Policy 29 of the adopted Local Development Plan.

Condition

11. That prior to the commencement of the development, details of obscure glazing for the southernmost elevation windows of Block 1 and Block 3, northernmost elevation windows of Block 2 and Block 4, and side elevations of all balconies 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.

Reason

To ensure appropriate obscure glazing in order to protect the amenity of occupiers and adjoining properties.

James Miller
Chief Planning Officer

For further information please contact Mr Iain Davies on 01294 324320.

Appendix 1 – Location Plan

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