



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, 01 December 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 3 November 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 Bridgend Mill Site No 3 Bridgend Dalry Ayrshire

Planning permission in principle for residential development (to include details of site access arrangements)

4 Hunterston PARC Development Framework

To seek approval of a Development Framework for Hunterston PARC which will inform proposals and be a material consideration in the determination of future planning applications for the site.

5 Notice under Section 145 of the Town and Country Planning (Scotland) Act 1997: Site to East of Castlepark Gardens, Fairlie

Submit report by the Executive Director (Place) seeking approval to serve a Notice under Section 145 of the Town and Country Planning (Scotland) Act 1997 requiring compliance with Condition 7 of planning permission 19/00506/PP (copy enclosed).

6 Urgent Items

Any other items which the Chair considers to be urgent.

Webcasting - Virtual Meeting

Please note: this meeting may be recorded/live-streamed to the Council's internet site, where it will be capable of repeated viewing. At the start of the meeting, the Provost/Chair will confirm if all or part of the meeting is being recorded/live-streamed.

You should be aware that the Council is a Data Controller under the Data Protection Act 2018. Data collected during the webcast will be retained in accordance with the Council's published policy, including, but not limited to, for the purpose of keeping historical records and making those records available via the Council's internet site.

If you are participating in this meeting by invitation, you are consenting to being filmed and consenting to the use and storage of those images and sound recordings and any information pertaining to you contained in the them live-streaming/recording or training purposes and for the purpose of keeping historical records and making those records available to the public. If you do not wish to participate in a recording, you should leave the 'virtual meeting'. This will constitute your revocation of consent.

If you have any queries regarding this, please contact dataprotectionofficer@north-ayrshire.gov.uk.

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
3 November 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, Ellen McMaster, Ronnie McNicol and Donald Reid.

In Attendance

J. Miller, Chief Planning Officer, I. Davies and A. Hume, Senior Development Management Officers, L. Dempster and K. Gee, Technicians (Planning) (Economic Development and Regeneration); J. Law, Solicitor (Legal Services) and A. Little and H. Clancy, Committee Services Officers (Chief Executive's Service).

Chair

Councillor Marshall in the Chair.

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 29 September 2021 were confirmed and the Minutes signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

3. 21/00855/CON - Campbelton Farm, Hunterston Estate, West Kilbride

The Scottish Government's Energy Consents Unit has consulted the Council, as Planning Authority, on an application under S.36 of the Electricity Act 1989, as amended. The application is for the 'Installation and operating of a grid services facilities including the storage and management of energy and associated infrastructure.' The development is considered to have an export capacity of up to 450 megawatts and would be operational for 40 years.

The Committee unanimously agreed to grant the application subject to the following conditions:-

1. Prior to the commencement of the development a Construction Management and Traffic Management Plan shall be submitted to the Council, as Planning Authority, for approval. The Plan shall include details of managing traffic to ensure the safe use of the core path network by non-motorised transport. The development will thereafter proceed in accordance with any Plan as may be approved

2. That prior to the commencement of the development, details of the finish for the access from Beech Avenue shall be submitted to the Council, as Planning Authority,
3. That prior to the commencement of the development a dust management plan shall be submitted to the Council, as Planning Authority, for approval. Any plan as may be approved shall thereafter be implemented during construction.
4. That prior to the commencement of the development, details of the external finishes for the synchronous condenser building shall be submitted to the Council, as Planning Authority, for written approval. The development will thereafter proceed in accordance with any details as may be approved.
5. The rated noise level, as defined in BS 4142:2014+A1:2019, from the operation of the proposed grid services facilities, must not exceed the background noise level at the curtilage of any noise sensitive property existing or consented at the time of application.
6. That prior to the commencement of the development, details of the proposed land drainage and surface water management infrastructure and a demonstration that the development adequately addresses the recommendations of the Flood Risk Assessment, shall be submitted for the written approval of North Ayrshire Council, as Planning Authority. The development will thereafter be carried out in accordance with the details as may be approved.
7. That prior to the commencement of the development, details of the proposed landscaping be submitted to the Council, as Planning Authority, for approval. Any planting etc as may be approved shall be carried out in the first planting season and seeding season following the completion of the development. Any trees, plants etc. which, within a period of five years from the completion of the landscaping 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.

The meeting ended at 2.20 p.m.

NORTH AYRSHIRE COUNCIL

1st December 2021

Planning Committee

Locality	Garnock Valley
Reference	21/00961/PPP
Application Registered	6th October 2021
Decision Due	6th December 2021
Ward	Dalry And West Kilbride

Recommendation	Approved subject to Conditions
-----------------------	--------------------------------

Location	Bridgend Mill Site No 3 Bridgend Dalry Ayrshire
-----------------	---

Applicant	Telford Three Ltd
------------------	-------------------

Proposal	Planning permission in principle for residential development (to include details of site access arrangements)
-----------------	---

1. Description

Planning permission in principle is sought for a residential development on vacant land at Bridgend in Dalry. The site was formerly occupied by part of the Bridgend Mills complex operated by Fleming & Reid from the 1870s onwards, with most of the buildings on the land demolished in the 1960s following its closure. Since then, the land has been vacant and derelict. The proposal also seeks detailed approval for the proposed site access from Bridgend, which, in effect, would be a modification of the existing historic site access.

During 2001, the ground was cleared of all vegetation by the former owners to enable consideration to be given to a proposed redevelopment scheme. At that time, the remaining buildings on the land, notably the former boiler house and chimney, were demolished. Also in 2001, an outline planning application was submitted for residential development (ref. 01/00831/PP). The application was eventually refused by the Council's Planning Committee on 20th June 2007 on the grounds that "the applicant has not submitted sufficient information for the application to be properly determined, with particular reference to access sightlines, noise assessment, contamination of the site and flood risk assessment."

In the intervening period, the ground has again become colonised by rapidly growing self-seeded pioneer trees, such as birch, as well as some scrub plants such as dog rose and

bramble. However, the ground itself is strewn with rubble and spoil heaps from earlier demolition and clearance works, and contains a number of hazards, including the remains of a metal footbridge and the steeply sided brickwork from the former boilerhouse near the railway line.

The site is included in the Vacant and Derelict Land Register. The adopted LDP supports its regeneration, recognising that housing is likely to be the most viable and beneficial form of redevelopment. The indicative capacity of the site is 21 houses, as noted in Schedule 4 of the LDP (Regeneration Opportunities). The application seeks permission for up to a maximum of 26 dwellings.

The application is supported by the following documents:

Flood Risk Assessment (FRA)

The FRA was prepared by Dougall Baillie Associates in September 2021 and is therefore up to date. It is accompanied by detailed topographical surveys and site sections, also dating from 2021. The FRA uses various data sources including the SEPA flood mapping and the NAC flood study which informed the design for the Upper Garnock Flood Protection Scheme. Using computer modelling, the FRA indicates that the parts of the site closest to the River Garnock are at risk should a 1 in 200 year flood event occur, taking account of climate change. The FRA recommends that finished floor levels (FFLs) of the proposed houses are 1m above the 1 in 200 year flood plus climate change level. The minimum FFLs should therefore be 26.18m AOD, with development avoiding those parts of the site closest to the River Garnock identified as being at risk. The FRA does not consider the site to be at risk from other forms of flooding.

Ecological Constraints Report and Preliminary Roost Assessment

The above report, which studied both sides of the River Garnock, was prepared by Wild Surveys Ltd in August 2020 and is therefore reasonably up to date. The survey included both desk studies and fieldwork. The report notes that the River Garnock is likely an important commuting route for otter and that the riverbanks contain scrub and roots with earth banks which may provide natural features suitable for otter resting sites. However, no holts or resting sites were actually found by the surveyors. The nearby road bridge (the category C listed Garnock Bridge, which is situated outwith the site boundary) was considered to have moderate suitability for supporting roosting or hibernating bats, although no roosts were observed. No trees within the site were identified as having any features suitable for roosting bats. Several areas of the site had been colonised with invasive species including rhododendron and cotoneaster. Further survey work was recommended prior to any site clearance works being carried out, with advice provided on licensing requirements in the event of protected species being identified.

Planning Statement

The statement was prepared by the applicant's planning consultant and notes that up to 26 dwellings are envisaged. The statement highlights the relationship of the site with the neighbouring land to the north of the River Garnock, where planning permission has already been granted for the redevelopment of the vacant land for 26 dwellings (and is within the same ownership). The statement carries out a review of the various strategic and detailed planning policies which apply to the site, all based on the adopted LDP. It is concluded that the proposed residential development would accord with the LDP and deliver a regeneration scheme for the town in a sustainable location using a high standard of design using sustainable/renewable technologies.

Access Statement (including Swept Path Diagram)

The statement was prepared by Dougall Baillie Associates in July 2021 and is therefore up to date. Surveys of traffic on Bridgend were undertaken in June 2021. The results highlighted that traffic speeds on the road often exceeded the 30mph limit. To address safety concerns, especially for pedestrians who would need to cross Bridgend to get into or out of the site, it is proposed to form a chicane feature on the roadway. The proposed site access would be located in the same location as the original mill access was located, where drop kerbs still exist. A detailed junction design has been proposed for consideration. This design would involve the demolition of the 1m high stone rubble walls along the site boundary with Bridgend to enable a footway to be constructed (at present, there is no footway on the roadside edge of the site). Pedestrians would then be able to cross the road onto the footway on the opposite side of Bridgend to enable safe passage to and from the site. Consideration has also been given to sightlines and swept path for road users, including analysis of long vehicles entering and exiting Bridgend Lane to the east and opposite side of the proposed site access.

Topographical Survey

A survey of the ground levels on the land was produced on 23rd February 2021 using laser survey methods, enabling a comprehensive topographical model to be built up. The site has two distinct levels: firstly the lower level, which slopes uphill from the River Garnock to the south in a gentle and mostly uniform profile; secondly, the upper level, which consists of level ground between the east of the existing housing at Bridgend and to the west of the railway line. There is a relatively steep slope between the upper level and the lower level towards the eastern part of the site. The survey data was then used to inform the preparation of the FRA and design statement.

Masterplan/Design and Access Statement

The statement was produced in 2021 for the applicant by the architect's practice Denham Benn. It states that the proposal seeks to develop new housing community consisting of detached dwelling houses of a contemporary design character. The goals of the project, as set out in the Design Statement, are as follows:

- o To create a development which encourages community spirit and innovative use of social open spaces;
- o To provide residents with a safe, engaging and healthy environment in which to live;
- o To provide residents with a diverse mix of flexible house type layout designs which cater for varied individual and family lifestyles;
- o To be appealing to a wide broad demographic of residents with varied incomes and at all stages of life;
- o To offer a development which is respectful of its surrounding architecture and landscape, whilst maintaining its own character and identity;
- o To provide a development which maximises safe pedestrian intervention and use of amenity space throughout.

The statement includes an analysis of the site and its surroundings, noting features of interest, its constraints and its connections. An indicative masterplan for the site has been included in the statement, which illustrates possible layout options.

The application requires to be considered in terms of the following policies of the adopted Local Development Plan:

Strategic Policy 1 (Towns and Villages Objective)
Strategic Policy 2 (Placemaking)
Policy 2 (Regeneration Opportunities)
Policy 10 (Listed Buildings)
Policy 14 (Green and Blue Infrastructure)
Policy 22 (Water Environment Quality)
Policy 23 (Flood Risk Management)
Policy 27 (Sustainable Transport and Active Travel)
Policy 29 (Energy Infrastructure Development - Buildings)

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 14-Green & Blue Infrastr

Policy 14:

Green and Blue Infrastructure

All proposals should seek to protect, create, enhance and/or enlarge our natural features and habitats which make up our green and blue infrastructure (including open space), ensuring no unacceptable adverse environmental impacts occur.

Green and blue infrastructure should be multi-functional, accessible and integral to its local circumstances. For example, Sustainable Urban Drainage Systems (SuDS) have the

potential to play a key role in the delivery of meaningful blue and green infrastructure, providing amenity and improving biodiversity as well as providing a sustainable flood risk solution. We will require details of the proposed arrangements for the long-term management and maintenance of green infrastructure, and associated water features, to form a key part of any proposal.

Our Open Space Strategy (2016-2026) highlights the need for an audit which identifies valued and functional green and blue infrastructure or open space capable of being brought into use to meet local needs. We will support the temporary use of unused or underused land as green infrastructure including where it consists of advanced structure planting to create landscape frameworks for future development. Support will be given to proposals which seek to enhance biodiversity from new development where possible, including the restoration of degraded habitats and the avoidance of further fragmentation or isolation of habitats. We will also support proposals that are in accordance with the vision and outcomes of the Central Scotland Green Network as well as those of the Garnock Connections Project.

Detailed Policy 22 - Water Envir Quality

Policy 22:

Water Environment Quality

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

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

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

- a) Protecting and enhancing the ecological status and riparian habitat, natural heritage, landscape values and physical characteristics of water bodies (including biodiversity and geodiversity);
- b) Protecting and enhancing existing flood plains; protecting opportunities for public access to and recreation and enjoyment on and around lochs, rivers, burns, wetlands and the coastal marine area; and
- c) Having regard to any designated Bathing Waters. Where engineering works are required in or near water bodies, there will be a presumption in favour of soft engineering techniques and against the culverting of watercourses, unless there is no suitable alternative. Proposals for culverting of watercourses for land gain may only be justified if the applicant can demonstrate that:
 - o No other practical option exists that would allow the watercourse to remain open; and
 - o The proposed development is of over-riding public interest.

We support connection to public sewerage systems in the first instance but recognise that wastewater solutions must be affordable and delivered at the most appropriate scale and

that in many cases septic tank systems can be the most sensible solution for a household or small community (this also might be bespoke for our island communities). We will consider the cumulative impact of such solutions and support a preference for community solutions.

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

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

Detailed Policy 23-Flood Risk Management Policy 23:

Flood Risk Management

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

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

Development proposals should:

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

Detailed Policy 27 Sustainable Transport and Active Travel

We will support development that:

contributes to an integrated transport network that supports long term sustainability

- o reduces inequality by improving the accessibility and connectivity of employment opportunities and local amenities
- o provides safe and convenient sustainable transport options and supports modal shift to sustainable transport and active travel.

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

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

We will take account of:

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

Transport Statement will be required for smaller scale developments that will not have a major impact on the transport network, but are still likely to have an impact at a local level on the immediate transport network.

National Development:

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

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

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

Detailed Policy 29 - Energy Infrastructure Policy 29:

Energy Infrastructure Development

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

Environmental

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

Community

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

Public Safety

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

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

Buildings: Low and Zero Carbon Generating Technology

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

This requirement will not apply to:

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

Detailed Policy 10 - Listed Buildings

Policy 10:

Listed Buildings

We will support proposals for the re-use and restoration of a Listed Building where the special architectural or historical interest of the building is preserved and enhanced. This can include the restoration of original features which have previously been lost due to development or demolition. The layout, design, materials, scale, siting and use of any development affecting a Listed Building or its setting should be appropriate to the character and appearance of the listed building.

Enabling development may be acceptable where it can be clearly shown to be the only means of preventing the loss of the asset and securing its long-term future. Any development should be the minimum necessary to achieve these aims. The resultant development should be designed and sited carefully to preserve or enhance the character and setting of the historic asset.

There is a presumption against the demolition of Listed Buildings and will only be supported in the following exceptional circumstances:

- i) The building is not of special interest; or
- ii) The building is incapable of repair and reuse through the submission and verification of a thorough structural condition report produced by a qualified structural engineer; or
- iii) The repair of the building is not economically viable, and it has been marketed at a price reflecting its location and condition to potential restoring purchasers for a reasonable period; or
- iv) The demolition of the building is essential to delivering significant benefits to the wider community economically, socially or environmentally

2. Consultations and Representations

Neighbour notification was undertaken in accordance with statutory procedures. In addition, a notice was published in a local newspaper. 5 representations were received, making the following points:

1. The proposed development would be an excellent use of this brownfield site and the designer is commended for their plans. Consideration should be given to continued access to the riverside for anglers, who have fished on the River Garnock for many years from this site.

Response: The applicant has advised that continued access would be encouraged and welcomed. Further details of riverside access arrangements can be secured by condition.

2. No objection to the proposed development of the site but objects to the proposed traffic calming chicane on Bridgend, since this would just increase congestion, frustration, noise and pollution. Vehicles slowing down and accelerating to negotiate the proposed chicane would create noise and disturbance to nearby residents. As such, this feature is not considered necessary.

Response: Noted. However, such a feature is considered necessary in the interests of pedestrian and traffic safety. Traffic surveys carried out for the proposed development have indicated that many vehicles using Bridgend exceed the 30mph speed limit. There is a need to ensure a safe crossing point on Bridgend to assist pedestrians living in the proposed development as well as visitors to the site. A chicane feature would help achieve this requirement whilst also acting to reduce vehicle speeds passing the site frontage.

3. Strongly object as the proposed development would result in the loss of an area of land that people walk their dogs on and which is used by wildlife as a route through the area.

Response: Noted. There would be no restriction on people walking their pets through the site once it has been developed with housing. Consideration of nature and wildlife issues are discussed in the Analysis section below.

4. The proposal would increase the population of the town and put strain on health and social infrastructure. Increasing the population without tackling the "almost total lack of amenities" could be considered a dereliction of the Council's socio-economic duty.

Response: There is no statutory requirement to consult the health service on individual planning applications. The health board is consulted on the preparation of the Local Development Plan to enable strategic planning to take place at the Ayrshire and Arran-wide level. The development of the land for housing was anticipated through this planning process, which identifies the land supply for housing across each settlement in North Ayrshire. The health service raised no objections to any planned housing for Dalry, where population levels have been declining over the past decade or more. As such, there is no requirement for any health service-related developer contribution for the proposed development. In relation to education facilities within the town, the Council's Education Service has advised in general terms that proposals of 25 houses or less in Dalry do not need to be subject of formal consultation with the Education Authority. Whilst the applicant has indicated that 26 houses are envisaged, it would be appropriate to limit the total number of houses to 21 as per the indicative figure provided for in the LDP. This would ensure that the development of the site is in alignment with the LDP.

5. The proposal would result in the loss of the trees on the land. The site should be designated as a community woodland, especially as the Council are looking to plant more trees to combat climate change.

Response: The proposed development of the site for housing can be supported in terms of the LDP policy framework (see Analysis, below). The site is privately owned and is not being considered as a potential community woodland area. The Council has a statutory requirement to assess the planning application as submitted. Nonetheless, a number of existing trees along the riverside corridor and facing onto Bridgend would be retained, with replacement trees planted elsewhere on the site as part of the proposed development.

Consultations

Dalry Community Council - (1) The habitat survey recorded evidence of otters at this site and stated that roosting places for bats were located nearby. We consider that the development of this site or any further survey work associated with it will cause interference and disturbance to these protected species and indeed many other animals that inhabit this established area of woodland and riverbank. (2) The proposed development of the site would result in the loss of riverside habitats and the displacement of wildlife in this area. As part of the council's commitment to become net zero and in response to climate change, over 100,000 trees are to be planted across North Ayrshire. It therefore doesn't seem appropriate to cut down an already established woodland area and replace it with houses. It is noted in the design statement that there will be some planting of trees at the site but these will take a long time to establish, be fewer in number and have a lesser effect on climate change. (3) We welcome the idea of new people moving into the town but have serious concerns about the ability of our existing social infrastructure being able to cope with an increased number of residents.

Response: In respect of points (1) and (2), the habitat survey did not indicate that any otter holts or bat roosts were present on the site. Refer to Scottish Wildlife Trust comments and Analysis, below. Refer also to objection point 5, above. In respect of point (3), support for

proposed housing development in Dalry is noted. Refer to response to objection point 4, above.

NAC Active Travel and Transportation - no objections. Visibility splays of 2.5 metres by 70 metres, in both directions, must be provided and maintained at the junction with the public road (Bridgend). No item with a height greater than 1.05 metre above adjacent carriageway level must be located within these sightline triangles. The footway on Bridgend may require widening to accommodate this development. The internal layout should conform to Designing Streets and the Council's Roads Development Guide

Response: The above matters can be addressed by appropriately worded conditions.

NAC Environmental Health - no objections and have made a number of recommendations regarding the need for site investigation, noise survey and air quality assessments. A range of non-planning matters have also been raised, all of which have been communicated to the applicants.

Response: Noted. Conditions to address the matters raised could be attached.

Scottish Wildlife Trust - This site does not have any environmental designation, though its position next to the River Garnock means that it is probably functioning as a wildlife corridor to some extent. We therefore suggest that the design for the development should incorporate an undisturbed buffer zone along the river bank. Environmental checks carried out should include a search for signs of usage by otters. It should also be checked for signs of badgers.

Response: Noted. The matters raised above can be addressed by appropriately worded conditions.

Scottish Water, SEPA, NAC Flooding Officer - no comments have been received. However, conditions can be attached to address the flood risk issue associated with the River Garnock based on the submitted flood risk assessment which has considered the matter at the appropriate level of detail for this type of application and makes a number of recommendations. Further consultation can be undertaken with Scottish Water, SEPA and the Council's flooding officer at the detailed design stage.

3. Analysis

Section 25 of The Town and Country Planning (Scotland) Act 1997 requires that planning applications are to be determined in accordance with the provisions of the development plan unless material considerations indicate otherwise. With respect to this application, a wide range of strategic and detailed policies are of relevance, and which will be considered individually below.

Strategic Policy 1 (Towns and Villages Objective)

This policy supports the principle of housing development within North Ayrshire's settlements. Therefore, the proposed development accords, in principle, with the settlement strategy for Dalry, subject to the consideration of other related LDP policies.

Strategic Policy 2 (Placemaking)

The placemaking policy sets out the Six Qualities of a Successful Place which all planning applications are expected to meet. The stated purpose of the policy is to ensure "all development contributes to making quality places". Strategic Policy 2 also states that "the policy also safeguards, and where possible enhances environmental quality through the avoidance of adverse environmental or amenity impacts." Consideration of the placemaking merits of the application will be undertaken towards the end of this Analysis.

Policy 2 (Regeneration Opportunities)

In principle, this policy supports and promotes development of brownfield land (including vacant and derelict land) within North Ayrshire's settlements in circumstances where the proposed development aligns with the placemaking policy. The policy supports the re-use of sites shown in Schedule 4 of the LDP, including residential development on vacant and derelict land. As noted above, the site has been vacant/derelict for a period in excess of 50 years and has acted as a blight on the surrounding townscape for much of this time. The indicative capacity of the site in Schedule 4 is 21 units, and it is considered appropriate to attach a condition to limit the number of houses in the development to this figure. Subject to such a condition, the proposal accords with Policy 2.

Policy 10 (Listed Buildings)

Whilst there are no listed buildings directly affected by the proposed development, Policy 10 highlights that "the layout, design, materials, scale, siting and use of any development affecting a listed building or its setting should be appropriate to the character and appearance of the listed building. There are two listed buildings near to the site boundary. These are the category C listed Garnock Bridge and the B listed former mill offices at 5-7 Bridgend. The proposed development would have no adverse impact on the setting of the Garnock Bridge. In respect of the former mill offices, which are now in residential use, historic evidence indicates that the offices were originally connected to the mill buildings. The rear elevations of the building indicate where previous works have taken place to separate the offices from the mill buildings that were demolished. The part of the building with most architectural interest is the front elevation (facing onto Bridgend). The rear elevations are more utilitarian in design and character. It is considered that the proposed residential development would enhance the setting of both listed buildings, and especially in relation to 5-7 Bridgend and the neighbouring cottage (unlisted). Both residential buildings facing onto Bridgend currently have a somewhat 'stranded' appearance in the streetscape. The proposed development would help to 'mend' the urban fabric which has been lost through demolition. As such, the proposal would accord with Policy 10.

Policy 14 (Green and Blue Infrastructure)

This policy notes that all proposals should seek to protect, create, enhance and/or enlarge our natural features and habitats, and makes provision for including new features that would improve biodiversity. There are no ancient woodlands or long-established plants on the site. Whilst many of the young self-sown birch trees within the site would require to be removed, many of the trees and plants along the riverside and adjacent to the Garnock Bridge towards the southwestern edge of the site would be retained as a wildlife corridor and habitat area. The retention of these trees, plants and other features on the riverside would be secured by a planning condition. The submitted design statement indicates that "any trees that need to be removed due to site access and safety, poor condition or local authority requirements will be replaced by new trees elsewhere within the site." As such, the proposed development would achieve both regeneration of the townscape as well as recognising the habitat value and potential of the riverside area. Subject to a suitable condition, the proposed development would be acceptable in terms of Policy 14.

Policy 22 (Water Environment Quality)

This policy states that development will be required to ensure no unacceptable adverse impacts on the water environment by protecting and enhancing the ecological status and riparian (riverside) habitat as well as protecting/enhancing existing flood plains and protecting opportunities for public access to and recreation on and around rivers. The policy advocates that development should ensure that appropriately sized buffer strips are maintained between the built and water environments. For a river such as the Garnock, which is around 7m wide alongside the application site, a buffer strip of around 15m would therefore require consideration. The submitted design statement and FRA indicates the need to avoid areas at risk of flooding and recommends a minimum finished floor level (FFL) in excess of 26m AOD. The designation of a buffer zone which would serve the dual purpose of ecology and flood protection would therefore be appropriate in this case, and could be secured by condition. The applicant has indicated that continued public access to the riverside, (eg. for angling purposes) would be supported. The proposed development would therefore be acceptable in terms of Policy 22, subject to a suitable condition.

Policy 23 (Flood Risk Management)

The above policy is closely linked to the considerations for Policy 22 above. Whilst the redevelopment of the site would require the use of SuDS to manage surface water drainage arising from the hard surfaces within the site, a key consideration is that of flood protection from the adjacent River Garnock. An up to date and detailed FRA has been submitted with the application, the recommendations for which would be incorporated into any detailed design for the development and secured by condition. The proposed development would be acceptable in terms of Policy 23.

Policy 27 (Sustainable Transport and Active Travel)

The application includes an access statement which highlights how the site would be connected to the existing street network at Bridgend. It is considered that the location of the site would provide excellent access to public transport and local services. The site is around a 1 minute walk from Dalry Railway Station, around 5 minutes walk of the town centre and within 10 minutes walk from local schools and areas of open space such as the public park. In addition, Bridgend is a bus route which provides regular local bus services from bus stops adjacent to the railway station. Finally, the site is also accessible by car. The proposal includes details of a site access junction with Bridgend, including a traffic calming feature aimed at making the road safer to cross by providing a refuge island for pedestrians that would also function as a means of reducing vehicle speeds. Similar arrangements have already been provided on Blair Road, further east. The proposed development would be acceptable in terms of Policy 27.

Policy 29 (Energy Infrastructure Development (Buildings))

The submitted design statement indicates that the proposed housing on the site would incorporate high levels of wall and roof insulation, with low-emissivity glazing. The statement also advises that highly efficient boilers and energy efficient white goods would be provided in kitchen areas. It goes on to advise that all timber specified will be FSC certified from a sustainable source and that local materials would be used where possible to reduce the embodied energy and support local economies. Materials that are durable and low maintenance would be specified. In order to secure such details within the development and to accord with Policy 29, this matter would be subject to a condition.

Turning to Strategic Policy 2 (Placemaking), a brief comment on each of the Six Qualities of A Successful Place follows below:

Welcoming

The site has the potential to be welcoming to future occupants due to its location near the railway station and riverside environment. The proposed development would also have the effect of making the town more welcoming when viewed from the railway line, in contrast to its current abandoned condition.

Distinctive

The site has a distinctive position within the town on rising ground beside the River Garnock, and is visibly prominent when viewed from the adjacent Glasgow - Ayr railway line.

Safe and Pleasant

Whilst the site presently benefits, in visual terms, from the natural regeneration of young trees, plants and shrubs, the ground contains many hazards and represents an opportunity given its proximity to public transport routes and local services. The submitted design statement provides an indication of the type of housing that is envisaged, which would be broadly compatible with the density, scale and pattern of the existing houses in the locality. A condition could be attached to ensure that the submitted design statement is used as the basis for the detailed plans for the development.

In addition, the proposed development would also enhance the perception of public safety between the railway station and the town centre, particularly at night time, since the housing would provide additional passive surveillance onto Bridgend. The development of the site would therefore contribute positively to the Safe and Pleasant quality for the location.

Adaptable

The site was originally developed in the nineteenth century as part of a large mill complex which required access to water and the railway. However, since the closure of the Bridgend Mills in the 1960s, there has been no demand or interest in re-using the land for industrial purposes for over 50 years. As such, the proposed development would adapt the site to meet the changing circumstances of the town and address an area of long term derelict land at an accessible location within the settlement.

In terms of Resource Efficient and Easy to Move Around and Beyond, see the comments above with regard to Policies 29 and 27 respectively. There are no other material considerations. In summary, it is considered that the proposed development of this long term vacant and derelict site for housing would accord with the LDP and deliver potential amenity benefits to the surrounding area. It is therefore recommended that planning permission is granted, subject to conditions.

4. Full Recommendation

Approved subject to Conditions

Reasons for Decision

Condition

1. That the approval of North Ayrshire Council as Planning Authority with regard to layout, siting, design, external appearance and landscaping shall be obtained before the

development is commenced, taking into account all other conditions in this planning permission and including the following:

- The maximum number of houses within the development shall not exceed 21 units;
- The site layout plan shall ensure that no houses (including their associated curtilages) nor access roads shall be constructed within those parts of the site that have been identified as being at risk of flooding during a 1 in 200 year event (plus climate change) in the submitted Flood Risk Assessment by Dougall Baillie Associates dated September 2021;
- For the avoidance of doubt, the finished floor levels of all housing within the development shall accord with at least the minimum levels recommended in the submitted Flood Risk Assessment.

Reason

To accord with Schedule 4 of Policy 2 of the adopted Local Development Plan and to enable these matters to be considered in detail.

Condition

2. That the details of the development as required under condition 1 shall generally accord with the submitted Masterplan/Design and Access Statement prepared by Denham Benn Architects, and shall include details of SuDS, flood risk areas, public open space, access arrangements for the riverbank area, landscaping (including replacement trees), outdoor play space, curtilage and visitor parking, boundary treatments and bin storage. Street design shall accord with the principles of Designing Streets and the Council's Roads Development Guide, all to the satisfaction of North Ayrshire Council as Planning Authority.

Reason

In order that these matters can be considered in detail.

Condition

3. To inform the detailed proposals of the development, the following environmental investigations/studies shall be carried out by suitably qualified persons with reports and recommendations submitted for the consideration and approval of North Ayrshire Council as Planning Authority:

- a desk study of the application site, (including the review of any previous site investigations) to assess the likelihood of contamination and assist in the design of an appropriate site investigation and subsequent suitable quantitative risk assessment. Remediation proposals shall also be presented in relation to any significant findings. All documentation shall be verified by a suitably qualified Environmental Consultant and submitted to the satisfaction of North Ayrshire Council as Planning Authority.
- Demonstration that the increased road traffic, generated as a result of the development, shall not have a detrimental effect on the local air quality or result in an increase in concentrations of atmospheric pollutants such that statutory Air Quality Objectives would be exceeded at any location of relevant public exposure.
- a noise impact assessment together with details of any mitigation measures required to achieve the noise targets set out below for implementation in the layout, design and construction of the proposed housing. The following external noise targets shall be achieved at the curtilage of the proposed residential properties:

a) During daytime hours between 0700 and 2300hrs the noise level (LAeq 16 hour) from rail transport must not exceed 50 dB. As a minimum if this external target cannot be achieved, the proposed residential properties should be designed and constructed in such a way that an internal level of 35 dB can be achieved (window open for ventilation);

b) During night time hours between 2300 and 0700hrs the noise level (LAeq 8 hour) from rail transport must not exceed 40dB. As a minimum if this external target cannot be achieved, the proposed residential properties should be designed and constructed in such a way that an internal level of 30 dB can be achieved (window open for ventilation).

Reason

To safeguard the development and the surrounding area against any adverse environmental impacts.

Condition

4. That the site layout and design details as required under condition 1 shall identify a buffer zone for wildlife and habitats alongside the River Garnock and on the southern boundary of the site between the Garnock Bridge parapets and 5 - 7 Bridgend. The buffer zone shall be designed to meet the requirements of Policy 22 (Water Environment) of the adopted North Ayrshire Local Development Plan and shall be safeguarded during the course of development against tree felling and ground disturbance, other than the removal of surface rubble and redundant masonry walls. It shall be a requirement of the detailed site plan to protect and enhance the ecological status of the riparian habitats on the site, including details of measures to promote and safeguard these aims upon the completion of the development.

Reason

To accord with Policy 22 of the adopted Local Development Plan.

Condition

5. That all recommendations contained in the Ecological Constraints Report and Preliminary Roost Assessment by Wild Surveys Ltd dated August 2020 shall be taken into account in the detailed design for the development of the site and shall be implemented during all subsequent clearance and construction works on the site to the satisfaction of North Ayrshire Council as Planning Authority.

Reason

To accord with Policy 14 of the adopted Local Development Plan.

Condition

6. That prior to the commencement of the development hereby approved, details of the heat and power system 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 the planning authority. Thereafter, the development shall be implemented only 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

7. That the site access junction details with Bridgend as illustrated on DBA drawing no. 21126-SK-04 are hereby approved in detail. Visibility splays of 2.5 metres by 70 metres, in both directions shall be provided and maintained at the junction with Bridgend. No item with a height greater than 1.05 metre above adjacent carriageway level must be located within these sightline triangles. The road access into the site shall not be constructed until the approval of the other matters specified in conditions and subject to Road Construction Consent and a Road Opening Permit being obtained beforehand.

Reason

In the interest of road safety.

Condition

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

Reason

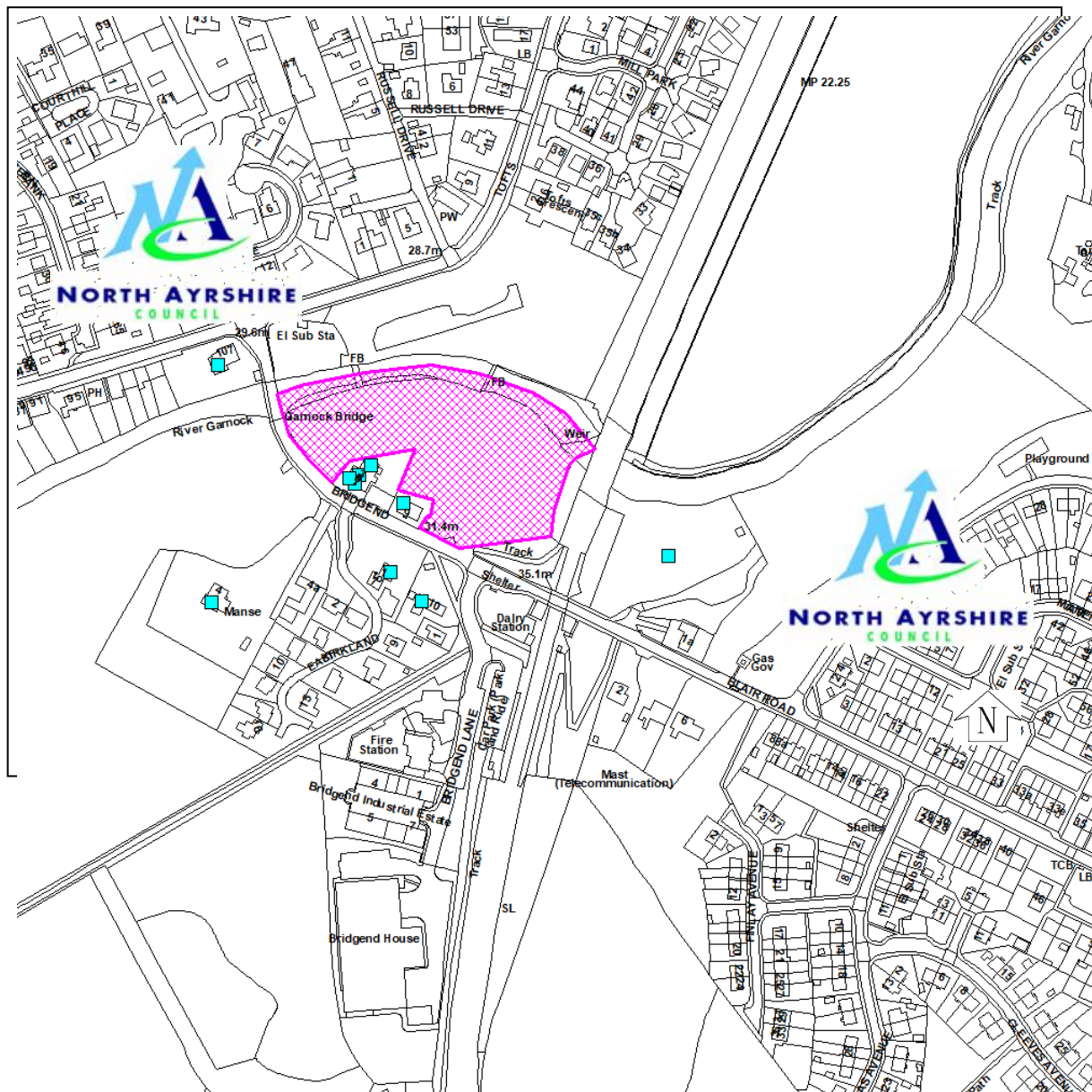
To safeguard the development and the surrounding area against any adverse environmental impacts.

James Miller
Chief Planning Officer

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

Appendix 1 – Location Plan

DO NOT SCALE Reproduced from the Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office © Crown Copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. North Ayrshire Council Licence Number 100023393.



NORTH AYRSHIRE COUNCIL

1 December 2021

Planning Committee

Title:	Hunterston PARC Development Framework
Purpose:	To seek approval of a Development Framework for Hunterston PARC.
Recommendation:	It is recommended that the Planning Committee approves the Hunterston Development Framework (Appendix 1), which will inform proposals and be a material consideration in the determination of future planning applications for the site.

1. Executive Summary

- 1.1 Hunterston is a regeneration opportunity of national significance within North Ayrshire. It is identified as a Strategic Development Area by the Adopted Local Development Plan; within the Scottish Government's Green Investment Portfolio and as an Ayrshire Growth Deal project. Draft National Planning Framework 4, laid in Parliament on 10 November 2021, designates Hunterston and the Hunterston A power station site as a National Development in support of the redevelopment and reuse of existing strategic assets and land contributing to a net zero economy.
- 1.2 This report seeks approval for a development framework for Hunterston PARC which has been prepared and submitted to the Council by site owners Peel Ports Group. The development framework seeks to inform detailed proposals for Hunterston by highlighting important considerations and establishing a layout for the site and, if approved, would be a material consideration in the determination of future planning applications for the site.
- 1.3 The framework seeks to deliver Peel Port's vision to create a nationally significant energy and marine campus. Underpinned by three key components: marine yard, port and industry, the development framework considers how to maximise the opportunity provided by the site and its assets to accommodate different uses and users to deliver a start-up hub for research and development; commercial premises and innovative industries, with a focus on energy and the blue/green economy.
- 1.4 It is assessed that the proposed Development Framework aligns with the Local Development Plan and the identification of Hunterston as an area where co-ordinated action and a masterplanned approach is required.
- 1.5 At the meeting on 19 June 2019, the Planning Committee considered an earlier Master Plan by Peel Ports Group.

2. Background

- 2.1 The Development Framework applies to deep water port, former bulk terminal and marine yard at Hunterston which is in the ownership of Peel Ports Group and referred to as Hunterston PARC (Port and Resource Campus). Including intertidal areas – largely covered by the Southannan Sands SSSI – the site extends to approximately 1000 acres (405 ha) of which 320 acres (130 ha) is previously developed, brownfield land.
- 2.2 The connectivity of Hunterston is highlighted in the Development Framework as part of the analysis of the site, its context and conditions. The potential of the site to enable multi-modal transportation encompassing the deep-water port, access to the strategic road and rail network and local active travel routes is considered a key asset of the site. Detailed Transport Statements will be developed and accompany future proposals to identify requirements and opportunities for mitigation and enhancement of the site's connectivity.
- 2.3 The Development Framework describes the biodiversity interests near the site, including the Southannan Sands SSSI. Development of the Hunterston PARC may require an Environmental Impact Assessment and/or a Marine Licence, depending on the exact scale, location and nature of proposals that come forward. Peel Ports have appointed a consultant to undertake a review of the site's biodiversity and to provide recommendations for site management. Furthermore, a 'natural capital accounting' process is being undertaken as part of the wider strategic thinking for Hunterston. This will support the aspiration of the Development Framework to enhance the natural environment that makes up the majority of the site alongside its regeneration. This approach is not intended to duplicate regulatory processes that will remain required as defined by legal provisions.
- 2.4 Other planning considerations connected with the future development of the Hunterston PARC site are also considered by the Development Framework. These include flooding and drainage; contaminated land; built heritage; the potential visual impact of new development; and impacts on residential amenity, including noise. To help address these matters ahead of the full details of proposed development coming forward, additional reports are being undertaken including a Desktop Remediation Strategy; Drainage and Flood Risk Strategy and the creation of design principles. This work will inform future planning applications and associated assessments.
- 2.5 The vision for Hunterston PARC is a nationally significant energy and marine campus which brings together leading industry operators, universities and the latest innovators in areas including power generation and the blue/green and circular economies. A proposed site layout proposes how uses under three pillars - marine yard, port and industry – can make best use of the site. The main elements of the layout proposed by the Development Framework are as follows:

Innovation Campus

- 2.6 Reflecting the aspirations of the Ayrshire Growth Deal to support innovation, jobs and the development of an inclusive economy an Innovation Campus is proposed at the north of the Hunterston PARC site. The campus will re-purpose and modernise the current control tower and offices and laboratories to offer market-ready research and

development offices, incubator hubs and education facilities with the aim of stimulating collaboration and innovation. The location of the campus within the site is aimed at maximising the campus's presence, opportunities for connectivity and facilitating relationships with the community and existing business. Provision is also included in the Development Framework in this location for ancillary development to provide amenities to the wider site.

Industry

- 2.7 A significant proportion of the Hunterston site is earmarked for industrial development, with Annex B identifying potential uses. Many of these uses have a focus on 'green energy', including renewable energy manufacturing and generation; grid connectivity and stabilisation; battery storage but also include logistics and distribution; data centres and land-based aquaculture.

2.8 Marine Yard and Port

The marine yard and port remain key features of the Development Framework and Hunterston's planned future. The existing infrastructure and conditions, namely the 450-meter long jetty and natural deep waters are identified as key to the development of the site. Both present the opportunity to support the offshore wind industry and the decommissioning of oil and gas assets as we transfer to a zero-carbon economy. Other port uses, including bulk imports and exports and inspection, repair and maintenance are identified as potentially acceptable uses.

- 2.9 Finally, the Framework includes a commitment to undertake a review every five years or sooner if circumstances dictate.

Planning Assessment

- 2.10 Strategic Policy 3 of the Adopted Local Development Plan (LDP2) identifies Hunterston as a Strategic Development Area. The strategic development areas policy sets out the key factors to be considered in developing these major areas of change. LDP2 recognises the strategic national importance of Hunterston as an energy hub and deep-water port. A range of uses at Hunterston are supported by the plan, including: renewables generation, manufacture, maintenance, research and development, testing and training (including support for a renewables skills academy); strategic grid connections; maritime construction and decommissioning; bulk handling facilities for importing, processing and distribution; local biomass energy generation and storage, processing and distribution uses and general light industrial activities.
- 2.11 LDP2 also states that Hunterston is a site where co-ordinated action and a masterplanned approach is required. The LDP promotes the use of masterplans for identified Strategic Development Areas in order to co-ordinate development in a manner that supports the creation of sustainable and successful places. While remaining necessarily high level, the submitted Hunterston PARC Development Framework supports this approach, providing a positive basis on which to develop detailed proposals for individual elements of the site. It will be complimentary to the workstream looking at the strategic aspirations across the wider Hunterston area, including the PARC site, emerging through the Hunterston Strategic Development Area Working Group.

- 2.12 It is assessed that the proposed Development Framework accords in principle with Strategic Policy 3 of the Local Development Plan, both in terms of the proposed uses and the layout of these uses within the site. Detailed proposals for Hunterston PARC will be required to demonstrate that there would not be any adverse impact on the environmental quality of North Ayrshire and be assessed against the policies of the LDP in any future planning application. The Development Framework and associated work will support robust applications coming forward that address the key issues associated with the site.
- 2.13 North Ayrshire Council, along with Scottish Enterprise and site owners Peel Ports, support the inclusion of Hunterston as a National Development in Scotland's fourth National Planning Framework (NPF4). A draft of NPF was laid in Parliament on 10th November and designates Hunterston and the Hunterston A power station site as a National Development in support of the redevelopment and reuse of existing strategic assets and land contributing to a net zero economy. The proposed designation extends to a range of uses, including: harbour infrastructure; bulk handling, storage, processing and distribution; marine energy generation technology fabrication, servicing and decommissioning; industry, commercial uses, research and development and training; and infrastructure relating to captured greenhouse gas emissions, low carbon and renewable hydrogen and renewable electricity.
- 2.14 Alongside Parliamentary scrutiny of the draft, wider consultation on NPF4 will run until 31 March 2022. Further consideration will be given to the designation of Hunterston in the Council's response to the consultation in due course.

3. Proposals

- 3.1 It is proposed that the Committee approves the Hunterston PARC Development Framework as a material consideration in the determination of any future planning applications for the site.

4. Implications/Socio-economic Duty

Financial

- 4.1 This report has no financial implications.

Human Resources

- 4.2 None.

Legal

- 4.3 If approved, the Hunterston Development Framework will be a material consideration in the assessment of future planning applications for the site.

Equality/Socio-economic

- 4.4 None.

Environmental and Sustainability

- 4.5 The Development Framework has highlighted a number of environmental factors that require further consideration. A full assessment of sustainability and environmental impacts will be undertaken as part of future planning applications.

Key Priorities

- 4.6 The Hunterston PARC Development Framework seeks to deliver on a number of the Council's key priorities, including: children and young people experiencing the best start in life; an inclusive, growing and enterprising local economy; vibrant, welcoming and attractive places; and a sustainable environment.

Community Wealth Building

- 4.7 The Development Framework highlights the aims of community wealth building in North Ayrshire. Although the site is in private ownership, supporting the wider regeneration of our communities by maximising all of our land and assets is a key pillar of the Community Wealth Building strategy.

5. Consultation

- 5.1 A one-month period of public consultation on the development framework was undertaken by Peel Ports Group between 1 September and 30 September 2021. A full summary of consultation process, comments received, and Peel's response is provided at Appendix 2. This consultation builds on a most extensive consultation process undertaken by Peel Ports Group on an earlier Master Plan in May 2019, to which the Planning Committee agreed a response at its meeting on 19 June 2019. The Planning Service has continued to engage with Peel Ports to support the development of the Development Framework, seeking cross-service input where appropriate.

JAMES MILLER
Chief Planning Officer

For further information please contact **Alistair Gemmell, Strategic Planning Manager**, on **01294 324005**.

Background Papers

0

Hunterston PARC

Development Framework
October 2021

Final Draft



1. Introduction

Overview

Hunterston PARC offers an unrivalled combination of space, facilities and connectivity for Scottish Industry with energy at its heart. At nearly a 1,000 acres the site is multi-faceted with 320 acres of brownfield land, a SSSI, a lagoon and a large wooded area under a tree preservation order.

One of the key elements of the Hunterston Parc framework is a research and development campus which will offer an incubator space for new research primarily in the blue/green economy.

Green economy strategies tend to focus on the sectors of energy, transport, sometimes agriculture and forestry, while the blue economy focuses on fisheries sectors and marine and coastal resources. Both incorporate strategies to address climate mitigation and adaptation. This campus will sit within the blue green principle underpinned by the three pillars of the site of Industry, the Marine Yard and the Port.

The development of Hunterston PARC is part of a wider programme with the Ayrshire Growth Deal, offering circa £250 million (of which £18 million is allocated for Hunterston) for the Ayrshire region to level up to other parts of Scotland and the UK as a whole. This development has the potential to transform the Region over a 5-20 year period.

What is proposed?

Under three identified Key themes of Port, Industry and Marine the site intends to offer a clear potential to help deliver on important challenges facing Scotland and the UK. A table of potential uses is in the Appendix (B) which give granularity to the ability to help tackle climate change (NetZero 2045) assisting in the delivery of the circular economy, utilising existing significant grid connections after the closure of Hunterston B, exercising the ability of multimodality (Rail, Sea and Road) and the important reuse of world class existing assets helping to tackle increases in carbon production.

The purpose

Building on previous consultations we are now bringing forward a proposal for a development framework in compliance with Local Development Plan 2 (LDP2) and our previous Master Plan consultation for the repurposing 320-acres of brownfield land in a land holding of 1000-acres ownership, which offers a fantastic opportunity for regeneration and enhancement of natural capital for North Ayrshire and beyond.

The development framework which is the subject of this consultation seeks to maximise the opportunity provided by this site by proposing what is seen as the optimal layout, or mix of uses. There will be additional opportunities to comment on more detailed proposals as planning applications are submitted for parts of the site in line with this framework.

What is the blue/green economy?

1. Blue Economy

Sustainable use of ocean resources for economic growth improving livelihoods and jobs

2. Green Economy

Natural capital as a critical economic asset and a source of public benefit

3. Blue Green Economy

Offering a more resilient sustainable growth through low impact industries and modern technologies



1. Introduction

Alignment

The Framework is aligned with the emerging strategic aspirations across the wider identified Hunterston area (Local Development Plan2), which includes the PARC site, and is ahead of the work of the Hunterston's strategic working group. It is intended that Hunterston PARC will adhere to the emerging thinking for the site regarding inward investment innovation such as the capacity in blue, green and circular economy sectors and overall in assisting and providing a platform for supporting Ayrshire Growth Deal investment.

Whilst this Framework will be ahead of this process, it is not envisaged that material changes will be required to the Hunterston PARC Framework once the strategic aspirations are formalised, however this will be kept under review every 5 years or sooner if circumstances dictate to ensure it can comprehensively support Ayrshire Growth Deal project activity.

It is intended to use natural capital accounting process as part of the wider strategic thinking linked to environmental considerations for the Framework and subsequent projects. The natural capital accounting process is not intended to duplicate regulatory processes that will remain required as defined by legal provisions, but there will be an interface which will be considered.

Interested parties are asked to consider this framework and respond to the following key question: Do you have any views on the proposed development framework or range of uses at Hunterston PARC?



2. Consultation Purpose



What was the purpose of this consultation process?

The consultation process provides the opportunity to share your views on the proposed development framework uses on the Hunterston PARC site, to follow on from the consultation upon the Master Plan in May 2019.

How were comments received on the proposal?

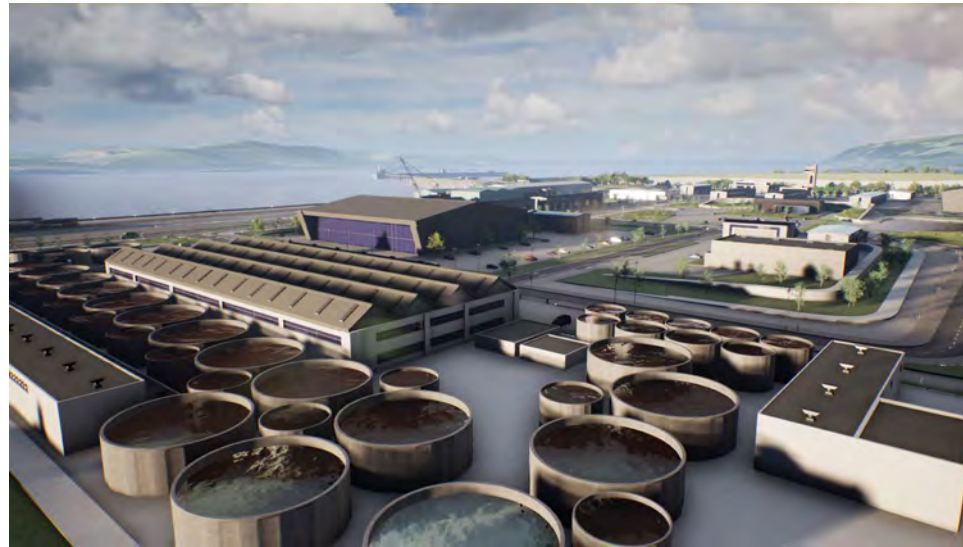
Comments were invited via the following email address: HunterstonParc@peelports.com from the 1st September until the 30th September 2021.

What happened to my comments?

Your comments are be kept confidential and are not attributed to individuals. All comments were collated and considered by the Hunterston design team for future development. A consultation report was prepared which summarises the output of the consultation and where changes were taken on board and provide reasons why.

Will there be further opportunity to comment on the proposal?

There will be additional opportunities to comment on more detailed proposals as planning applications are submitted for individual parts of the site. This will occur after we seek approval of this Development Framework by North Ayrshire Council



Images right: CGI's of potential future developments

3. Site Analysis and Context



History & Context of Hunterston

Hunterston has a rich history, as a safe harbour, a Port, and as part of the wider area of two nuclear power stations and the historic Hunterston Estate, to the South, granted to the Hunters by David I of Scotland in the 12th century, with the heads of the clan having lived on the estate for the last 900 years.

Reference to the longevity of the Hunters was made in the opening of the terminal in 1979 with the presentation of a symbolic coin to the Queen, for payment of rent for the lands at Hunterston.

The coastline has offered such advantage that its strategic position has provided opportunity for the development of energy related services which have benefitted the UK as a whole.

The 20th Century saw the development of Hunterston A and B nuclear power stations and the development of Hunterston as an import terminal to service the production of British Steel at Ravenscraig. This, undoubtably changed the fortunes of those that worked

there providing many skilled and unskilled roles to support the communities in the locality. There is a strong community spirit longstanding within Fairlie, with many residents very proud of the area in which they live and work.

Hunterston was a very busy coal import terminal, importing product from the Americas predominantly to service the Power stations at Longannet and further afield, mainly by rail.

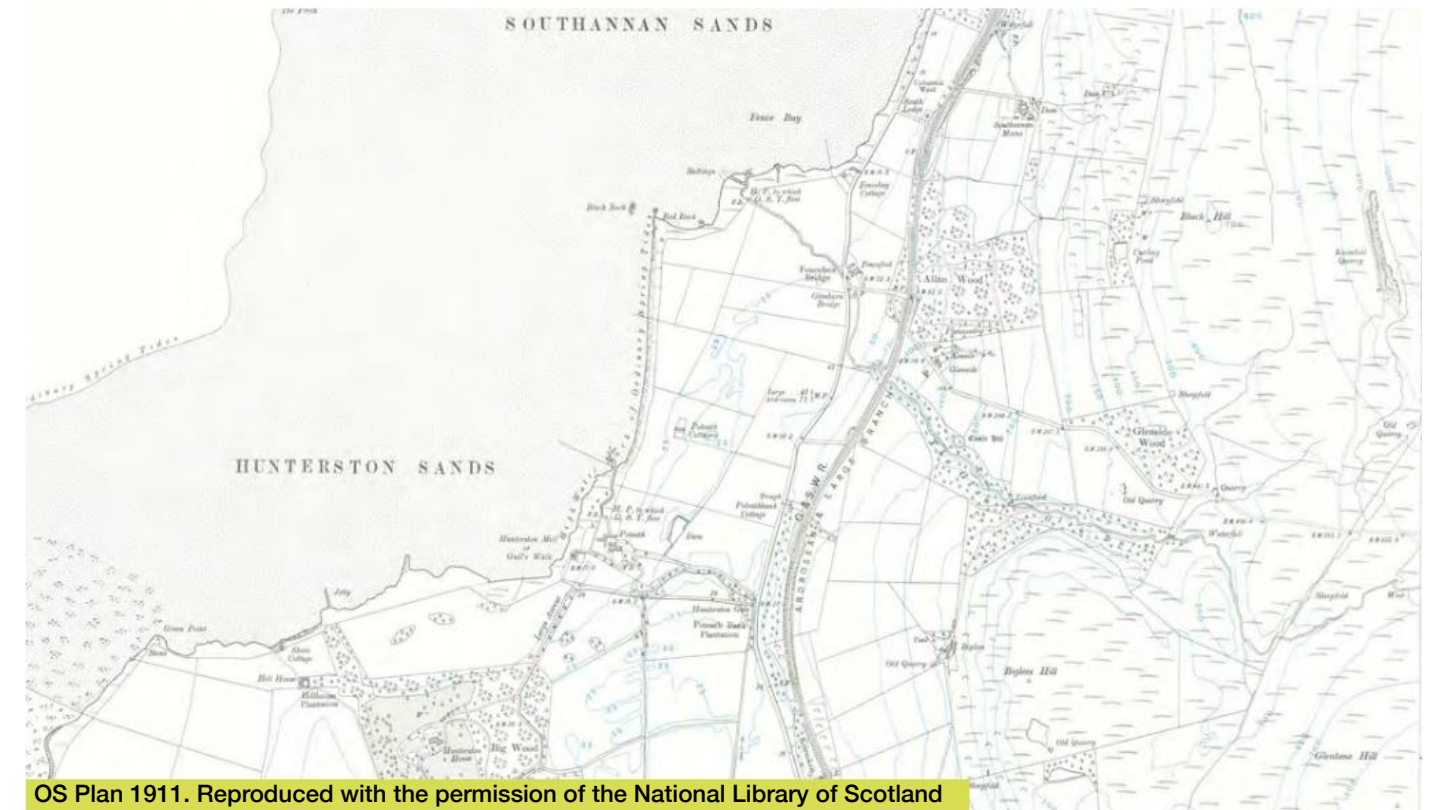
Although the importation of Coal is no longer conducted (since 2016) the site is still irrevocably a well-designed and connected place.

The rail heads are still in use by EDF, for the safe and reliable movement of flasks from Hunterston B, with this becoming more frequent over the next few years whilst the site is de-fuelling and being decommissioned. We will work very closely with EDF to ensure that this relationship is continued and brought closer as we support them in this nationally important phase.

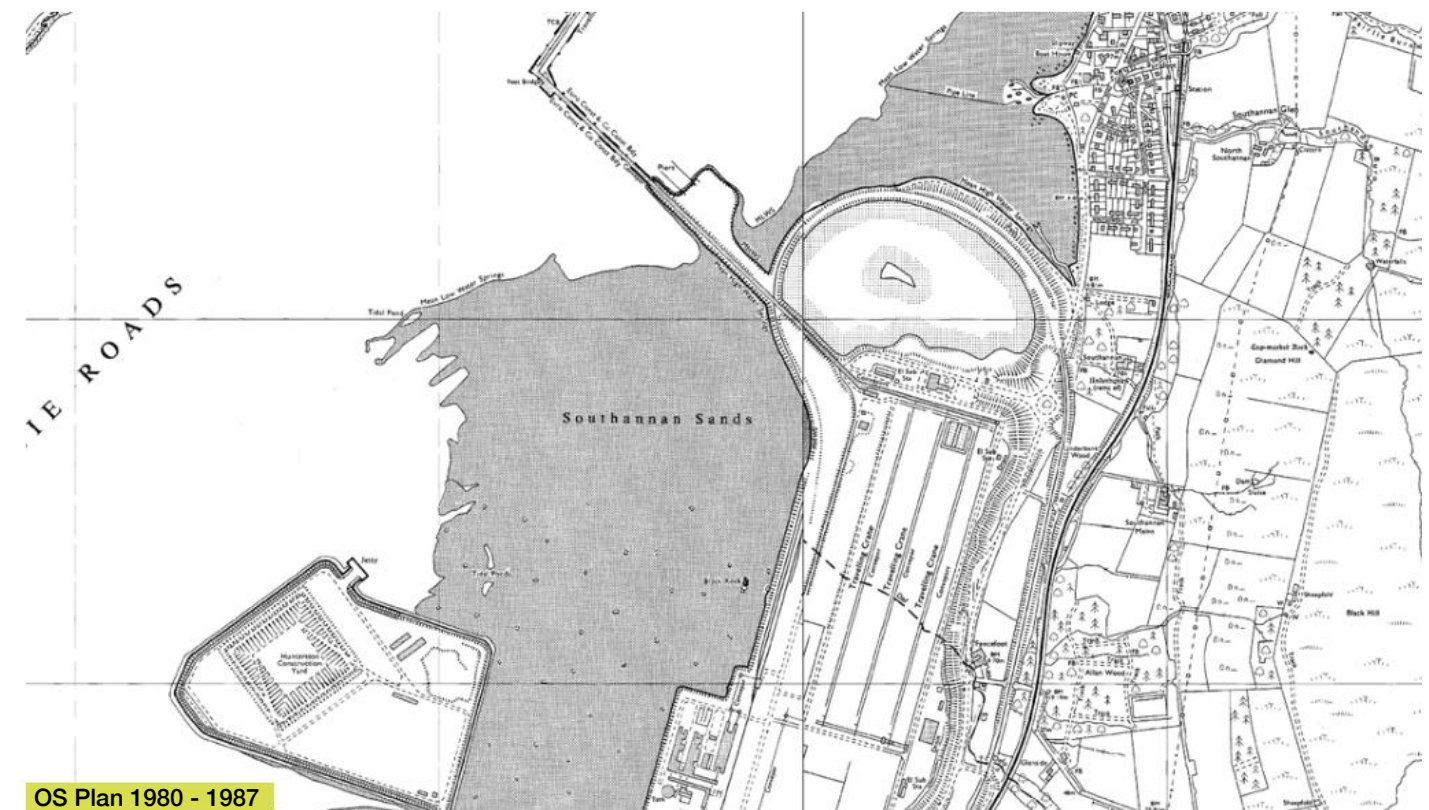
From 2008-2012, the site was considered for a coal powered power station with Peel Energy and DONG Energy promoting this as Ayrshire Power. The company proposed the Hunterston Power Station, a 1600 megawatt coal-fired power station in Scotland.

This was heavily opposed by local and national interests who didn't want a new coal powered station given the evidence of the release of carbon into the atmosphere, even with a carbon capture element that was proposed to reduce this extensively.

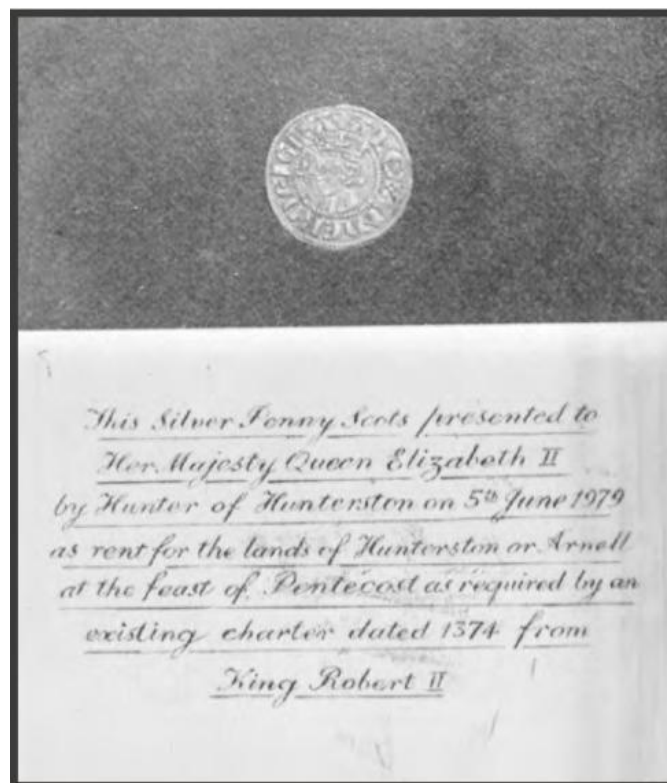
The scheme would have also required to have used some of the SSSI to accommodate the scheme. Peel Energy withdrew the proposals and the scheme did not progress. Hunterston continued to be a coal import terminal until its closure in 2016 with the direct loss of 130 jobs.



OS Plan 1911. Reproduced with the permission of the National Library of Scotland



OS Plan 1980 - 1987



3. Site Analysis and Context

Fairlie

Fairlie began as a fishing village providing good, sheltered anchorage that was fully used in the 16th century. A turnpike road was built from Greenock to Stranraer in the 18th century and merchants and master mariners began to move into Fairlie.

The channel between Fairlie and Cumbrae (Fairlie Roads) was a popular anchorage for merchant shipping, mainly to avoid the dangers of press-gangs at Greenock and the customs could be easier avoided if anchored at Fairlie.

It was in the late 18th century that John Fyfe came from Kilbirnie to set up business as a cartwright in Fairlie.

His son William (1785–1865) founded the Fife & Son shipyard in Fairlie in 1803 to which William's grandson William Fife III (1857–1944) brought international recognition as a prolific designer and builder of sailing yachts on the beachfront of Fairlie, this became known as the 'Fife Dynasty', these three generations of boat building by William Fife's I,II,III produced are coveted, with the large and now rare racing yachts selling in excess of £2 million. The Fife regatta has been held five

times since 1998 and celebrates the home and waters of these magnificent sailing boats.

To the North of Fairlie are the Kelburn lands, with a fine castle, where members of the Boyville (Boyle) family have been since the 12th century. David Boyle was honoured in 1703 by being created 'Viscount Kelburn' and 'Earl of Glasgow'. One of the later Earls, in 1850, had a wall built round the estate to give work to the poor people of the area with the present Earl greatly improving and developing the estate for the 21st century via new initiatives.

It is now a country centre, open to the public, and attracts many visitors from far and wide. Four of the world's leading graffiti artists created a unique, colourful art work on the south side of the castle in an graffiti art project with the style hailing from Brazil. It received huge media coverage given that the property is a historic rural category A listed castle.

In 2011, the mural was named as one of the world's top 10 examples of street art by author and designer Tristan Manco – on a par with Banksy's work in Los Angeles and the Favela Morro Da Providencia in Rio de Janeiro.



Image: MoonBeam, William Fife III, Photograph By Ludovic Péron - Own work, CC BY-SA 3.0

4. Location

The proposed site is located at Hunterston, 320-acres of brownfield development land owned by Peel Ports Group following the purchase of Clydeport's portfolio in 2003.

The site is bounded to the south and east by a large, purpose built bund which has an extensive Tree Preservation Order on it. This provides excellent screening to the previous iterations of the site and now provides a healthy biodiverse area, low on human interference. Beyond this to the south is Hunterston Estate, with the Castle built in 1263, and the Mansion House started in 1799 and comprising of 72 rooms. and still in the ownership of the original family the Hunters. It has been used extensively as a filming location since the 1990s.

The Nuclear power stations A and B beyond that, one in long term decommissioning and the other, B about to be decommissioned. To the north of the site is a purpose built lagoon and bird sanctuary which also provides extensive habitat for a wide range of birds such as Heron, Wigeon, Greenshank, Goldeneye and Dunlin.

The principal former use of the site was as an import iron ore and coal terminal to service Ravenscraig Steelworks station and Longannet Power Station. Hunterston has been largely vacant since 2016, with Cumbrae Oysters and EDF still in occupation.

Given its size, condition and central location, the positive development of the site will make a huge contribution to the regeneration of the area, both economically and physically. Hunterston forms part of the energy coastline and is part of a unique identity and character. The site is intrinsically connected to Fairlie and Largs to the North and Seamill to the South therefore development of this scale in this area will have benefits for the wider area.

There are opportunities for attracting a greater number of employees, new residents and commuters from outwith the area, with people drawn to the improved and redesigned facilities and the opportunity for jobs in a world class setting.

Hunterston is recognised in the National Renewables Infrastructure Plan (NRIP) site (Area of co-ordinated action) and as a key port. North Ayrshire Council have identified Hunterston as a 'Strategic Development Area' in Local Development Plan 2 (LDP2) where strategic

national importance as an energy hub and deep-water port are recognised.

Employment Site in the Regional Economic Strategy and Local Development Plan 2 as a Port and Energy Hub, Strategic Development Area 1.

North Ayrshire, Peel Ports and Scottish Enterprise support the designation of Hunterston as a National Development in National Planning Framework (NPF4) which is currently under preparation.

Hunterston PARC is one of 10 national and internationally important investment sites within the Scottish Government's Green Investment Portfolio, and is nationally recognised.



5. Consultation to Date

Pre-Engagement Activity

In April 2019, stakeholders were informed that there was an intention to bring forward a Concept Masterplan for the Hunterston site, and that a series of consultation events were arranged, an email address and website were set up for people to comment, a letter drop and a council meeting was organised to inform the local council representatives of our intention to undertake a public consultation.

Consultation

The consultation was held over a six week period from 16th May to the 28th June 2019 with public consultation held in two different locations of Millport and Fairlie.

The findings from this were published in a consultation report in February 2020 which provide a comprehensive grouping of thoughts, comments and proposals for the site. Right is a summation of the most discussed and raised points.

Of the 145 online and written responses that were received in response to the survey were residents predominantly. More than half of the respondents (54%) felt the redevelopment of Hunterston is important to the local economy.



6. Connectivity

Introduction

Hunterston PARC is able to absorb the majority of movements via multi-modality given the good connections to, an on-site rail head, railway sidings, the road network, and a jetty capable of hosting Cape Size vessels. Detailed Transport Statements will be developed and submitted with future planning applications, potentially offering mitigation and enhancements if identified for the scheme through the development phase and then assessed by statutory consultees such as Transport Scotland.

This section sets out key transport and connectivity issues which have informed the development framework.

Wider Connections

Transport Scotland is currently considering the future of roads, trains and cycle paths in Ayrshire over the next 20 years with the agency presenting 138 potential ideas for investment across the region which Hunterston will be part of. The options are being weighed up as part of the strategic transport projects review (STPR2) and comments are sought in the winter of 2021.

Within the region, the most likely impact on the network once Hunterston is productive is that it has the potential to affect traffic flows on the A78 and A737 with increased traffic movements. Both of these roads have been identified as requiring 'Corridor Improvements' by STPR2. North Ayrshire Council have responded to STPR2 (March 2021) which expanded on this issue:

'...access to Hunterston which has been identified within the National Planning Framework as a key deep-water resource with significant potential to support both transport and energy sectors. The NPF acknowledges the need to support a National Development at Hunterston with infrastructure improvement, in particular the A78/A737.'

It would help to meet both national and local development aspirations by providing an upgraded link between the A78 and A737 strategic routes. Substantial resources are being invested in both Hunterston and Ardrossan through the Ayrshire Growth Deal, with £18m secured for the Centre for Research into Low Carbon Energy and the Circular Economy at Hunterston...it would reduce journey times, reduce accident rates and provide a more direct route between North Ayrshire and the M8.'



6. Connectivity



Peel Ports commits to supporting North Ayrshire Council in their identification and bidding for funding from UK government for nationally identified roads needing **‘infrastructure improvements’**. Any improvements to these roads would align with the nationally identified need to help promote economic growth and the enablers required to do this in a sustainable manner and in the case of North Ayrshire within the context of the Ayrshire Growth Deal. Should upgrades be required to infrastructure, we will be looking towards the public sector, as per the approach at Ravenscraig, where £120 million allocated in a joint venture as a comparable as a strategic development site.

As the rail network is still functioning and providing service to a third party at present Peel is able to and in line with Peel’s commitment to multi-modality absorb, grow and develop any haulage that is rail compatible from the redevelopment of Hunterston PARC.

The Jetty in recent years has seen huge change, with the removal of the cranes and the conveyor belt, it is now available for many other types of vessels to access the site. Future schemes could include specialised vessels for offshore cable laying which would allow manufacture and distribution from site to vessel without using the national road network increasing multi-modal usage on site.

Peel Ports predominantly is a Port operator with the overall objective to maximise port usage. However, we acknowledge that the offer of ‘choice’ via multi-modality is necessary to promote modal shift. Therefore, Peel Ports commit to maintaining the internal rail network, the jetty and to maintain the on-site approaches to the A78. Peel Ports will be able to contribute positively to transportation methods by offering this.

Routes and connections

The principal means of access into Hunterston is via vehicle from the A78, there is a well serviced train and bus link travelling north to Largs and south to Irvine and Glasgow in the east.

The development framework considers the long-established accesses to the north and south of the site and consideration will be given to the internal

traffic throughout the whole land footprint rather than concentrating it at one location.

As the primary connections are already in place the secondary connections will be defined and planning permission and advice from North Ayrshire Council will be sought.

Tertiary connections which could include cycle ways and footpaths will be enhanced or protected from development if they are deemed essential to biodiversity.

Hunterston PARC offers an opportunity to create a safe campus style setting offering unparalleled views along a beautiful stretch of the coastline. Along with well-established footpaths and a cycleway it offers multi-modality to and from the site for all users.

The development of the site is to embrace these potential connections and utilisation of the site by the local community to access services on site, such as a petrol station or a coffee shop, which are compliant with

policy 7 of the LDP2, which allows non-industrial uses within Business and Industry employment locations such as Hunterston to provide ancillary services.

There will be clear active internal travel connections running north - south and east - west throughout the site. These will connect the development with existing residential neighbourhoods, cycle routes, local bus and train services.

The Cycleways and footpaths will allow for local residents and commuters to take alternative modes of transport to travel to and from the site for work or leisure. On site encouragement of multi-modal choices to commute could come from a green travel plan, staff schemes to purchase bicycles and incentives for staff to travel together if arriving at the PARC by vehicle.

The proposal scheme for Hunterston PARC provides an existing and well-designed important site with internationally important infrastructure, and connections creating a destination site for the Ayrshire area and beyond.

Neighbourhood Connections

The site stands in isolation and was purposefully designed in this manner, but this does not mean that it is closed. Peel Ports intend to open some of the site to use for footpaths and provide additional connections to existing networks.

Parking for the Area

The development will incorporate an innovation park with current parking layout re-utilised. Parking associated with the Port, Industry and Marine Yard and commercial uses can also be accommodated on site easily.



7. Policy Context

Strategically located port

Hunterston PARC is able to serve a variety of different businesses, facilitating the import and/or export of goods from Scotland to the rest of the world.

Our extensive 450m main outward jetty length, helipad and 36m draught is unparalleled in the UK and allows vessels to be accommodated alongside with ease and simplicity.

The ability to approach the terminal's jetty negates extensive manoeuvring and in suitable conditions would also render tugs unnecessary for most vessel movements. It offers importers and exporters opportunities to deploy the biggest carriers all connected by excellent road and onsite rail links.

Scotland's National Planning Framework 3 (2014) Ambition. Opportunity. Place

The National Planning Framework 3 (NPF3) sets the context for development planning in Scotland and provides a framework for the spatial development of Scotland until the publishing of NPF4 which is expected to be adopted in 2022. The NPF identifies national developments and other strategically important development opportunities in Scotland, where Hunterston has long been identified as a priority for industrial and employment use.

NPF4

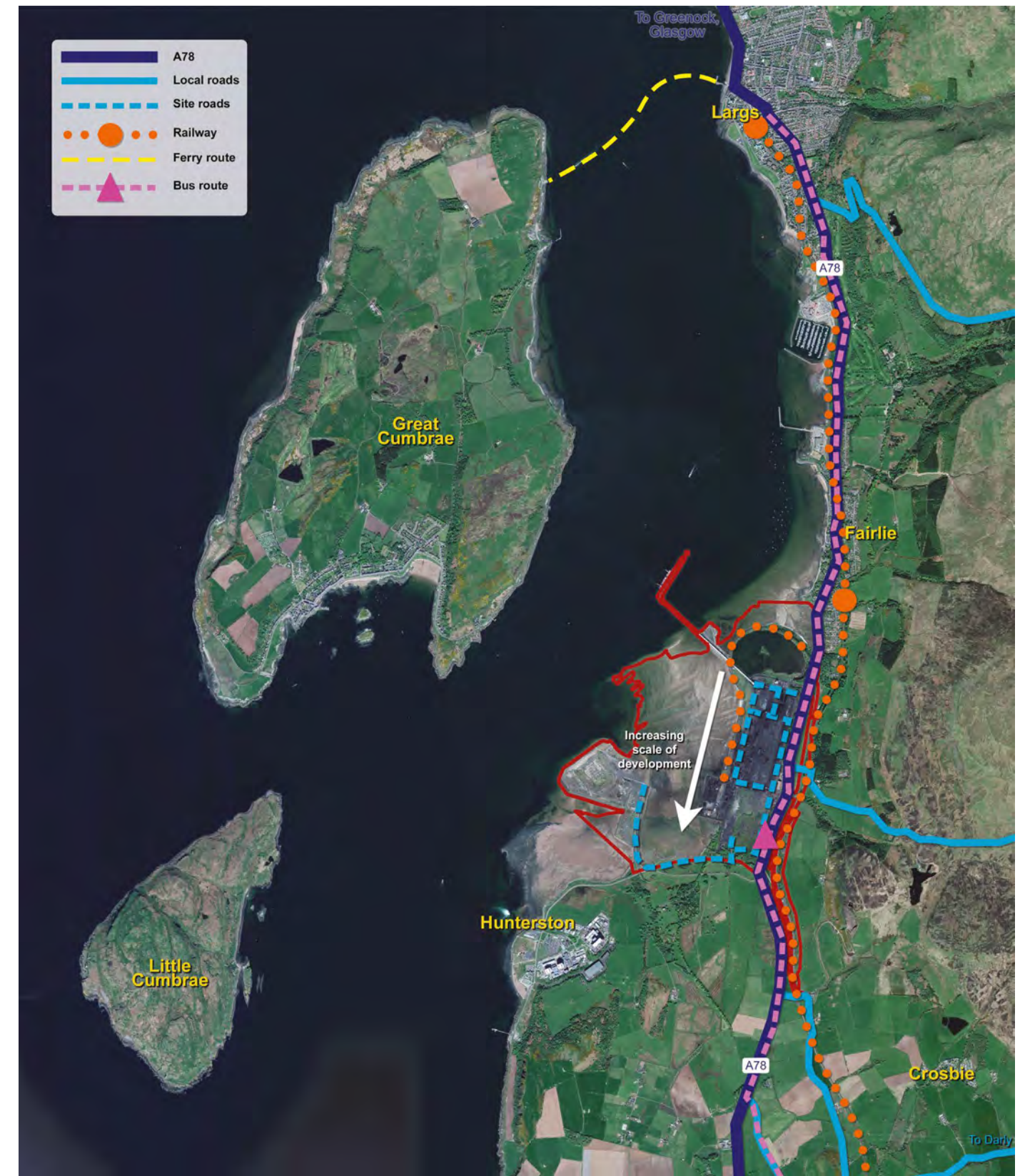
The emerging National Planning Framework (NPF) is a long term plan for Scotland (to 2050) that sets out where development and infrastructure is needed to support sustainable and inclusive growth. NPF4 will incorporate Scottish Planning Policy (SPP) which contains detailed national policy on a number of planning topics. For the first time, spatial and thematic planning policies will be addressed in one place, and will have the status of the development plan for planning purposes. NPF4 will also take into account regional spatial strategies which will be prepared by local authorities.

National Renewables Infrastructure Plan 2014

The objective of the national renewables infrastructure plan is to make sure that appropriate sites are available in the right locations to provide the platform for the growth of industry. It states that having the right locations for the industry is critical if Scotland is to become a home for the offshore renewables supply chain. Hunterston is acknowledged within this plan as possessing the potential for large scale manufacturing, assembly and fabrication operations.

Regional Spatial Strategy

Regional Spatial Strategies (RSS) are long-term spatial strategies which specify the area/s to which they relate, and identify the need for strategic development, the outcomes to which strategic development will contribute, priorities for the delivery of strategic development, proposed locations which are to be shown in the form of a map or diagram.



7. Policy Context



North Ayrshires Local Development Plan 2: 2019

The Local Plan sets out how North Ayrshire Council aim to guide development and investment in the area over the next 20 years.

Hunterston is identified as a Strategic Project in recognition of the national importance of Hunterston as an energy hub and a deep-water port.

Permitted Development

There are instances whereby operations at Hunterston Parc are dependent upon implementation of development projects that entail some form of reconfiguration in layout and/or the erection of buildings. Under the terms of The Town and Country Planning (General Permitted Development) (Scotland) Order 1992 Hunterston PARC benefits from several concessions such that there is no necessity to apply for formal planning permission as follows:



Part 13 Class 35:

Development by Statutory Undertakers in respect of Dock, pier, harbour, water transport, canal or inland undertakings

This class permits development upon our operational land as undertakers and by our lessees, for shipping and for dock, pier or harbour related activities (for passengers, livestock or goods), or connected with the movement of traffic by canal or inland navigation, or any railway forming part of the undertaking.

The availability of the rights is significant in terms of our operational port requirements. For example, there are often scenarios whereby buildings, are required at short notice for the safe and weatherproof storage of import or export cargoes.

It is of course acknowledged that where such projects are likely to result in significant environmental effects, these rights are overridden such that an Environmental Statement would be required in association with a formal planning application. Likewise, we are mindful of relationships with local planning authorities and those third parties potentially affected in our exercising of these rights. For this reason, the Port actively engages and consults with Council representatives and any local residents that may reside in close proximity prior to undertaking any development works.

Part 13 Class 37:

Dredgings

This class permits the use of any land for the spreading of dredged material by those statutory undertakers listed. Whilst much of marine dredging are deposited offshore rather than on land. The incidence of dredging and deposition is of regular occurrence and as such the rights enjoyed under Class D are of critical operational importance.

Potential Planning Considerations for future developments on Hunterston PARC

Scale & Form

The proposed development will acknowledge and respond to the existing physical context. The setting of the site with its purpose built bund and planted tree screening, the two Nuclear power stations to the south and hilly landscapes to the east all offer a strong setting and edge for the majority of the site, which industry sites within.

The Island of Great Cumbrae to the west as a receptor with the village of Fairlie to the north is a combination of housing with 19th and early 20th century buildings in Fairlie of a linear community.

Housing generally on the outskirts and on the seashore are set within their own grounds and well screened from the road to the east with views over to and from Great Cumbrae in the west. The development of the PARC will take these receptors into account and inform future planning applications for development.

We would expect that due to the proximity of Fairlie Village all future proposals will undertake a thorough assessment of this potentially sensitive receptor with regards to increases in activity at Hunterston PARC. Therefore it will be typical that assessments in areas such as traffic, noise, landscape and visual will be expected with most of the future planning applications (dependent on factors such as job numbers and size of development).

Residential Amenity

Residential amenity will be considered at each planning application as it is a material consideration. However, we would expect that any applications on site would

minimise their impact in potential areas such as noise, dust, odour and traffic by providing relevant mitigation should it be deemed to be required through planning assessment. In particular strategic policy to: Placemaking of LDP2, with 'safe and pleasant' being relevant to this site.

Noise

During the consultation of this document the concern of potential noise was the most prevalent issue for respondents. Every scheme will have a different potential impact in terms of noise characteristics, this will be considered thoroughly at a planning application stage.

Visual Amenity/ Views and Vistas

Consideration of potential visual impact will be considered by the virtue of scale, massing and siting on Hunterston PARC through the planning process.

The maximising of opportunities for views from and to the site will be key to the 'campus feel' and providing a nice place to work. Therefore encouragement will be given to future occupiers to consider the orientation of buildings and windows to take best advantage of the setting, we will provide 'design principles' in a document produced as a result of this framework.

In it we will expect an adherence to the design principles on the blue/green campus, which will be most prevalent to the north of the site where the Research and Development Campus will be sited.

We have also commissioned several additional reports to assist future planning applications as listed below;

- Landscape Principles
- Desktop Remediation Strategy
- Biodiversity Study
- Drainage and Flood Risk Strategy

8. Site Conditions

Overview

The development of the site requires to consider site conditions, reflective of the history of the site and the uses it has accommodated. These site conditions are considered as follows:

Flooding and Site Drainage

The requirements for the design of surface water drainage for the site are set out in North Ayrshire Council's Drainage, Sustainable Urban Drainage Systems & Flooding:

Procedure Note For Prospective Developers (2019) and SEPA's Regulatory Method for Sustainable Urban Drainage Systems (WAT-RM-08; 2019), with the overarching drivers being the control of pollution and flood risk from site discharge. Also relevant is the approved Shoreline Management Plan for Ayrshire (2018) and in the context of potential sea level rise and coastal erosion impacts utilisation of the dynamic coast data set.

Pollution control is achieved by the design and implementation of an appropriate SuDS treatment train (consisting of one or more SuDS elements in series) complying with the Simple Index Approach as described in the CIRIA SuDS Manual (2015), with exception of high pollution hazard developments (e.g. lorry yards, sites where waste, chemicals or fuels are handled/managed/used/manufactured, and other industrial sites) which also require SEPA consultation and CAR licensing.

Flood risk control is generally achieved by ensuring that peak rates and cumulative volumes of site runoff do not exceed equivalent pre-development amounts, although exceptions to this requirement apply for discharge to transitional or coastal waters due to high dilution.

Options for surface water drainage can be categorised in terms of discharge pathway, with the following options available in order of general preference:

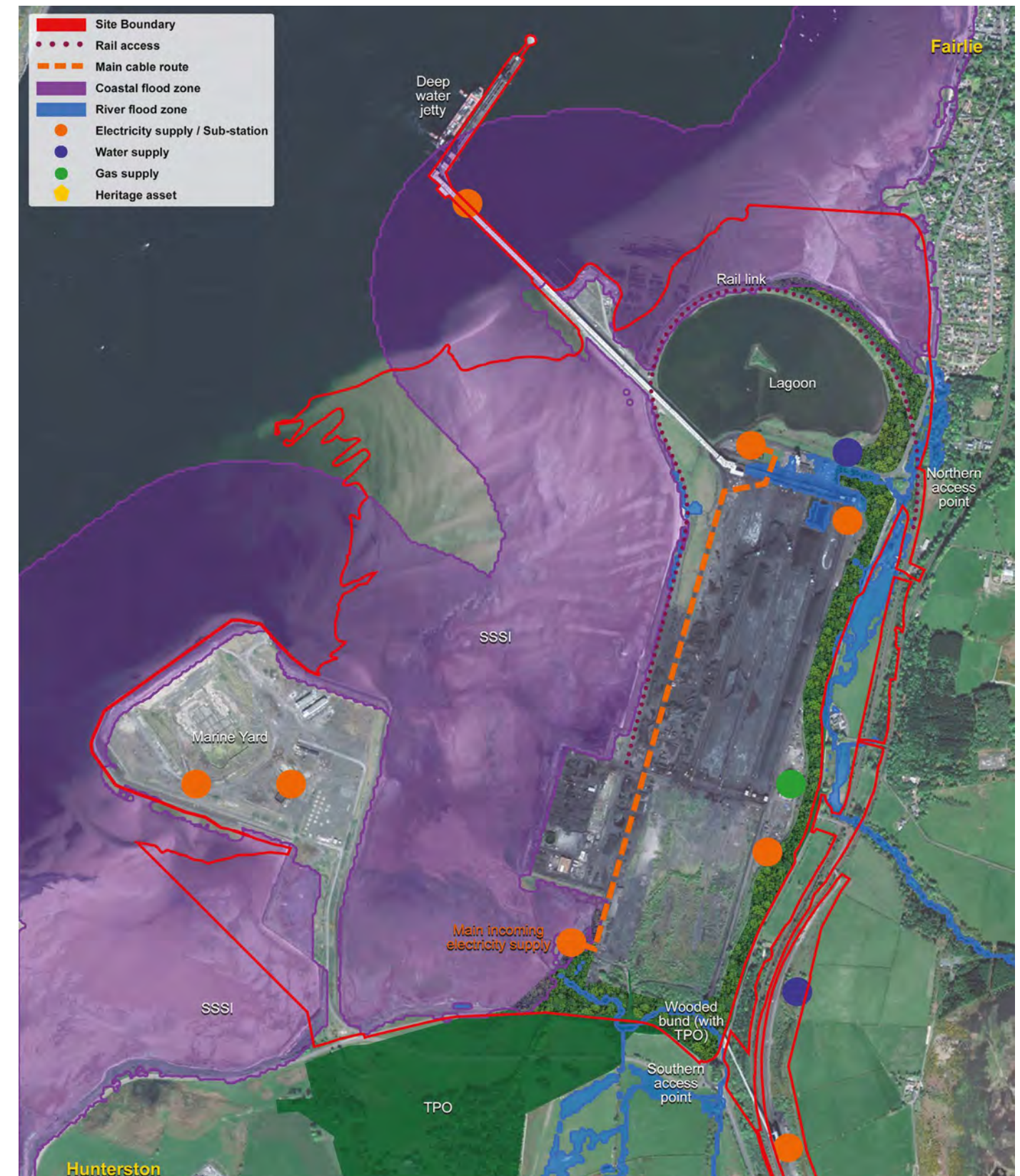
1. Discharge via infiltration
2. Discharge to coastal waters
3. Discharge to watercourse
4. Discharge to sewers

Infiltration is generally the preferred method for discharging surface water, as this mimics the behaviour of the natural landscape. Practically, it also removes the requirement for a discharge pathway beyond the footprint of the site and the potential need for discharge consent licensing. Infiltration is typically achieved using soakaways (for smaller collection catchments), infiltration trenches or infiltration basins, as well as infiltration-type pervious pavement designs.

The viability of infiltration is primarily dependent upon the subsurface permeability of the soil on site and depth to groundwater, although contaminant mobilisation and ground stability risks must also be considered. Site investigations undertaken in 2009 indicate that the site area is predominantly underlain by sand or coarser textured materials that would be expected to have high permeability.

The same investigation determined that groundwater was generally at least 2 m below ground level, with smaller local areas of perching to shallower depths, with water quality sampling from perched groundwater locations returning some instances of cadmium, copper, chromium and lead exceeding marine environmental quality standards (EQS), and more limited instances of contamination found in soil samples. While the site's physical characteristics are broadly suitable for infiltration SuDS, this should be supported by ground investigation to ensure that local subsurface permeability is sufficient (determined through BRE-compliant infiltration testing), that the local depth to groundwater is sufficiently deep and that the location of the infiltration SuDS is not near to locations of contaminated perched groundwaters.

If additional water quality treatment is required based on the pollution hazard of the intended land use, infiltration SuDS may be used at the downstream end of a SuDS treatment train with other SuDS elements providing source control treatment and/or in-line treatment. Source control SuDS may include green roofs, rainwater harvesting (e.g. rainwater butts), permeable paving, filter trenches and rain gardens. Conveyance between source control measures and end-of-line infiltration SuDS may be provided by swales, which provide in-line water quality treatment, or else by conventional pipework or channels.



8. Site Conditions

Where local subsurface permeability is not sufficient for a full infiltration solution, infiltration may still be used (subject to the considerations set out above) to assist in the discharge of surface water drainage, but remaining water will need to be drained laterally – preferably to another location with more favourable infiltration characteristics, but otherwise to a receiving waterbody or sewer. Likewise, if there are any extensive areas of the site found to have low subsurface permeability or groundwater perching or contamination concerns, all surface runoff must be discharged to a receiving waterbody or sewer.

Suitable SuDS will vary depending upon context, with rainwater harvesting, rain gardens and permeable paving preferred in residential and commercial areas and linear features such as swales (or enhanced swales/bioswales) preferred adjacent to the verges of arterial roads and through roads. Where design constraints permit, the preference is to keep surface water at the surface wherever possible, using swales and channels in preference to pipes. However, pipes may be necessary to cross roads along the discharge route and to overcome unfavourable gradients and other constraints. In areas with contaminated soils or perched groundwater, it may be necessary to line SuDS features to minimise the risk of contaminant mobilisation; otherwise, SuDS should be unlined to allow infiltration-assisted discharge.

Discharge to sewers should only be considered as a last resort, and is subject to Scottish Water consent, with stringent restrictions applied to surface water and in particular combined sewer discharge. Therefore, where infiltration is not feasible, the preference is to discharge to a waterbody.

Discharge of surface water to coastal waters results in substantial dilution and therefore does not generally pose pollution or flood risk concerns, such that SuDS are not compulsory for coastal discharge. However, the coastal waters adjacent to the site are within the Southannan Sand SSSI site, such that NatureScot (formerly Scottish Natural Heritage) must be consulted if any SuDS are designed to discharge via new outfall to coastal waters, with SEPA licensing required for any new outfall above mean high water springs (MHWS) level and Marine Scotland licensing needed for any new outfall below MHWS. If feasible, coastal discharge should therefore instead be routed along the causeway route to the large holding tanks associated with the

historical site drainage system, which outfalls beyond the SSSI.

For areas of the site in close proximity to the Burn Gill, discharge to this transitional watercourse may be a viable alternative to coastal discharge. Discharge to transitional waters requires only minimal SuDS treatment, provided by source control SuDS or a short length of swale or filter trench.

The site is located in an area that may be at risk of coastal flooding, exacerbated by wave impact. The present-day 1 in 200 year still water extreme sea level is 3.67 mAOD, with sea level rise due to climate change predicted to increase this to 4.25 mAOD by 2080. The risk of SuDS elements flooding due to tidal action and waves should be considered in the siting and design of SuDS, with SuDS located on high ground and/or behind high intervening ground if possible. Flood risk posed by the Burn Gill should similar be considered for any SuDS placed near to this watercourse.

Regardless of the SuDS treatment train used, it is highly recommended that site drainage design incorporates appropriate pre-treatment to remove sediment and silt prior to discharge into the SuDS; this minimises the risk of progressive blockage of substrate material within the SuDS (termed “blinding”) that may reduce infiltration performance over time and/or increase maintenance requirements for the SuDS. Oil separation may similarly be necessary as part of pre-treatment for SuDS systems serving surfaces with high oil contamination risk, such as lorry parking areas, high-traffic lorry approaches and industrial areas.



8. Site Conditions

Climate Change

The existing Flood Risk Management Strategy for the Ayrshire Local Plan District, which is relevant to the Hunterston PARC Master Plan area, is based on the 2018 climate change projections which provides updated observations and projections to 2100 in the UK and globally. The impact of these amended projections would be considered in terms of potential future flood risk. As a matter of good practice, any future development taking place in the PARC should ensure that its constituent elements are climate resilient and use low carbon technologies.

The NPF4 Position Statement notes a significant shift is required to achieve net-zero emissions by 2045 and that we all cannot afford to compromise on climate change. North Ayrshire therefore pro-actively sought cabinet approval in May 2021 for the proposed Environmental Sustainability and Climate Change Strategy 2021-2023 with recommendations that a Climate Change Steering Group is established. Peel Ports have expressed interest in being a member of this Group going forward.

The site is being promoted as a hub for the blue and green economies. Hunterston PARC's vision is to bring together energy intensive industries with low cost, on-site power and heat generation, offering a unique opportunity to develop innovative, self-sustaining and cost-effective net zero operations aimed at supporting the delivery of Scotland's 2045 climate change targets. The site should be seen as an enabler to meeting the 2045 targets as the sorts of companies being attracted to the site are part of the journey.

Contaminated Land

An important consideration in the development of many projects concerns the likelihood of contamination of development sites. Soil/land may inadvertently become contaminated through various activities and operations.

Of relevance to port activities, cargo handling and storage may cause run-off, spills or leakage in operational areas. In addition, the historical use of sites acquired for development purposes are equally as important to assess.

Hunterston PARC is continuing to improve its site through remediation, ensuring that there is a prevention of contamination, and the raising of awareness of compliance with all environmental regulations. We are producing a desktop remediation strategy, which will be shared with North Ayrshire Councils Contaminated Land Officer and will be delivered in the next 6 months, this will inform future occupiers when applying for planning permission.

These planning applications submitted to North Ayrshire Council would be expected to be accompanied by a desktop study covering a historical assessment of past site usage.

In certain circumstances, intrusive site investigation surveys and remediation strategies would be undertaken and the outcomes submitted for assessment and approval either as part of a planning application or in compliance with a planning condition attached to a consent.

Peel Ports are currently producing a desktop remediation strategy which will form part of this framework. This is being undertaken by Envirocentre who have had a long history of studies and surveys on Hunterston PARC site.

It is worth noting that this strategy has to meet criteria set out below by SEPA (Scottish Environment Protection Agency) who will not regulate under the waste regime unless a remediation plan is in place incorporating the six criteria listed below:

- 1. The use is a necessary part of the planned works.**
- 2. The material is suitable for that use.**
- 3. The material does not require any processing or treatment before it is reused.**
- 4. No more than the quantity necessary is used.**
- 5. The use of the material is not a mere possibility but a certainty.**
- 6. The use of the soil will not result in pollution of the environment or harm to human health.**

The remediation plan needs to be agreed with North Ayrshire Council as part of a formal planning application.



8. Site Conditions



Biodiversity

The Hunterston PARC Development Framework area is located within the mouth of the Firth of Clyde. This location is such that operations at Hunterston PARC co-exist with a number of nature conservation sites of national importance.

The spatial distribution of the nationally designated nature conservation sites within 5km is illustrated in the table below. The relevant designations are Sites of Special Scientific Interest (SSSI) which are protected areas under the Wildlife and Countryside Act 1981 for the protection and conservation of flora and fauna. Under the Nature Conservation (Scotland) Act 2004, NatureScot (the statutory nature conservation body) is responsible for monitoring the condition of these protected areas and advising on development proposals that have the potential to affect protected areas.

Where a project is located close to, or within, an

area designated or proposed under the Birds and/or Habitats Directives (European sites) and/or the Ramsar Convention (Ramsar sites), the requirements of The Conservation of Habitats and Species Regulations 2017 (the Habitats Regulations) may apply.

The nearest Special Protection Area (SPA) site is Renfrewshire Heights, located approximately 12km north-east from Hunterston. This site is designated for terrestrial qualifying interest features. In addition to the table below, the nearest marine designated site is the Inner Clyde SPA, Ramsar and SSSI site, located more than 25km to the north-east. The Cumbrae Islands lie approximately 2km north west of Hunterston and are covered by a Marine Consultation Area. There may be circumstances where projects may have impact beyond the 5 kilometres threshold, in such circumstances these will be assessed on a case by case basis.

The Marine (Scotland) Act 2010 provides for the designation of Marine Protected Areas (MPA) in Scottish inshore waters (within 12 nautical miles (nm) of the territorial baseline) to protect habitats and species

considered to be of national importance. Hunterston PARC is over 10km from the nearest MPA.

Southannan Sands SSSI extends for over 4km along the coast, and is subdivided by Hunterston PARC. The marine construction yard and the coal terminal conveyor extend beyond the Mean Low Water Spring (MLWS) tide mark and sub-divide the sandflats and mudflats into three areas: Hunterston Sands, Southannan Sands and Fairlie Sands. Areas of the nationally scarce dwarf eelgrass (*Zostera noltii*) are a biologically and structurally important component across this site. Although not notified features of the site, the sandflats and mudflats are a food source for a range of wildfowl and waders species, particularly during the winter months, with communities of polychaetes (marine annelid worms such as lugworms), crustaceans (including species of crab and shrimp) and molluscs (such as mussels and cockles) present, especially on the lower shores (SNH, 2018).

When the Hunterston Ore Terminal was built between 1974 and 1979, a lagoon and a bird sanctuary island was developed to the north.

Other nearby designations include Portencross Woods SSSI, which is of national importance for its ancient coastal mixed ash woodland, situated on steep-sided maritime cliffs ; Kames Bay SSSI, a small sandy bay with rocky margins provides a feeding ground for wader species. Ballochmartin Bay SSSI is backed by herb-rich grassland and roadside verges which support slow-worms and a number of uncommon higher plant species.

There are no nature conservation sites designated for marine mammals or basking sharks in the immediate vicinity of Hunterston. However, species of marine mammal and basking sharks have been recorded in and around the Firth of Clyde. The Clyde Marine Mammal Project documents sightings of marine mammals (and basking sharks) in the Clyde, and is undertaking a visual and acoustic marine mammal survey of the

Nature conservation designated sites within 5km			
Site	Designation	Distance & direction from Hunterston	Description
Southannan Sands	SSSI	0km	Intertidal sandflats Extensive intertidal sandflats habitat, with areas of the nationally scarce dwarf eelgrass species.
Portencross Woods	SSSI	1.5km south	Upland mixed ash woodland Botanically-rich mixed deciduous woodland is situated on steep-sided maritime cliffs.
Ballochmartin Bay	SSSI	1.5km north	Coastland The beach is backed by herb-rich grassland and roadside verges supporting slow-worms and a number of uncommon higher plant species.
Kames Bay	SSSI	2 km north-west	2 km north-west Coastland Most intensively studied site for intertidal marine biology in Scotland.

Biodiversity	
Species	Comments
Harbour porpoise (<i>Phocoena phocoena</i>)	Most commonly identified cetacean species in the Clyde and is resident throughout the year. In 2017, recorded between February and May adjacent to Hunterston Coal Terminal.
Short beaked common dolphin (<i>Delphinus delphis</i>)	In 2017, recorded between February and May adjacent to Hunterston Construction Yard and Hunterston Coal Terminal and along the Hunterston and Fairlie Channels to the North.
Basking shark (<i>Cetorhinus maximus</i>)	Often appears in summer months in the Clyde, with numerous records in the waters around Great Cumbrae to the North.
Grey seal (<i>Halichoerus grypus</i>)	There is a small haul-out for grey seal on The Eileans in Millport Bay and they can be observed from shore.
Harbour seal (<i>Phoca vitulina</i>)	There is a small haul-out for harbour seal on The Eileans in Millport Bay and they can be observed from shore.

8. Site Conditions

Clyde waters. A summary of the Clyde Marine Mammal Project's records for 2017 (the latest available) is provided in the table below.

To the north of the Hunterston PARC Master Plan area, an area of Southannan Sands, Fairlie, is designated as a Shellfish Water under the Water Environment (Shellfish Water Protected Areas Designation) (Scotland) Order 2013. Fairlie Shellfish Waters is also designated as a Shellfish Harvesting Area by the Food Standards Scotland (FSS), for the production of Pacific oysters (*Crassostrea gigas*). Fisheries landings in the area are dominated by shellfish, with the large majority of landings for Nephrops, but scallops, crabs and razor clams are also present in large numbers.

Key fisheries within the Firth of Clyde also include herring and sprat. The Clyde is identified as high intensity nursery grounds for cod, hake, ling, mackerel, herring and spurdog (Coull et al., 1998).

In many cases, development of existing land within the Hunterston PARC Framework area is unlikely to have any significant impact upon biodiversity, given that it will effectively involve the re-use or development of existing brownfield sites. However, this would be considered on a project-by-project basis and would be informed by site-specific surveys and assessments as appropriate.

Any construction works below the MHWS tide level would require a Marine Licence under the Marine (Scotland) Act 2010, to be granted by Marine Scotland. For works above the MHWS tide level, planning permission may need to be sought from North Ayrshire Council under Section 28 of the Town and Country Planning (Scotland) Act 1997. This process would involve close liaison with stakeholders, including NatureScot and Scottish Environment Protection Agency (SEPA).

For developments that may give rise to significant environmental impact, an Environmental Impact Assessment (EIA), under the Town and Country Planning (EIA) (Scotland) Regulations 2017 for terrestrial projects, or the Marine Works (EIA) (Scotland) Regulations 2017 for marine projects, may be required. The competent authorities are Marine Scotland (for marine licensing) and North Ayrshire Council (for planning). In some cases, EIA may be required under both of these Regulations.

Owners and occupiers of land within an SSSI must apply to NatureScot for consent to carry out certain operations. Developments within SSSIs are subject to policy stipulated within the Scottish Planning Policy (2014) (The Scottish Government, 2014).

In accordance with Policy 14 of LDP2 we have engaged with a third party to review the biodiversity on site and provide recommendations for site management going forward. We are also developing some recommendations for those developing on site on how they can integrate elements into their design to complement the wider site as 'landscape principals'. This is likely to include recommendations on plants, SuDS, habitat creation (bird/bat boxes etc), orientation and style and consideration for the dark skies / low impact lighting etc. For example these will include:

- **Enhancing the site for existing species such as breeding birds and mammals.**
- **Development of SUDs solutions that use more natural open drainage, rainwater ponds, road verge water capture, etc to support natural solutions.**
- **Integration of local natural species and habitat within the infrastructure, such as creation of corridors into parking and building surrounds. These provide important links between existing and new habitat.**
- **Creation of nature based outdoor spaces for company personnel outside and around industrial units.**
- **Building solutions into built infrastructure including bird and bat boxes, bee and insect feeding, green walls and roofs, water and solar energy capture, etc.**

Heritage

There is one heritage asset within the Hunterston PARC Master Plan area; Hunterston Gate (North Pillars) (LB14314), which is registered as a Listed Building. The designation of a building or structure of special architectural or historic interest is recognised through the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.

Built around 1800, Hunterston Gate (North Pillars) is described by Historic Environment Scotland (HES) as "square, rusticated, stone piers with dentilled entablatures; urn finials decorated with shell ornament; low curved screen walls and smaller terminal piers." (HES, 2018)

Nearby heritage assets directly to the south include Hunterston Castle (LB14313) and its associated buildings, comprising Walled Garden, Hunterston (LB14288), Hunterston House (LB14286) and Well in Front of Mansion (LB14287). All assets are located out with the boundary of Hunterston PARC



9. PARC Vision



The combining factors of the closure of Longannet Power Station and Ravenscraig Steelworks, directly impacting on Hunterston and the forthcoming closure of Hunterston B has refocused the local and national thought towards this area and it is now considered an area that requires direct assistance through funding and transformative projects, such as the UK Government and Scottish Government investment into the Ayrshire Growth Deal to allow North Ayrshire and the wider regions to re-imagine their future.

Hunterston Port and Resource Campus has the ability to be part of this future story. It has the ability to provide a platform to invest in Scotland's people and future infrastructure for power generation, it allows for the development of innovation in areas such as the circular economy reducing and re-purposing waste products reducing the reliability on resources, assisting the reduction of all green house gases to Net Zero by 2045.

The new innovation hub will re-purpose the current control tower and offices and laboratories on site, to provide short term incubator hubs for Small/ Medium business' and to support the emerging blue /green economy that is envisioned for Hunterston under the Three Pillars principles of Industry, Port and Marine which will cross fertilise and support each other. The proposed site layouts on section 12-14 indicate how these uses will make best use of the land in the most sustainable manner and in general where the new sites for industry will be located.

This development framework will include education facilities, research and development offices, incubator hubs for new start-ups, providing a healthy and

necessary mix of business' that can cooperate and even collaborate ensuring a sustainable community, via community wealth building as introduced by North Ayrshire in 2020, leading Scotland in this vision. It is envisaged that the campus, with an enhanced road facing frontage, will act as a catalyst for regeneration, re-skilling and up-skilling and development of a new sustainable commercial development.

The site's strategic location will aim to benefit the Ayrshire communities as widely as possible, maximising local economic opportunities ensuring social and environmental wellbeing. Of the roughly 1,000 acres in Peel Ports ownership, one third, 320 acres is for brownfield re-purposing and the remaining two thirds is deemed to be natural assets which provide such benefits as tree cover, vistas, habitats and coastal ecology, such as the Southannan Sands SSSI (Site of Special Scientific Interest)

Aims of Community Wealth Building in North Ayrshire

- Reduce poverty and inequality
- More local businesses including those owned by communities and workers
- More well paid and fair jobs for local people
- Sustainable communities with an increased level of wellbeing and a pride in the place people live in.

9. PARC Vision



Purpose of the Development Framework

Our vision is to create a Nationally Significant Energy and Marine campus. Bringing together leading industry operators, world class universities and the latest innovators to deliver technological advances in areas such as power generation and aquaculture.

The site, aside from being a very well equipped port location, of which would be very difficult and expensive to replicate is supported by a large land footprint directly behind the jetty.

This brownfield site, defined as an area of land which has been previously developed, is now re-visioned as an area which can and will provide the next generation of energy, research to support this and industry to sit alongside. The site is bounded to the east by a purpose built bund and trees, which are protected by a collective tree preservation order.

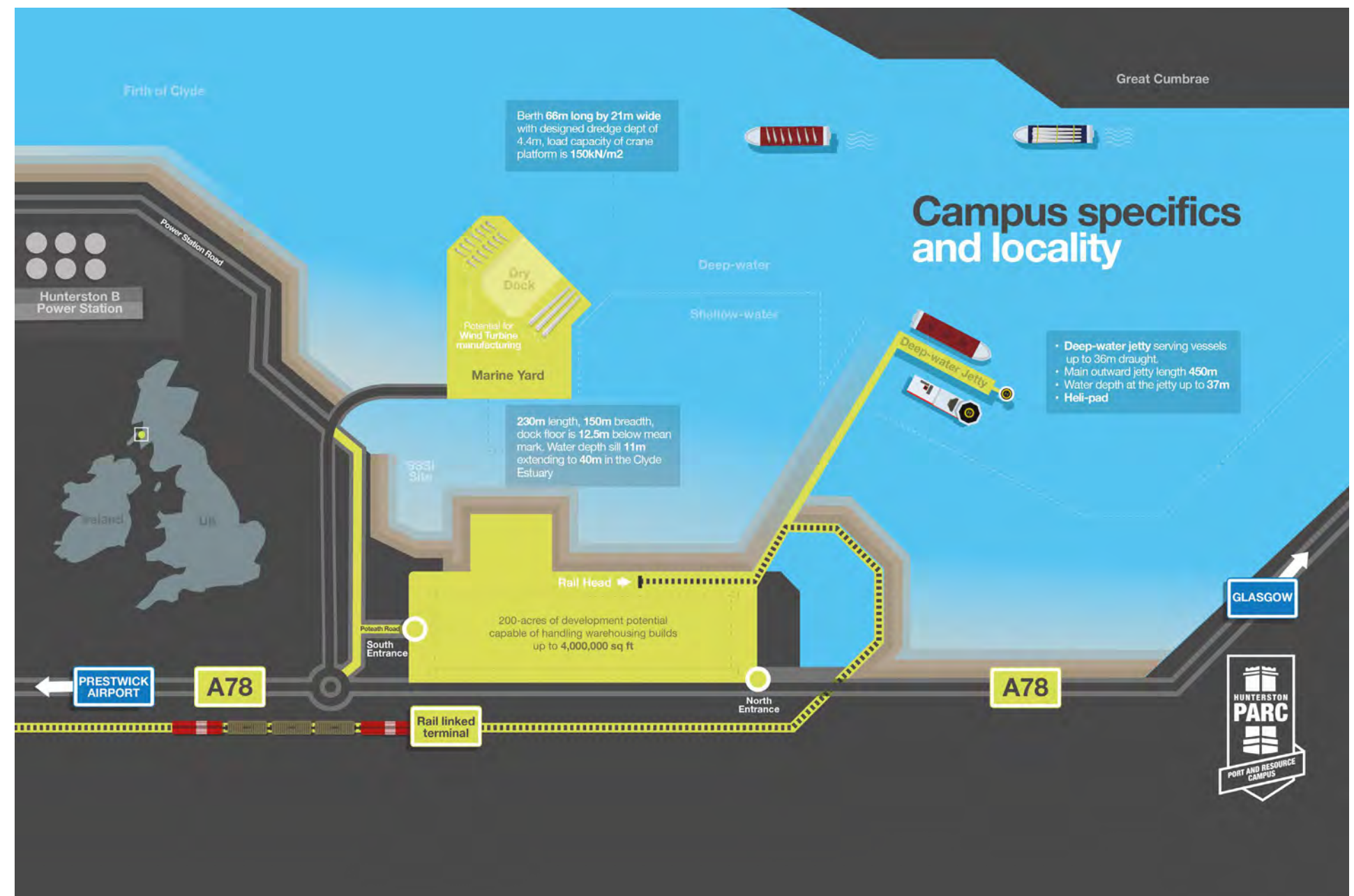
The Parc's objective is underpinned by three 'Pillars'- Marine Yard, Industry, Port. Hunterston Port and Resource Campus will have a new campus style site which allows for the cross fertilisation of ideas and concepts drawn together by research and development at the onsite Innovation Parc which are outlined in LDP2 in Annex A of this document.

This will create a symbiotic site which can for example import raw product onto site from the jetty, use energy from the a business producing clean energy on the Marine yard to feed into the making of products to support the offshore wind industry, and re-exporting the finished product via vessel.

This new site will become its own entity and a destination for emerging innovation and support for the Global challenge of Carbon reduction by 2050 and of Scotland's ambition of 2045. Hunterston Parc has been being cleared for the last six years but is now set to become a 'hub' for the support of the blue/green economy.

The development framework also considers how best to make use of the site and accommodate many different uses and many different users, a start-up hub for Research and Development, commercial premises, innovative industry, excellent natural surrounding environment to enjoy the existing wildlife. This process, via the development framework will make the very best use of the regeneration opportunity provided by the site in terms of reutilising existing assets, economic impact and efficiency.

The proposed site layout, on section 12-14, indicate how these uses will utilise the land in the best possible and sustainable manner and in general where the new sites for industry will be located. The following information provides the details of the process that has been undertaken so far in respect of the new Hunterston Parc



10. Port and Resource Campus



Hunterston is set to benefit from the £250 million Ayrshire Growth Deal, with £18 million allocated to Hunterston PARC:

“The UK Government will offer up to £18 million for the Centre for Research into Low Carbon Energy and Circular Economy (CECE) at the Hunterston Strategic West Scotland Industrial Hub. Hunterston is also identified as a national strategic site as set out in the National Planning Framework. As Scotland’s largest strategic deep-water port with direct rail and significant grid connections, the site has a critical role in Scotland’s Energy, Blue Economy, Offshore Wind and the Circular Economy futures.

Hunterston is envisioned to be a multi- investor project which will help to deliver jobs, environmental solutions to big questions regarding the production of cleaner energy and will be delivered over the next 5-10 years. Partners in the Innovation Parc include North Ayrshire Council, Peel Ports and Scottish Enterprise. There is wider interest and collaboration expected with the Nuclear Decommissioning Agency, the University of Strathclyde and many other multi agency bodies to assist in the comprehensive delivery of the site.

To show the commitment to inclusivity of the development of the site we have taken a journey, firstly producing a concept Masterplan document for consultation in May 2019, then comprehensively producing a consultation responses document which outlined the thoughts, assessment and feelings of many stakeholders near Hunterston and beyond.

This document also took into account a local survey produced by the Friends of the Firth of Clyde, published alongside the one undertaken by Peel Ports.

It has been identified by Scottish Government that the planning process for Scotland as a whole needs improving in terms of engagement and therefore to reduce concerns that any consultation events are not ‘tick box’ exercises and that there was a lack of feedback to communities on their views.

Therefore we have sought to move away from this ‘tick box’ exercise, to fully allow for the feedback to be taken on board and used to inform our future vision and output for Hunterston Parc.

Via this Framework we have set out the future for:

- **Economic Development**
- **Educational development through partnering with Strathclyde University and North Ayrshire Council**
- **Continued community engagement and community empowerment**
- **The continued enhancement of 700 acres of biodiversity and natural capital**

This Framework seeks to:

Build on the conversations we had with our communities in May 2019 and the comments received and collated in the Consultation summary of February 2020.

We seek to:

- Continue this conversation starting from the changes to the plan since the last round of comment, for example the shift from eight identified uses on site to three pillars that identify the assets that are on site and can be accommodated on site.
- To discuss the ideas that came forward from the consultation and how we have implemented them in this Framework.
- From this we hope to generate trust and confidence that Hunterston is helping to deliver a site that benefits the Community- whether that is at local, Regional and National level.
- We seek to strengthen Communities by building back better, the loss of many jobs in the area creates an opportunity to reskill and stay in the areas that people want to, helping maintain community bonds, history and sustainability for future generations.
- Set out a future framework for economic sustainability, with a range of uses to achieve this

with no reliance on one product or service to maintain this.

- Continue the journey of the Framework into a living document which is updated and reviewed every five years.
- Design and define the design principles of ‘campus feel’
- Demonstrate the benefits to the wider community

For Hunterston to be successful we have identified characteristics and what they mean for this proposal and are summarised below:

- **Best Use of Resources**
- **Renew and strengthen the Identity of Hunterston**
- **Nurture Resilient Growth in the Incubator Parc**
- **Create Opportunity for developing new emerging industry**
- **Build Community Wealth by improving job offerings in the area**
- **Protect and enhance the natural capital that Hunterston offers**

Click brochure to read:



11. Site Design Development

Key Design Considerations

Remediation

Hunterston Parc required that there was a removal of on-site structures that would be considered a hindrance to the future development of the site. Therefore a scheduled programme of safe removal of these identified structures was undertaken.

Firstly the removal of the two prominent Gantry Cranes, taking 18 months, with all product recycled via Technical Demolition Services. The conveyor belt, at 26 miles long, and purchased for recycling and reuse in the iron ore industry and the scheduled removal of the gantries for the coal hop loader over the A78 and rail line due to be removed by 2022.

The site is now vacant of large structures and is ready to be re-purposed for identified, through the three pillars concept with appropriate uses for site which are compliant with the Local Development Plan

Scale

In order to develop a scale which is appropriate to the site, it is important to read the context and consider the structures which exist nearby. This means considering not only the height and massing of the buildings but the views to and from these existing buildings from elsewhere.

Therefore the setting of any new application for planning permission needs to take into account the existing layout of the surrounding area, with the predominantly linear settlement to the North, The Island of Great Cumbrae to the west, Kaim Hill to the east at 380 metres and the two Nuclear power stations to the south.

This will also take into account the man made features on site that were architect designed to mitigate for the initial impact that the site was deemed to have with the original grant of permission. Therefore the Marine Yard, the Jetty, the Lagoon and Dorothy's island and the bund with the associated trees, (under a Tree preservation order) feature heavily as a strong influence on the site.

The natural capital of the site is mainly focused on two key areas. The Site of Special Scientific Interest to the north, west and south of the site, Southannan Sands, identified for intertidal sandflats. To the north of the SSSI it is designated as a Shellfish Water under the Water Protected Areas designation) It is also a Shellfish Harvesting Area by the Food Standards Scotland for the production of pacific oysters.



11. Site Design Development

Access / Point of Connection

Vehicular Access

For vehicles, Hunterston PARC is accessed from the A78. Traffic entering and leaving the port does so via a dedicated roundabout, from two points, North and South which are in good order.

The Active Travel and Transport team at North Ayrshire recently responded to a consultation on the Strategic Transport Projects Review 2 (STPR2) with Hunterston PARC being directly referenced:

“... Hunterston which has been identified within the National Planning Framework (NPF) as a key deepwater resource with significant potential to support both transport and energy sectors. The NPF acknowledges the need to support a National Development at Hunterston with infrastructure improvements, in particular the A78/A737.

It would help to meet both national and local development aspirations by providing an upgraded link between the A78 and A737 strategic routes. Substantial resources are being invested in both Hunterston and Ardrossan through the Ayrshire Growth Deal, with £18m secured for the Centre for Research into Low Carbon Energy and the Circular Economy at Hunterston, and £10.5m for the International Marine Science and Environment Centre at Ardrossan.”

Peel fully support North Ayrshire Council in this request to Transport Scotland and are committed to responding to forthcoming consultations to assist in delivery.

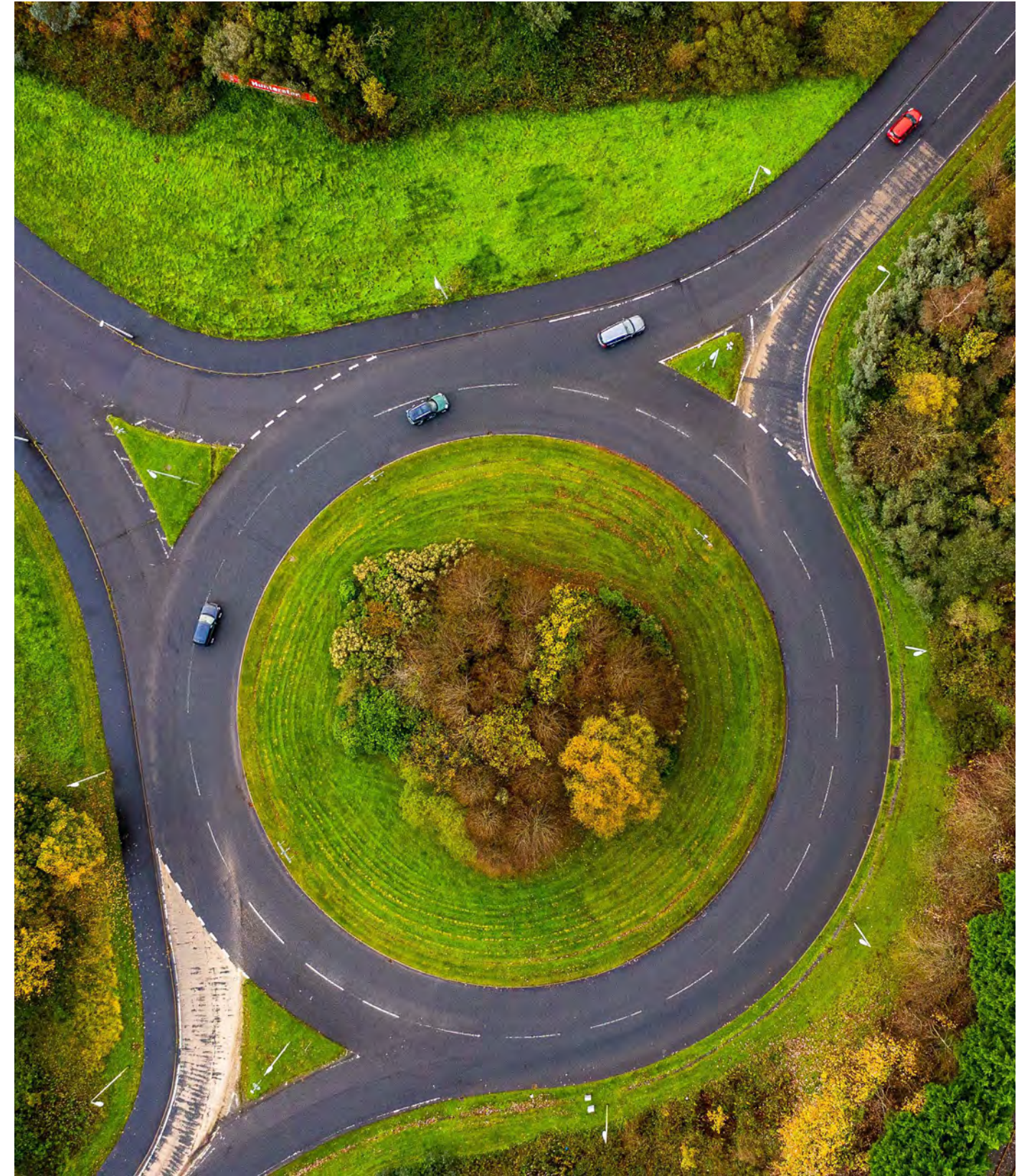
Pedestrian and Cycle Access

Outside of the port estate there are dual cycleway/footways on both sides of the A78 linking to nearby conurbations, north towards Fairlie and south towards Irvine. The footway on its western side continues at the roundabout along the port road towards Hunterston providing access for pedestrians to the site. To clarify, we have no intention of reducing the number of footpaths/un-designated footpaths unless they contravene ISPS Port security and Health and Safety considerations. The requirement to protect biodiversity is in reference to not disturbing existing habitats by overly tidying and disturbing local species. We are keen to further discuss the refurbishment of existing footpaths with the community.

Promoting Rail Freight

Rail freight played an important role in the movement of heavy, bulk goods and long-distance haulage at Hunterston PARC. Coal was the main source of the mineral tonnage lifted up until 2016. Most of the rail freight was long haul to England with only 20% of the rail freight staying within Scotland.

There was a marked increase of movement of imported coal from the Hunterston terminal to England, with it accounting for almost all the growth in rail freight traffic in the period 2000-2009, however this has now ceased. Rail freight capacity therefore has an ability to absorb, grow and develop any haulage that will come forward from the redevelopment of Hunterston.



12. Development Framework Options

Having considered the opportunities which the site presents, a proposed framework for the future layout of the site has been developed.

Three alternative layouts were initially considered, with different locations for the Campus and incubator park and associated facilities as illustrated on the plans.

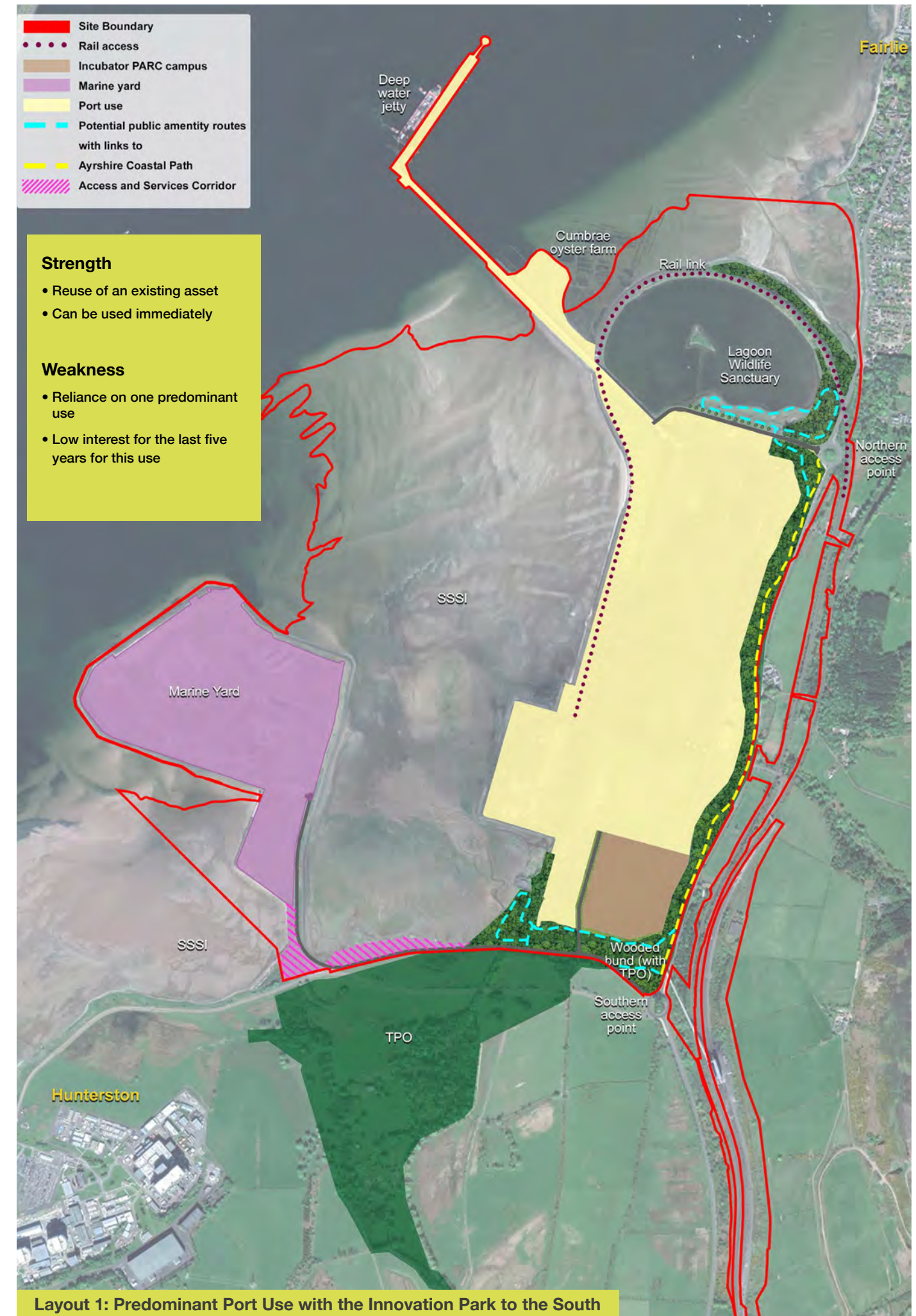
These alternative layouts were evaluated against the extent to which they deliver on the characteristics established in the Hunterston Master Plan from 2019.

The principal issues which led to the proposed layout emerging included:

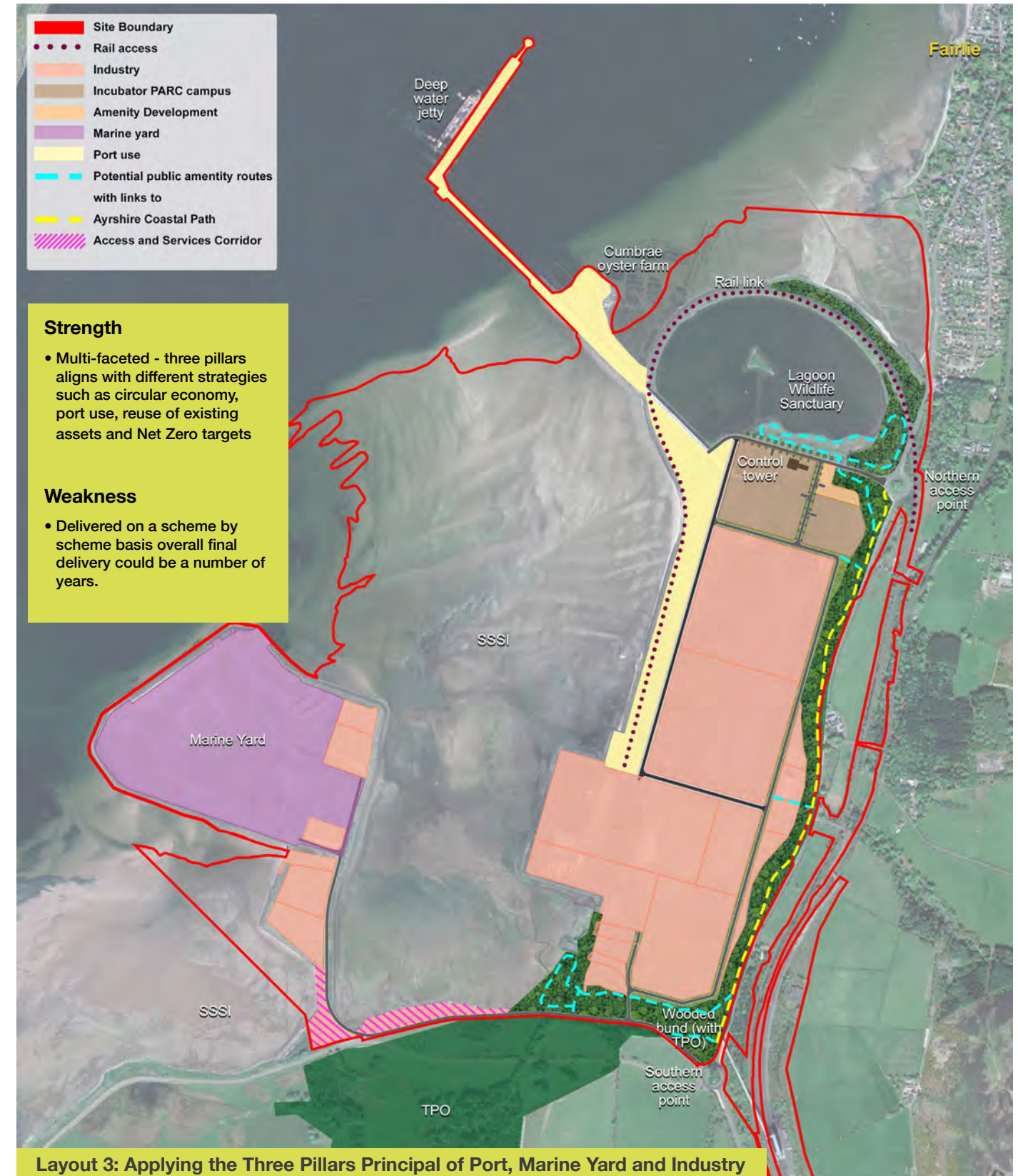
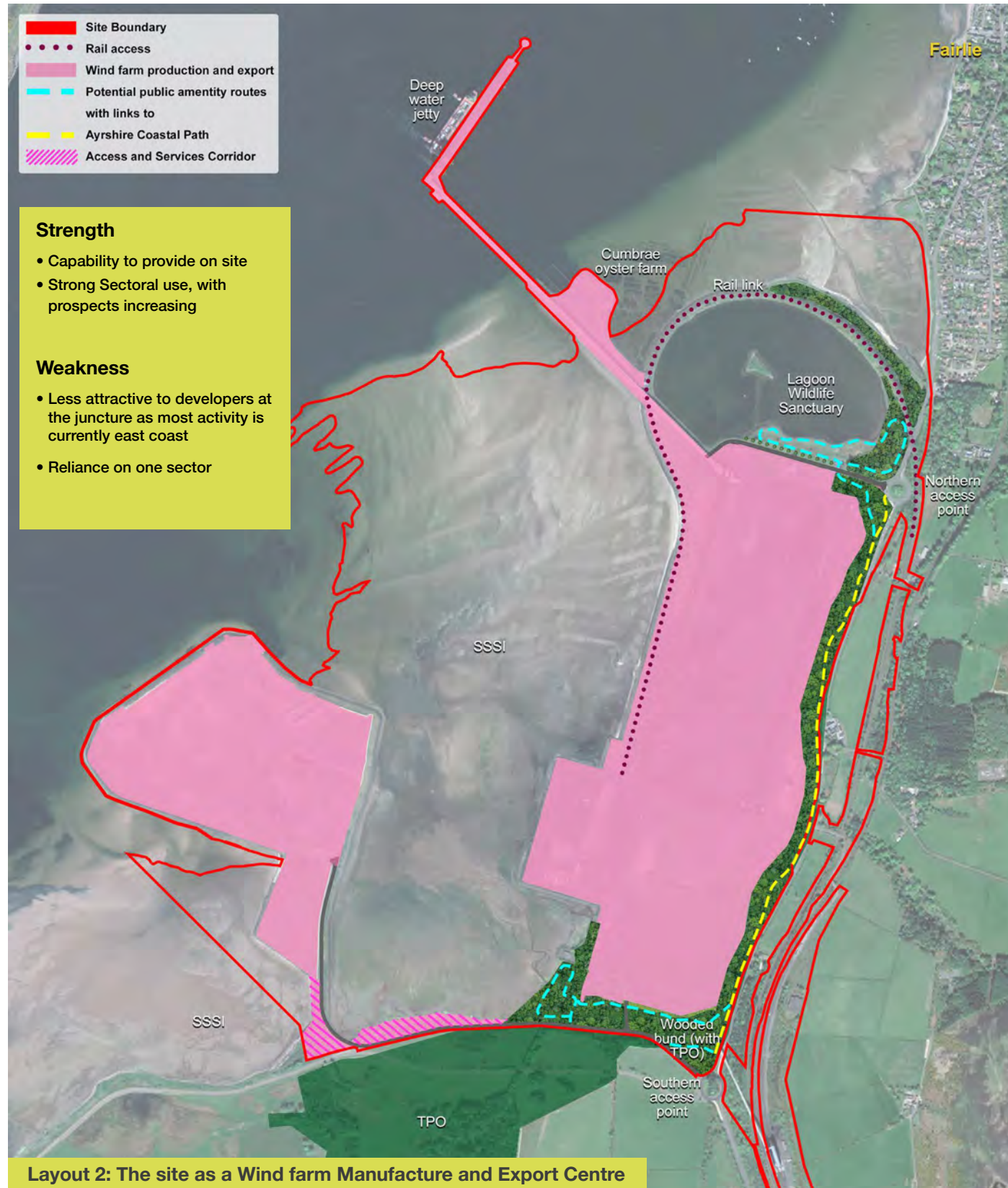
- The benefits of locating the campus buildings to the north to re-utilise existing assets, such as the control tower, and maximise on the accessibility of the site from the North and the potential 'road frontage'
- The activity created by locating the campus buildings to the north of the site, and the benefits of this in providing a catalyst for other commercial development in that area as it is fully visible
- The benefits of focusing some of the three pillars compliant developments in the south of the site given the backdrop of the two existing Nuclear Power stations, the hills to the Clyde Muirshiel regional park and the screening provided by the bund and the tree preservation order for these uses upon this part of the site

- The benefits in designating the north of the site as 'campus feel', greener, its connections to the natural capital of the Lagoon, the TPO, cycleways and vistas to expansive vistas to the west
- Cost analysis which demonstrated that the proposed layout provides a cost-effective solution, with a reduced carbon impact by re-utilising existing buildings on-site

As Layout 3 best meets the aspirations for the site this is identified as the proposal for Hunterston PARC.



12. Framework Options Cont...



13. Development Framework Plan

Introduction

The diagram illustrated in this section shows the proposed development framework with the layout of uses within the site. Also included are key design considerations such as the existing main points of access into the site from the principal road A78, the arterial site road route, and the indicative location of the campus buildings. Key design principles are further described below.

Innovation Campus

Significant funding from the AGD has been allocated to the Hunterston Project to support innovation, jobs and inclusive growth. Therefore Hunterston Parc has formed a tri-partite partnership with North Ayrshire Council and Scottish Enterprise to facilitate early release of Ayrshire Growth Deal funding to create an Innovation Campus within Hunterston PARC (known as Hunterston Innovation Park – H: IP).

The intention is to offer market ready facilities, that will stimulate research and innovation, by attracting start-up businesses and world leading supply chain businesses. Key to this work will be an identified 20-acre site within Hunterston PARC.

The framework proposes to locate this campus to the north of the site, maximising opportunities for connectivity with the road frontage, with an aim to facilitating relationships and presence within the community, encourage linkages with existing businesses, local industry and utilise existing transport links.

The scale of the existing buildings are in relation to its previous use as in importation terminal, with the associated control tower.

This site has been in the skyline for the last 50 years and is considered part of the scenery to and from Hunterston PARC. It is envisioned that this building will be re-purposed and modernised and reused for the benefit of future users, saving on further carbon

footprint and maximising on the ability to view the Clyde from a special and unique vantage point.

The entrance at the south of the site will also be reused to encourage activity in this key area. With its dense tree screening and bund it provides effective screening/efficient blurring of the landscape. The site will offer seating areas and breakout spots onsite, this is to offer the ability to enjoy the sites location and provide a level of well-being not usually found on typical industrial estates.

The development of the innovation Parc will be the catalyst for on-site activity and will provide the strong relationship required to show the commitment to the future development of the site.

Three Pillars Principle

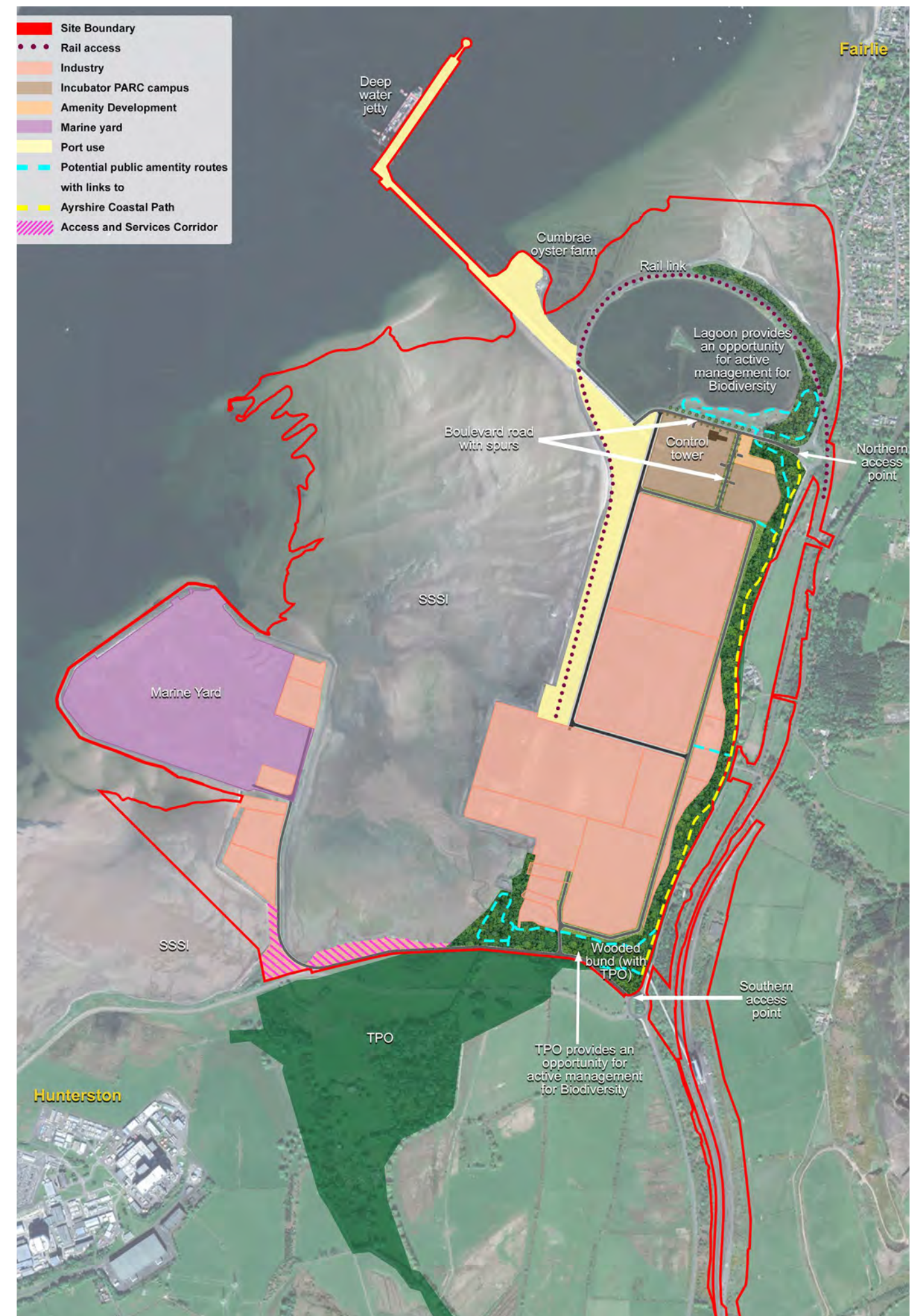
The site is based on three main principles on site, Port, Marine and Industry and these have been distilled from the location, previous use and the uniqueness of its offering in a global setting.

Hunterston PARC offers a unique opportunity for industry, power generators, importers and exporters to come together for mutual benefit. By co-locating the supply chain Hunterston PARC will unlock efficiencies, reduce waste and become the natural choice for handling and processing Scotland's industrial resources

Industry

Hunterston PARC wants to attract, nurture and develop industry that takes Scottish communities further than others, that becomes World leaders and innovators for the benefits to be shared globally.

The site will be a place for research, development and testing of technologies associated with turbines, battery and tidal which from the consultation summary of February 2020, this was a key theme from our respondents, who wished to see a 'Green Energy Hub' providing a base for renewable/ green energy to be developed.(p19, Consultation summary)



13. Development Framework Plan

Port

An existing 450-metre long jetty into the natural deep water. This does not require dredging, saving on a potential maintenance expense.

The ability to approach the terminal's jetty negating extensive manoeuvring, and in suitable conditions it would also render tugs unnecessary for the majority of vessel movements.

This infrastructure is considered a primary consideration for the development of the site. The Port is an essential for the sustainability for the site overall and this will be further promoted for its abilities globally.

Marine Yard

With its large-scale dry dock, substantial vacant land, and deep water marine environment, Hunterston PARC is well -positioned to serve the development of solutions for floating offshore wind power generation.

The Offshore Renewable Energy Catapult, a specialist agency working within the UK Government's Innovate UK, is conducting a study to review the potential for the Hunterston PARC to play a role in the manufacture, assembly, service and testing of floating wind assets.

Roads

There will be two main entrances and egresses to the site with an arterial road expected to run along north/south and serving the new campus and site users. Analysis will be undertaken on the extent to parking provision via planning application for each identified plot for users. With design led influence on the sites encouraged to maximise the sites location.

Natural Capital

Hunterston PARC will be a showcase for how economic development from large-scale infrastructure investment can be achieved hand in hand with good ecology.

To show that our natural environment can be sustained and cared for alongside development activity; ecology and economic growth are not mutually exclusive.

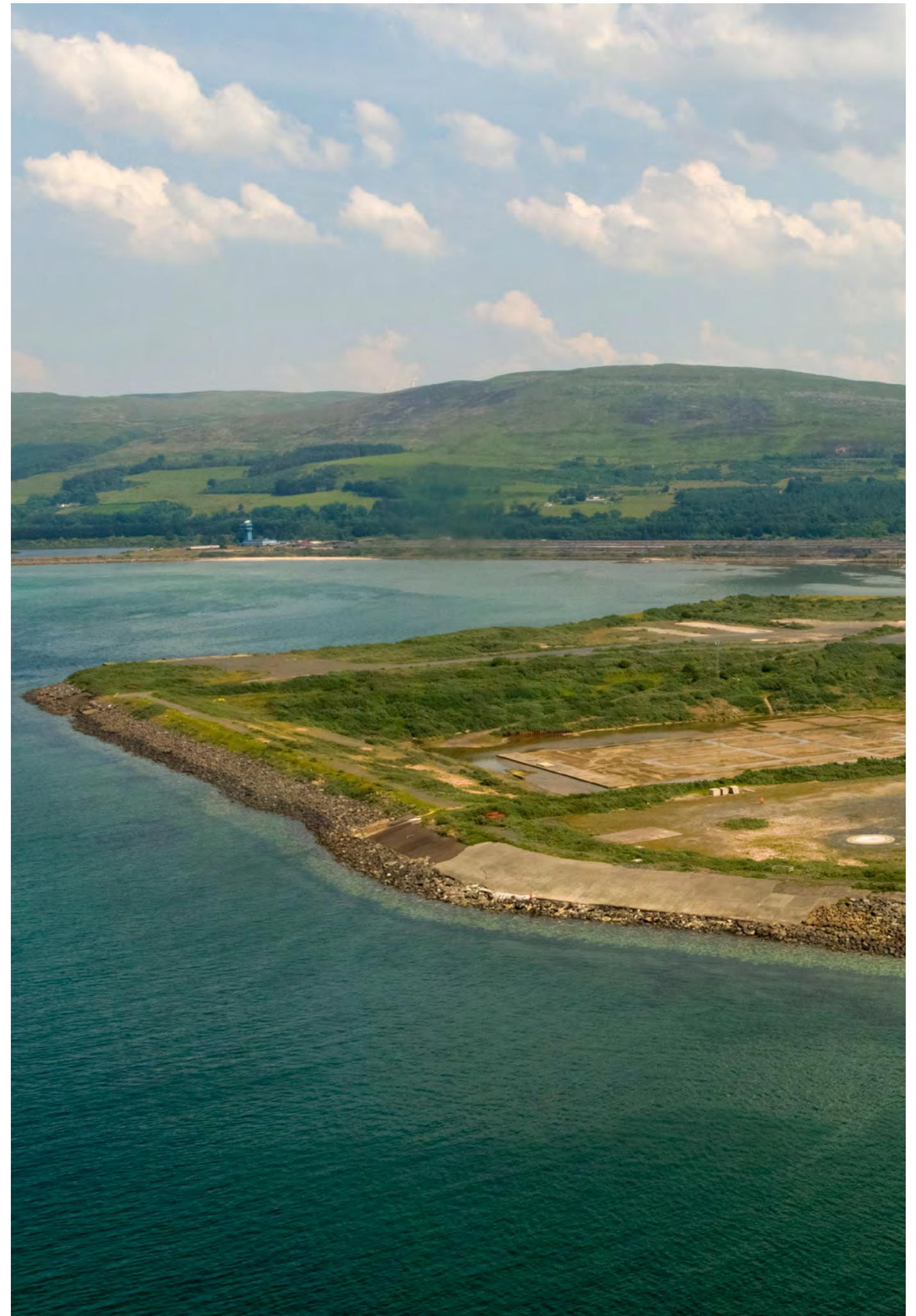
This can be accommodated even at a microscale, with proposals such as 'Miyawaki Gardens' which provide intense small scale native habitats. These principals will be set out in a strategy for the site providing Landscape design principals, for all future occupiers to sign up to.

Amenity Development

The preferred development framework plan, incorporates an element of ancillary supporting facilities, this is to provide services normally attributable to a large strategic development site, such as convenience retail and day nurseries. We envisage these service will be brought forward by a third party investor, providing an overall sustainably functioning site.

Services Corridor

The preferred development plan annotates an access and services corridor. This area is safeguarded for road accessibility and/or provision of services. This land is not proposed for built development.



14. Next Steps

How this framework will be used

Following the consultation and engagement period, the proposed development framework will be taken to the planning committee of North Ayrshire Council. If approved, the framework will become a material consideration in the determination of planning applications for the site, i.e. planning applications will require to comply with the framework.

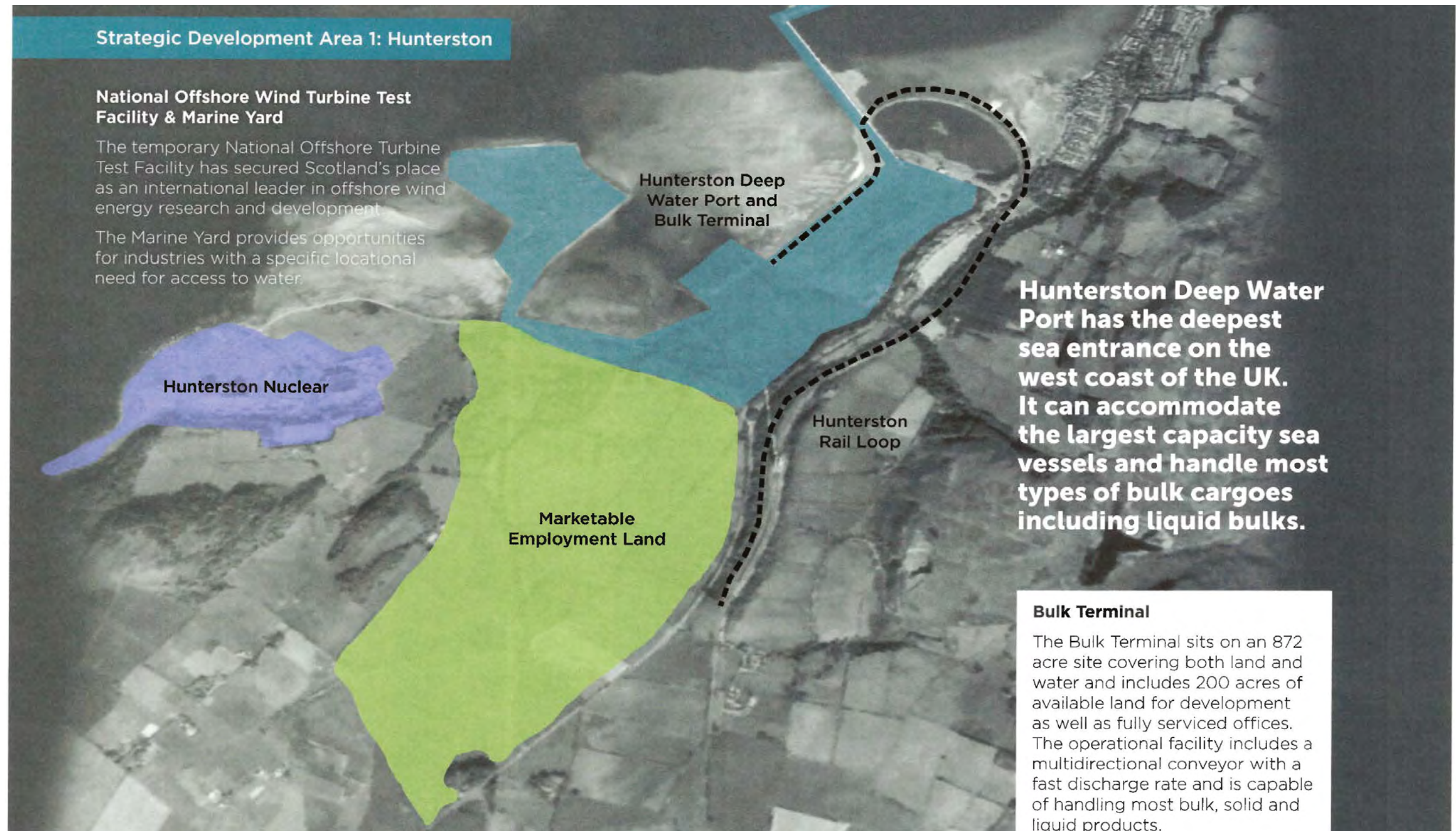
Comments received during the consultation process will be considered for incorporation by the Hunterston Projects team before the framework is presented to members of the planning committee, with any practicable changes considered and accommodated. A summary of all comments received, and a response will be provided to the committee and made available within the public committee report.

We hope that this information outlines the proposals for the framework and layout, as well as the fantastic opportunity provided by the proposed investment in the site. We would welcome your feedback, whether at this stage or at a later date when planning applications are submitted and more detailed information for the site uses will be available.



Annex A

Local Development Plan 2, North Ayrshire Council, 2019



Annex A continued

Hunterston

We recognise the strategic national importance of Hunterston as an energy hub and deep water port. We strongly support the inclusion of Hunterston in the National Planning Framework 4. In particular we will support the following uses:

Hunterston Deep Water Port

- Renewables generation, manufacture, maintenance, research and development, testing and training (including support for a renewables skills academy)
- Strategic grid connections recognising its importance as a landfall to support the offshore renewable energy sector
- Maritime construction and decommissioning (including oil and gas structures)
- Bulk handling facilities for importing, processing and distributing all dry and bulk liquid cargoes
- Local scale Bio-mass energy generation developments as per Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009
- Other storage, processing and distribution uses and general light industrial activities where they would not undermine the strategic importance of, and unique assets of Hunterston as a deep water port.

Hunterston Nuclear

- Appropriate development to support the operational life of the existing facility
- Nuclear decommissioning and radioactive waste management from within the site
- Other facilities for large and small scale power generation

Energy Sector & Nuclear Facilities

Hunterston provides a unique combination of energy generation, infrastructure and network accessibility.

The decommissioning of Hunterston A is ongoing and will be followed at some point after 2023 by the decommissioning of Hunterston B. We want to support the retention of the high value jobs in the energy industry at Hunterston.

Hunterston is an area where co-ordinated action and a masterplanned approach is required. We would expect all development to take account of the special environmental and safety constraints of Hunterston including detailed transport studies to identify options for enhancing port/rail/road accessibility, and management of impact of uses on nearby communities and the natural and built heritage assets in the area.



Annex B



Hunterston Development Framework “Pillars & Uses”

Port	Industry	Marine Yard
Dry Bulk Imports/Exports	Aquaculture	Marine Construction
Liquid Bulk Imports/Exports	Renewables Generation	Oil & Gas Decommissioning
Project Cargo Handling	Renewables Manufacturing	Off-Shore Wind Assembly & Loadout
Vessel Lay-Up	Grid Connectivity & Stabilisation	
Inspection, Repair, & Maintenance	Logistics & Distribution	
Port Related Processing	Research & Development Campus	
	Circular Economy Energy	
	Data Centres	
	Battery Storage	

This is not an exhaustive list of potentially acceptable uses at Hunterston PARC

Hunterston PARC

Development Framework
October 2021

Summary of Consultation



1. Overview

Summary

This document builds on the consultation document produced in February 2020, which in turn was drawn from the major May 2019 consultation on the Hunterston Masterplan.

Consultation on Hunterston PARC development framework began on the 1st – 30th September, with the framework put on the Hunterston Parc website.

A press release via social media channels and an e-mail was also sent on 1st Sept to 152 people initially including local community councillors and national MPs and a re-send on 22nd Sept was sent to 167 people identified as additional identified interested parties.

The consultation was also on agenda at the Community Liaison committee on the 23rd September with the local community council representatives attendance and a reminder was given.

In total 14 individual responses were received with most concern around potential vessel noise, the consented Marine yard decommissioning and the ‘lack’ of infrastructure. Below is the analytics showing the reach of the email to targeted interested persons and bodies.

Launch e-mail: 1st September

- 26 unique opens
267 opens in total
- Document was
downloaded 12
unique times
51 times in total

Re-send: 22nd September

- 31 unique opens
663 total opens
- Document was
downloaded 7 unique
times
41 downloads in total

Website

- Document
downloaded 14 times

A summary of the comments received during the consultation process and the responses from Peel Ports are provided below.



1970



2020



FUTURE

2. Responses Received

Issue:

Access. Traffic.
Disruption

Hunterston is not well served by infrastructure

Transport links from the south are inadequate.

The rail infrastructure is inadequate.

Commuters will not be able to travel by train, and it is not viable for freight use.

There is a lack of road safety for pedestrians on the A78, with no safe crossing points anywhere between West Kilbride and Fairlie despite the installation of a cycle path.

(Jetty) should not be used for night-time working as it is too close to people's homes.

As with 'other' proposals, the Jetty is, simply, TOO CLOSE TO PEOPLE AND THEIR HOMES, for 'operations' / 'activities' of this nature.

Response:

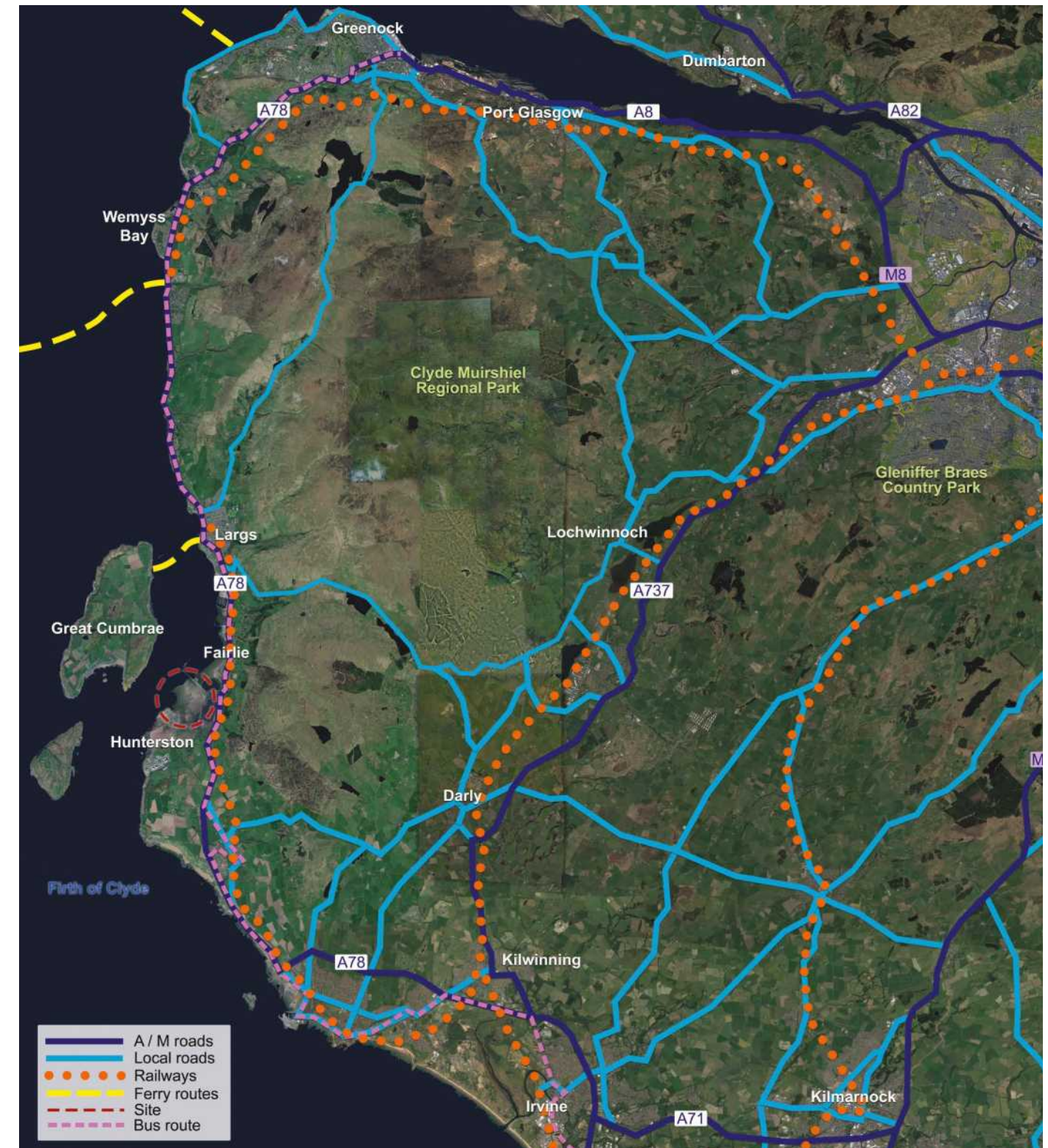
Access. Traffic.
Disruption

Hunterston PARC benefits from excellent infrastructure in terms of its connections to rail, road and sea. Should any off-site upgrades be identified via future transport assessments which may identify enhancements required we would look towards strategic transport agencies to effect any improvements. As an example what has been achieved elsewhere in Scotland, primarily the Ravenscraig site which has £120 million in public sector funding allocated to support infrastructure connections for all users in the area.

Since this consultation, funding from the UK Government Levelling Up Fund has awarded £23.7 million to North Ayrshire to upgrade the B714 providing direct and better connections to Glasgow.

Pedestrian crossings on the A78 would be for Transport Scotland or North Ayrshire Council to consider.

Hunterston has been a successful working port for decades and our ambition is that it should continue to do so as part of the green economy. Tides, weather and other factors mean that ports are not 9-5 operations.



2. Responses Received



Issue:

Flooding and Site Drainage

It is quite sufficient in a Masterplan to state that surface water runoff from the site will be managed in accordance with current best practice as regulated by SEPA.

Flooding from high tides and waves does need emphasis. Current predictions of extreme storm events (including climate change) should be given together with an indicative plan of those parts of the site, if any, which at current levels are at some risk from sea flooding. Brief mention should be made of how any unacceptable flood risk might be managed, e.g. by land raising.

The Development Framework and the approved 2018 Shoreline Management Plan for Ayrshire, indicate that additional coastal defences will be required to safeguard the PARC site from future impacts of a changing coastal dynamic.

The Development Framework needs to consider potential sea-level rise and coastal erosion impacts. Utilising the Dynamic Coast data sets (<https://www.dynamiccoast.com/>) would help analyse risk to 2100. The Framework should make reference to further analysis, including modelling and cost-benefit analysis, in order to fully assess all adaptation options for coastal defence, including nature

based solutions. This would ensure that the most appropriate/cost effective approach is taken to deliver the vision of the Development Framework.

Response:

Flooding and Site Drainage

We are committed to creating an excellent environmental strategy, taking advice from our independent consultants Envirocentre, which we believe will address the comments made on this topic.

On flood risk strategy, we will strive to achieve any regulatory requirements or best practice standards set out by SEPA.

We note and will incorporate content from the documents highlighted: the Shoreline management plan 2018 and the Dynamic Coast data sets; both of these will help shape the modelling for Hunterston PARC.

2. Responses Received

Issue:

Noise / airborne dirt

Noise, airborne dirt, and constant activity at the site will be detrimental to the quality of life and health of people who live downwind or near to the site. Any and all developments on the site should give due consideration to the surrounding residents from a noise, visual, infrastructure and environmental impact perspective which should be covered by EIA and planning controls.

My main objection to the proposed cable manufacturing venture is the noise that the ships on the jetty will create. As you know there have been numerous complaints regarding noise even from ships that are just parked and not engaged in loading or discharging operations.

Fairlie is primarily a quiet village and I think it's a shame that more isn't being done to reduce the noise impact coming from the ships. I believe that if you curb the issues with the noise then the so-called 'NIMBYS' won't have a leg to stand on in a manner of speaking and ultimately stop the back-and-forth communication which I understand must be getting tedious.

I am asking you to please consider the option of using shore power to reduce the noise and also airborne micro particle pollution.

Response:

Noise / airborne dirt

The environmental impacts will be considered on an individual process by ourselves and any operators. As well as this, the planning application process and environmental regulations will determine the need for any conditions that the development and operators will be required to comply with.

We are exploring all avenues for being able to provide ship-to-shore power. We understand the local community's interest in this and are committed to introducing it if at all feasible.

Issue:

Oil Rig Decommissioning

I note that 'oil rig decommissioning' appears to have slipped down the 'rankings', in terms of potential uses. Given the significant publicity that this received in recent years, I would have thought that this would have been worthy of some comment.

The outstanding universal concern was that oil & gas decommissioning was still listed in Annex B as a possible use of the Marine Yard.

While we understand that any development on the Marine Yard site and most proposals for the Jetty and Coal Yard will require individual EIA's and subsequent planning approval the level of local concern about rig/ ship decommissioning is ongoing.

No mention is made of the yard being suitable for ship recycling. Is this still an option?

The drydock, with a gate and jetty, is very well suited to a recycling facility especially if the construction of offshore renewable structures at Hunterston is unlikely at present

Response:

Oil Rig Decommissioning

Our proposals for Hunterston PARC recognise that the site is capable of providing decommissioning services, and such activities for our Marine Yard have existing permissions.

The Marine Yard is a major asset and it is in the national interest to maintain its viability to provide a vital service to industry.

Marine construction and decommissioning remain options for activities at the site.

2. Responses Received

Issue:

Site Conditions. Biodiversity

The local area includes an SSSI and is very important for wildlife, particularly for seabirds.

We support the move towards a more circular economy and the broad focus given to promoting the green economy in the future on-site industries.

Whilst we understand that there is limited detail on what these industries will be, as the development progresses, care must be taken to ensure they avoid contamination to the marine environment, as well as the local sensitive areas such as Southannan Sands SSSI.

We broadly welcome the vision set out by the Development Framework to position Hunterston PARC as an example of best practice in the redevelopment of a strategically important brown field site embedded with a focus on enhancing natural capital, green infrastructure and biodiversity, whilst developing new renewable technologies and circular economy approaches to de-carbonising Scotland's infrastructure.

We advise that a landscape framework for the site is developed and agreed as part of the

final Development Framework which takes into account the wider implications of both the SDA (Strategic Development Area) and the Natural Capital Assessment currently underway. The landscape framework should provide a set of landscape principles, including objectives related to the ecology, cultural heritage and the landscape setting of the site.

It should also contain a set of parameters and objectives within which successful site design and place making can be created. We agree that such a Landscape Framework should be for all future occupiers to sign up to.

The Development Framework correctly identifies the key specially protected sites within the immediate vicinity of the port. It should be noted that it may be possible that impacts from development proposals, both individual and cumulative, may have impacts on specially protected sites beyond the 5Km threshold. These will require consideration on a case by case basis.

The current proposed reuse of the EXXON site in West Dunbartonshire provides a good model for how such a Framework could be developed. We recommend that the Landscape Framework also includes a biosecurity plan.

In general, in terms of driving a landscape design approach for the site, we would encourage delivery of integrated and multi-functional blue green infrastructure.

This could be achieved by developing the landscape framework with a focus on the following themes:

- Sense of place/identity/setting
- Nature based solutions
- Habitat enhancement and connectivity
- Integrated surface water management
- Biodiversity and providing a nature-rich place.

We advise that effective community involvement sits at the heart of the creation and revision and implementation of the Development Framework. This will help connect people and nature along the coast and help fully integrate this strategic site with the local community.

One aspect of this could be to ensure community representatives are involved in helping to manage the natural capital assets associated within the PARC site.

Response:

Site Conditions. Biodiversity

The SSSI is a protected site and we are committed to enhancement to all of the 700 acres which border the industrial site. This can be in the form of tree thinning to improve health, bat boxes etc. We will seek advice and potential partnerships with RSPB and NatureScot to do this in the best manner for overall biodiversity.

We also agree that nature based solutions are our future and we will wholly commit to habitat enhancement on the 700 acres mainly with thought given to providing green corridors across the industrial part of the site.

We are actively working on a programme to improve biodiversity on the overall site and have commissioned specialist support to help us with this. We will also seek advice from organisations such as RSPB (which we already work with) and NatureScot.

We acknowledge the comment that community representation in managing the natural assets would be a way forward and plan to discuss this at future liaison group meetings.

2. Responses Received

Issue:

Connectivity via footpaths

The intention to include additional footpaths within the site is very welcome. Not so welcome is the statement that cycle ways and footpaths will be protected from development 'if they are deemed essential to biodiversity', which suggests that they will not necessarily be protected even if they are well used by local people for recreation.

A clear statement is required that existing public-usable paths along the north, east and south perimeters of the site will not only be protected but maintained. The image on page 10 shows a large part of the site, i.e. the enclosed lagoon and its edges, to which the general public has had no access.

Opportunities exist for new paths on the southern edge of the site where the wooded area and nearby shore are to be protected from development. At present a high security fence prevents access to this natural woodland and it would be helpful if the Master Plan made reference to this undeveloped area being opened up so as to provide a further small benefit to the local communities.

Another long-standing complaint of local residents is that the Hunterston industrial area severely restricts public access to the shore

bordering much of the seaward side of the area on its south side, especially when much of that shore still exists relatively undisturbed by the site development. A statement about improving access to the shoreline would be welcomed.

Particular care should be taken when developing pedestrian access routes around the site for both recreational and business uses, as these can lead to disturbance of the species using the SSSI. We would be pleased to help advise on how the natural capital of the site can be enhanced

The indication on the plan of potential public amenity routes (blue hatched) is welcomed and strongly supported. Some local residents might say, of course, that these could have been formed at any time since the site was first developed -but better late than never! The Master Plan should indicate the existing low and high level 'mounding paths' referred to above.

Clydeport providing 'help in kind' for the 2016 refurbishment of the mounding footpath.

Response:

Connectivity via footpaths

Our intention is to preserve existing footpaths and as the comment notes to extend these.

We are keen to further discuss the refurbishment of existing footpaths with the community.

The only factors that would lead us to review recreational routes would be for safety and security.

Access to the Shoreline would have to be considered in dialogue with NatureScot, especially considering the potential for human disturbance on wildlife generally and the SSSI. We are open to having this discussion.



2. Responses Received

Issue:

Marine interface

We would expect the project to comply with all maritime legislation, including the appropriate licensing and consenting processes under the Marine (Scotland) Act 2010.

We would also point developers in the direction of the Port Marine Safety Code (PMSC), which sets out a national standard for every aspect of port marine safety.

Response:

Marine interface

We can confirm that Clydeport Operations Limited, as part of Peel Ports Group and the Statutory Harbour Authority for the Hunterston area, has recently completed the MCA sponsored PMSC compliance exercise and after external audit by ABP Mer have reported we are compliant with the code.

As an authority we are also engaged in the regular formal risk assessment process to establish and/or validate the provision of pilotage service, vessel traffic management service and aids to navigation - this exercise will include the Hunterston terminal.

Issue:

Design and Layout

(The) cable manufacturing facility footprint that appears to conflict with that indicated in the September 2021 Draft for an Incubator Campus. That the proposal envisages a start on construction before the Master Plan can possibly be finalised and approved only reinforces that view.

Response:

Design and Layout

The document we produced is a development framework rather than a complete, fixed view of the future of the site.

The framework aims to capture the overarching principles for the site's development, helping to guide our work and that of any occupiers and operators. It also provides transparency of our intentions to the local community and helps us to have a meaningful conversation with stakeholders.

The framework cannot specify exactly what development will take place. This is subject not only to a wide range of commercial factors, but also all the different planning and regulatory processes that will apply to any detailed proposals.

2. Responses Received

Issue:

Support for the PARC

The proposal for a Hunterston Parc Campus and Incubator is welcomed and strongly supported. North Ayrshire has considerable expertise and experience in nuclear plant decommissioning and there is the possibility of similar expertise being gained from the recycling of redundant oil and gas infrastructure.

These are skills of importance for many years ahead and together with renewables research and development must be exploited in North Ayrshire. Have those involved in the decommissioning of the two Hunterston nuclear power stations been made aware of the Incubator proposal?

The proposed location at the north side of the site is supported as increasing the separation distance between the residential area of Fairlie and the industry site.

While Hunterston is not in my constituency, the project holds real potential for North Ayrshire and indeed the whole county, as indeed do the projects at Prestwick Aero-Space Park.

Response:

Support for the PARC

We also support the need to harness the current workforce and the capabilities that they hold. North Ayrshire deserves to have quality jobs which provide for the local community.

We also see Hunterston as a catalyst for North Ayrshire as part of the wider Ayrshire growth deal and beyond and support other schemes which will also help deliver prosperity and good jobs with living wages.



CGI - Illustration only



CGI - Illustration only

2. Responses Received

Issue:

Other issues

Jetty is not designed for liquid bulk and should not be used for that.

The 'Options' presented reflect a very narrow view of the site's potential, since they only relate to a set of well-trodden industrial uses.

Other 'Options', such as those relating to the regularly raised 'tourism opportunities' and their related economic/environmental benefits are given no mention.

The wish of the communities, is "to return to, original state", "create a wild-life park" - sort of 'thing'.

Response:

Other issues

The jetty provides the capability for normal port uses, which includes handling liquids, typically using a pipe as at other ports.

The site is designated as a strategic development area. Other options, such as tourism, were discounted by North Ayrshire council and the Local Development Plan 2 reporter.

The site was originally developed at the cost of an equivalent of £600million today. It is a hugely important asset in Scotland's progress towards net zero and addressing the impacts of climate change.

Issue:

Covid rules on Consultation

Consultations such as this appear to be the accepted norm while Covid considerations continue, it is by no means ideal.

With no paper documentation available, no public walk-in exhibitions or open discussion and relatively poor advertisement of the draft doc. Many in the local population are no doubt completely unaware of this consultation.

This apart from the fact that there are those who do not have access or the ability to view and respond online thus being excluded from consideration.

Response:

Other issues

Covid has impacted on the ability of all organisations and individuals to take part in consultations as they normally would.

This process started pre-pandemic. The Masterplan consultation of 2019 included a six- week consultation and a series of events which we found very insightful. There were 80 comments received which were then drawn together in a consultation report alongside a poll taken by the local action group Friends of the Firth of Clyde.

We do hold a biannual meeting with local community representatives and encourage the community to channel their questions and comments through this liaison group.

Outside of this we are contactable on the HunterstonParc@peelports.com email address.

2. Responses Received

Issue:

Additional comments

As advised in our response to the master plan consultation in 2019, we suggest that it would be beneficial to undertake a Strategic Environmental Assessment (SEA) to support this plan. An SEA would demonstrate that the potential impacts arising from the different development options have been anticipated and that mitigating factors have been considered in the final allocations. It would also assist statutory agencies with the adoption of the master plan.

We also recommend that an Environmental Impact Assessment (EIA) is carried out for the whole area of the Development Framework. A holistic site based EIA approach would review operational impacts of the proposed projects as they are currently indicatively zoned. It should include consideration of cumulative impacts arising from multiple activities, potentially under different consenting regimes, proposed for the PARC site.

The aim of this would be to ensure that the likely environmental effects of the proposed Development Framework are fully understood and is a means of assessing the likely significant environmental effects on the sites natural capital assets.

I hope you find the above comments helpful.

Issue:

Additional comments

We would welcome further opportunities to discuss options to demonstrably improve overall biodiversity and mitigate and adapt for impacts of climate change and for inclusive community involvement in this crucial site for commerce and the environment.

Response:

Additional comments

A Strategic Environmental Assessment was conducted by Peter Brett Associates (July 2018) before the adoption of Local Development Plan 2 by North Ayrshire Council.

This included Strategic Policy 2, with Hunterston being one of a number of strategic development areas.

Other sites in Scotland such as Ardrossan (also in North Ayrshire) and the Exxon site at West Dunbartonshire undertook a series of reports to support the work at the sites without an overall Strategy Environmental Assessment. We intend to also do it in this manner.

With regards to a whole site Environmental Impact Assessment, as the site is already zoned as a strategic development area we do not think this is required. We aim to support North Ayrshire Council and future tenants in determining a suitable pathway based on the potential changes and impacts each individual scheme will bring.

Cumulative impact will be considered by North Ayrshire Council case by case and this will be accounted for in future planning applications as is normally the case.

Response:

Additional comments

We understand concerns regarding natural capital assets. It is worth noting that only 320 acres of the site is industrial in nature having been previously developed. The remaining 700 acres is deemed to be protected via SSSI and TPO along with other designations. We are open to working with our statutory partners and communities to enhance those natural assets.

NORTH AYRSHIRE COUNCIL

1st December 2021

Planning Committee

Title: **Notice under Section 145 of the Town and Country Planning (Scotland) Act 1997: Site to East of Castlepark Gardens, Fairlie**

Purpose: To seek approval to serve a Notice under Section 145 of the Town and Country Planning (Scotland) Act 1997 requiring compliance with Condition 7 of planning permission 19/00506/PP

Recommendation: That the Committee grants authority for the service of a Notice under Section 145 of the Town and Country Planning (Scotland) Act 1997 requiring compliance with Condition 7 planning permission (ref. 19/00506/PP) at a site to the East of Castlepark Gardens, Fairlie.

1. Executive Summary

- 1.1 To seek authority to serve Breach of Condition Notice requiring compliance with Condition 7 of planning permission (ref.19/00506/PP) at a site to the East of Castlepark Gardens, Fairlie, on the installation of play facilities.
- 1.2 Condition 7 was imposed to ensure the development of 97 houses had adequate play provision. The condition requires that the play facilities be installed prior to the occupation of Plot 25 or Plot 26 of the development. Both plots have been occupied for approx. 9 months.
- 1.3 It is considered that the lack of play provision has an adverse impact on the amenity of the area.

2. Background

- 2.1 Planning permission was granted on 20th September 2017 (ref: 17/00584/PPM) for development of the site comprising of 95 dwelling houses. Condition 9 of that permission required details of play equipment to be agreed and installed prior to the occupation of certain plots. The permission was varied by subsequent applications.
- 2.2 Planning permission was granted 7th September 2018 (ref: 18/00659/PP) which allowed amendments to the previous permission including an additional 2 houses. Condition 7 of the permission required details of play equipment to be agreed and installed prior to the occupation of Plots 25 or 26. Details of the equipment were agreed

on 20th November 2018. The play area was to be sited to the east of Nos. 56 and 58 Castlepark Drive.

- 2.3 The 2018 permission was subsequently varied on 4th September 2019 (ref: 19/00506/PP) to allow an alternative temporary footpath. Condition 7 of the permission required details of play equipment to be agreed and installed prior to the occupation of Plots 25 or 26. To date, the details of equipment have not been submitted, in respect of the 2019 permission. Condition 7 is as follows:

“That within one month of the date of the approval, details of the proposed equipped play area, which shall include the provision of at least 5 different types of play equipment, seating and unequipped play areas shall be submitted for the written approval of North Ayrshire Council, as Planning Authority. The details shall include the proposed location of the play area, site levels, programme of installation, any means of enclosure, including gated points of access/exit, surface finish, litter bin provision, maintenance and management arrangements. Unless otherwise agreed in writing, the approved play area facilities should be installed and operational no later than, or prior to, the occupation of plots 25 or 26 as outlines in approved plan AL (0)114. The approved play area should be completed to the satisfaction of North Ayrshire Council, as Planning Authority, and maintained in perpetuity.”

The reason for the condition is as follows: *“In order to ensure the development includes appropriate play facilities.”*

- 2.4 In the summer of 2021 it was brought to the Council’s attention that the play park had not been installed and Plots 25 and 26 were both occupied. Building Standards issued completion certificates for Plot 25 on the 9th of March 2021 and for Plot 26 on the 18th of September 2020, respectively. It is understood both properties were occupied soon after the completion certificates were issued.
- 2.5. Dawn Homes, the developer of the site, stated in August 2021 that they hoped to start installing the play facilities in November 2021. They said that long lead in times to receive the play equipment had led to the delay.
- 2.6. By November 2021, it was clear the installation of the play facilities had not commenced. Dawn Homes were again contacted regarding the breach of condition. They stated that the land was required for their compound, to allow them to complete other parts of the development. They hoped to complete the play area by the Spring of 2022. Dawn Homes were advised that the Council would have to consider issuing a Breach of Condition Notice requiring compliance with the condition.
- 2.7 As details of the play equipment has not been submitted in connection with Condition 7 of the 2019 permission (ref: 19/00506/PP), that condition has technically been in breach since 4th October 2019. Details were agreed in connection with Condition 7 of the 2018 permission (ref: 18/00659/PP) and those details would again have been acceptable. However, to date, details have not been submitted in respect of the 2019 permission. Notwithstanding, had the 2018 details been installed prior to the occupation of Plot 25 or Plot 26, then it would be considered that the requirements of the condition were met. As stated above those plots are occupied and have been for at least 9 months. The developer has not installed the play facilities.

- 2.8 Given the above, it is recommended that authority for the service of a Notice under Section 145 of the Town and Country Planning (Scotland) Act 1997, as amended, (a “Breach of Condition Notice”) be approved. A Breach of Condition Notice would require the installation of the play facilities, as approved under the 2018 permission (ref: 18/00659/PP). The Notice would take effect not less than 35 days from the date on which it is served. There is no right of appeal against such a Notice. The service of a Notice would ensure the requirement of the condition would not lapse due to time passed. The Council could report those responsible for not complying with a Breach of Condition Notice to the Procurator Fiscal, should its requirements not be met.

3. Proposals

- 3.1 In the interest of the amenity of the area and to ensure appropriate play facilities, it is recommended that the Committee approve the service of a Notice under Section 145 of the Town and Country Planning (Scotland) Act 1997 to require the following:
- (i) Installation of the play facilities as shown on the attached drawing 003D8D, prepared by Kompan and dated 13th November 2017, in the location marked ‘play area’ in the attached drawing AL (0)119, prepared by Hypostyle and dated 21st June 2019.

4. Implications/Socio-economic Duty

Financial

- 4.1 None.

Human Resources

- 4.2 None

Legal

- 4.3 The proposed Breach of Condition 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

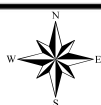
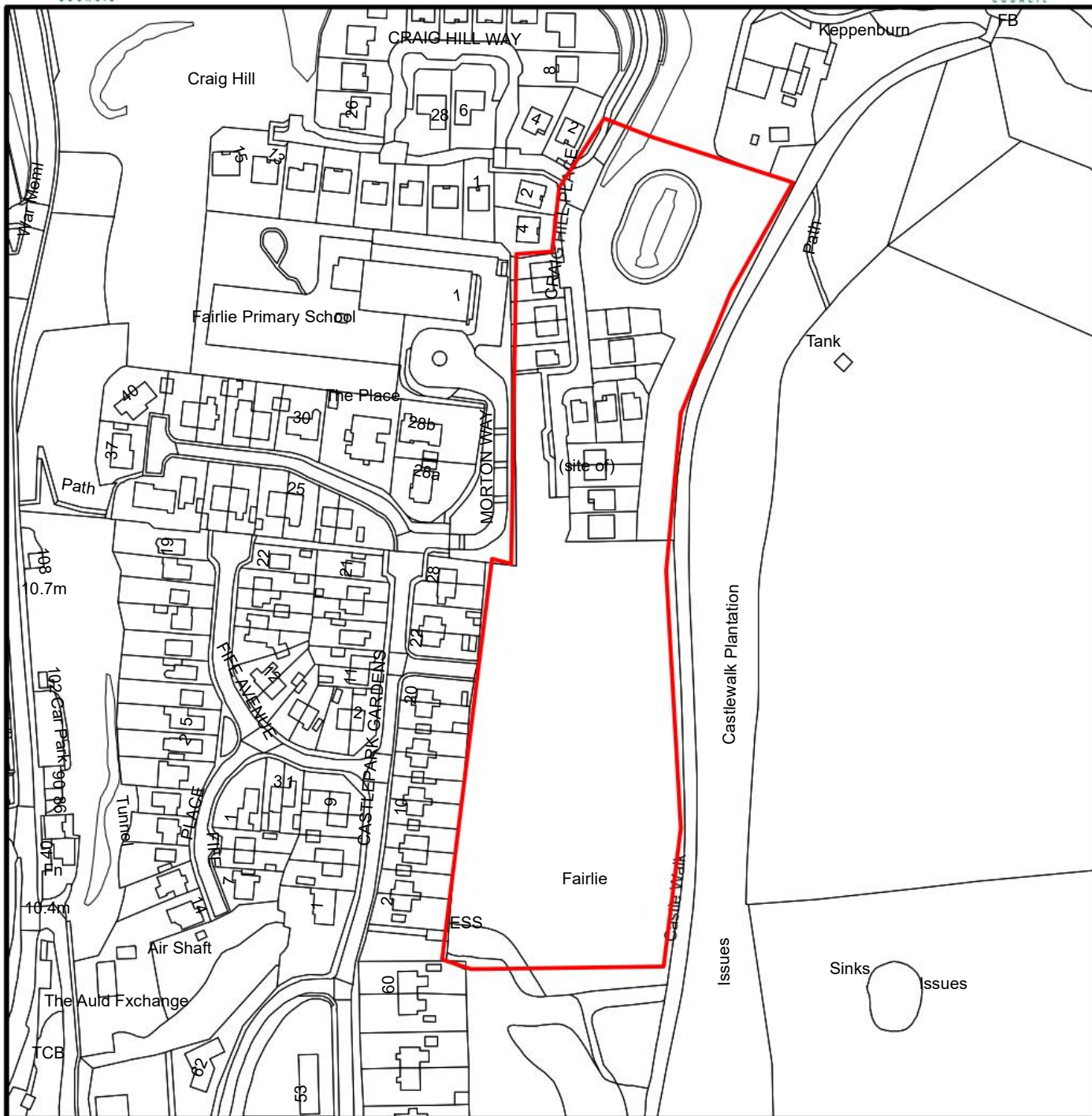
RUSSELL McCUTCHEON
Executive Director (Place)

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

Background Papers

0

Notice under Section 145 of the Town and Country Planning
(Scotland) Act as Amended:
Site to East of Castlepark Gardens, Fairlie



1:2,500

0 30 60 120 Metres

"This map is reproduced from the OS map by North Ayrshire Council with the permission of the Controller of Her Majesty's Stationery Office, © Crown copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. Licence Number: 100023393."