



North Ayrshire Council
Comhairle Siorrachd Àir a Tuath

Planning Committee

A Meeting of the **Planning Committee** of North Ayrshire Council will be held in the **Council Chambers, Ground Floor, Cunninghame House, Irvine, KA12 8EE** on **Wednesday, 08 June 2022** at **14:00** to consider the undernoted business.

- 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 22/00163/PP: 120 - 122 Irvine Road Largs Ayrshire**
Amendment to planning permission 21/00247/PP to include 4 additional dwelling flats
- 3 22/00187/PP: 82 Main Street Largs Ayrshire**
Erection of single storey building for use as hot food takeaway
- 4 22/00150/PP: Site To South Of 25 Marine Parade, Millport**
Erection of a detached dwelling house
- 5 22/00216/PP: 16-18 Dockhead Street, Saltcoats**
Removal of condition 1 of planning permission 21/00233/PP to allow permanent use of the external seating area to the rear of the public house.
- 6 22/00295/PP: Site To the East Of 1 Kirkland Crescent, Dalry**
Erection of 3 No. single storey terraced dwellinghouses to include associated garden ground, parking and boundary treatment.
- 7 Planning Performance Framework**
Submit report by the Chief Planning Officer on the Planning Performance Framework (copy enclosed).
- 8 Urgent Items**
Any other items which the Chair considers to be urgent.

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Planning Committee Sederunt

Robert Foster (Chair)
Timothy Billings (Vice-Chair)
Scott Davidson
Stewart Ferguson
Cameron Inglis
Amanda Kerr
Davina McTiernan
Jim Montgomerie
Ian Murdoch
Chloe Robertson

Chair:

Apologies:

Attending:

NORTH AYRSHIRE COUNCIL

Planning Committee

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Relevant Development Plan Policies

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

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

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

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

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

Strategic Policy 2

Placemaking

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

Six qualities of a successful place

Distinctive

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

Welcoming

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

Safe and Pleasant

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

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

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

Adaptable

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

Resource Efficient

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

Easy to Move Around and Beyond

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

Detailed Policy 2 - Regen Opportunities

Policy 2:

Regeneration Opportunities

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

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

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

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

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

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

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

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

Detailed Policy 18 - Forestry, Woodland

Policy 18:

Forestry, Woodland, Trees and Hedgerows

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

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

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

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

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

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

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

Detailed Policy 27 Sustainable Transport and Active Travel

We will support development that:

contributes to an integrated transport network that supports long term sustainability

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

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

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

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

We will take account of:

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

National Development:

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

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

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

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

Detailed Policy 29 - Energy Infrastructure

Policy 29:

Energy Infrastructure Development

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

Environmental

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

Community

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

Public Safety

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

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

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

Buildings: Low and Zero Carbon Generating Technology

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

This requirement will not apply to:

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

2. Consultations and Representations

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Representation

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

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

Consultations

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

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

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

Response: Noted.

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

Response: Noted.

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

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

3. Analysis

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

4. Full Recommendation

Approved subject to Conditions

Reasons for Decision

Condition

1. That prior to the date of commencement of the development a Preliminary Bat Roost Assessment, dated between May and August in the year of the proposed date of commencement, shall be submitted to the Council, as Planning Authority, for written approval. Thereafter the development will be carried out in accordance with the recommendations of any Assessment as may be approved.

Reason

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

Condition

2. Prior to the commencement the proposed means of access to the A78 shall be constructed in accordance with drawing 5822-R-3B . The type (and method) of construction to be approved by the Planning Authority, in consultation with Transport Scotland, as Trunk Roads Authority, before the development is commenced. For the avoidance of doubt there shall be no drainage connections to the trunk road drainage system.

Reason

In the interests of road safety

Condition

3. That prior to the commencement of the development, details of tree protection measures for the trees identified as to be retained on approved drawing 5822-R-3B shall

be submitted to the Council, as Planning Authority, for written approval. The development will thereafter commence in accordance with any details as may be approved.

Reason

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

Condition

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

Reason

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

Condition

5. That prior to the commencement of the development, the applicant shall submit for the written approval of North Ayrshire Council, as Planning Authority, a scheme of landscaping. Any landscaping scheme as may be approved shall be carried out in the first planting season following completion or first occupation of the development, whichever is soonest, or unless otherwise agreed in writing by North Ayrshire Council, as Planning Authority. Any trees or plants which, within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless North Ayrshire Council as Planning Authority gives written consent to any variation.

Reason

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

Condition

6. That prior to the commencement of the development, details of the surface water attenuation shall be submitted for the written approval of North Ayrshire Council, as Planning Authority. Thereafter the development will be carried out in accordance with any details as may be approved.

Reason

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

Condition

7. That prior to the commencement of the development details of the bin stores shall be submitted to the Council, as Planning Authority, for written approval. Any details as may be approved shall be implemented prior to the occupation of the relevant block.

Reason

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

Condition

8. That prior to the commencement of the development, details of the external finish materials for the blocks shall be submitted to the Council, as Planning Authority, for written

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

Reason

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

Condition

9. That prior to the commencement of the development details of the eastern boundary treatment shall be submitted to the Council, as Planning Authority, for written approval. This must include visibility splays from the vehicle access as shown on drawing 5822-R-3B . In a vertical plane, nothing shall obscure visibility measured from a driver's eye height between 1.05m and 2m positioned at the set back dimension to an object height of between 0.26m and 1.05m along the y dimension. Any details as approved must be implemented prior to the occupation of the first property.

Reason

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

Condition

10. That, prior to the commencement of the development hereby approved, details of the heat and power systems for the house, which shall include low and/or zero carbon technologies to demonstrate that at least 10% of the current carbon emissions reduction set by Scottish Building Standards will be met, shall be submitted for the written approval of North Ayrshire Council as Planning Authority. Thereafter, the development shall be implemented in accordance with such details as may be approved unless otherwise agreed in writing with North Ayrshire Council as Planning Authority.

Reason

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

Condition

11. That prior to the commencement of the development, details of obscure glazing for the southernmost elevation windows of Block 1 and Block 3, northernmost elevation windows of Block 2 and Block 4, and side elevations of all balconies shall be submitted to the Council, as Planning Authority, for written approval. Any glazing, as may be approved, shall be installed prior to occupation of the relevant flat and retained thereafter.

Reason

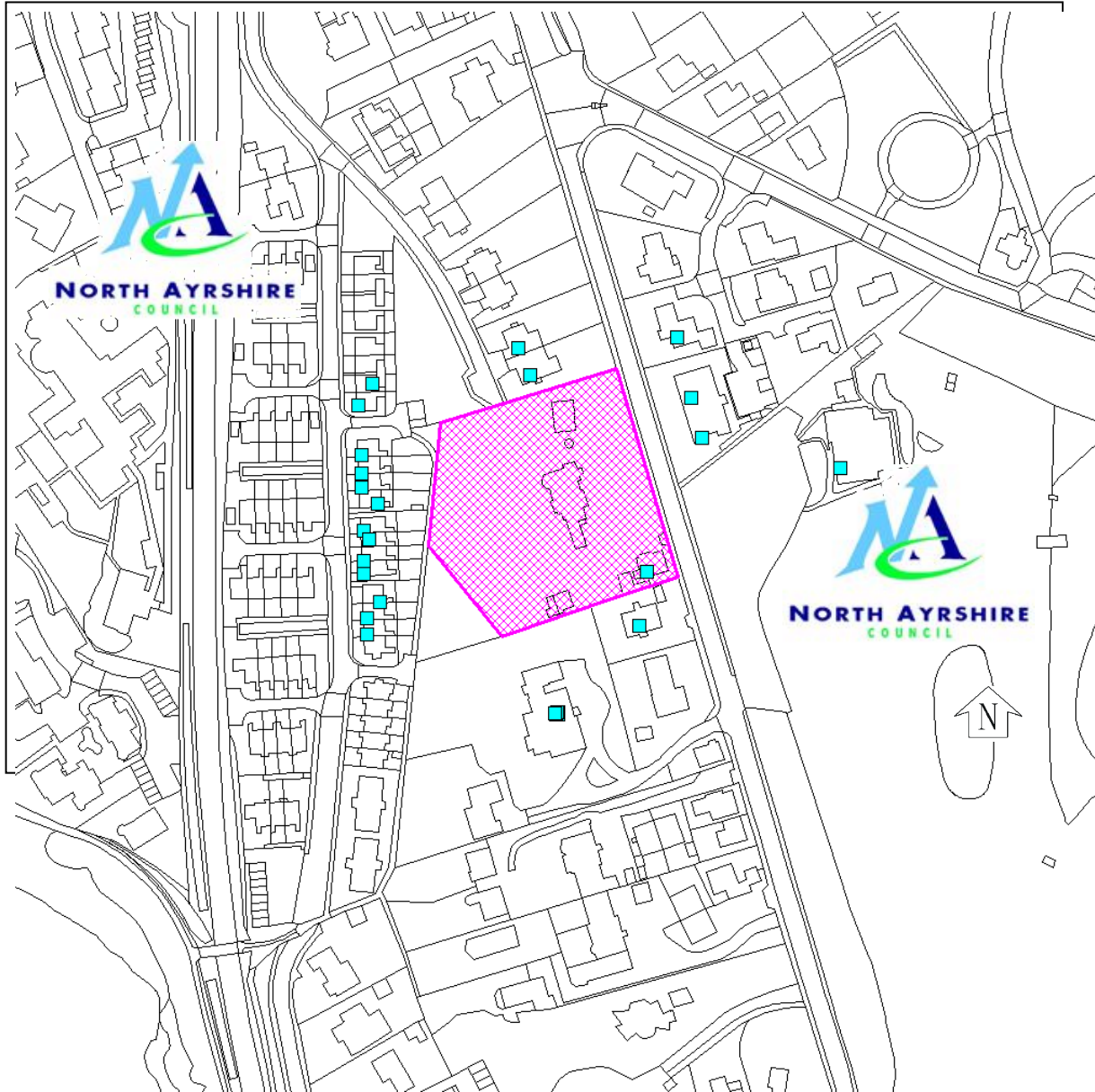
To ensure appropriate obscure glazing in order to protect the amenity of occupiers and adjoining properties.

James Miller
Chief Planning Officer

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

Appendix 1 – Location Plan

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NORTH AYRSHIRE COUNCIL

8th June 2022

Planning Committee

Locality	North Coast and Cumbraes
Reference	22/00187/PP
Application Registered	11th March 2022
Decision Due	11th May 2022
Ward	North Coast

Recommendation	Approved subject to Conditions
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Location	82 Main Street Largs Ayrshire KA30 9AN
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Applicant	TSA Properties
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Proposal	Erection of single storey building for use as hot food takeaway
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1. Description

Planning permission is sought for the erection of a single storey hot food takeaway on an existing gap site within Largs town centre. The application site is located at 82 Main Street, Largs. The site was previously home to a single storey commercial unit, until an accident in 1995 involving a train demolished the building on the site. The gap site has remained since this incident. The site sits on the corner of Main Street and Crawford Street which provides access to Largs train station. Largs taxi rank is located adjacent to the site.

The proposed development is for a single storey hot food takeaway which would occupy the same footprint as the previous building on the site and would infill a current gap on the high street. The proposed development has a triangular footprint measuring 9.5m x 8.5m occupying all 56 square meters of the site and is 4.7m in height to tie in with the existing adjacent buildings to the east.

The site is identified in the Adopted North Ayrshire Council Local Development Plan (the LDP) as part of the Town Centre of Largs. The proposal requires to be assessed against Strategic Policy 1: Towns and Villages Objective, Strategic Policy 2: Placemaking and Policy 3: Town Centres and Retail.

Relevant Development Plan Policies

Detailed Policy 3 -Town Centres & Retail

Policy 3:

Town Centres and Retail

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

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

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

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

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

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

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

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

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

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.

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.

2. Consultations and Representations

Neighbour notification was undertaken in accordance with statutory procedures and the application was advertised in a local newspaper. One letter of objection was received from the Largs Community Council.

1. The Community Council is unanimous in its opposition to the property being used as a hot food takeaway, due to the close proximity of the proposed hot food restaurant to the taxi rank and railway station. The CC considers that a takeaway at this location with late opening hours will exacerbate any anti-social behaviour.

Response: It is not agreed that the introduction of an additional hot food take away would significantly exacerbate any anti-social behaviour within Largs Town Centre. Incidence of any anti-social behaviour could be reported to the Police. This is assessed more fully below. A condition could ensure the hours of operation for the hot food takeaway do not exceed the proposed opening hours.

2. The Community Council feels that another hot food takeaway to this locale will constitute overprovision within the Town Centre.

Response: The proposed hot-food takeaway use for the unit is considered fully below. However, there is not considered to be an over provision of hot food takeaways within close proximity to the proposed development.

Consultations

NAC Environmental Health: No objections subject to conditions regarding the noise levels produced by the take-away and mechanical ventilation systems used.

Response: The issues raised can be addressed by planning conditions.

Transport Scotland: No objections to the proposed development.

3. Analysis

The Towns and Villages Objective of Strategic Policy 1 does not comment on the suitability of specific uses in town centre locations. However, it does seek to support the functions of town centres and prioritise the re-use of vacant sites. This application for development of a gap site in a town centre therefore accords with the principle of Strategic Policy 1. Largs town centre is home to a wide range of different uses, including hot food takeaways. The details of the application require to be assessed in terms of Strategic Policy 2: Placemaking and Policy 3: Town Centres and Retail.

In respect of the proposed use, Policy 3 relates to Town Centres and Retail. The proposal would infill a current gap site and complete the existing run of units, which is welcome. The proposed use of a hot food takeaway would not have a significant impact on the character of Largs town centre and would not give rise to an over-concentration of hot food takeaways in the vicinity of the application site. Within this part of the town centre there is one hot-food takeaway, as opposed to restaurants or cafes, at No. 70 Main Street, some 40m distant, and the next nearest are at 130 Main Street, some 120m to the east, and at 32 Gallowgate

Street, some 230m to the east. As such, the proposed use is considered acceptable in principle. The proposal accords with Policy 3 of the LDP.

In terms of Strategic Policy 2, the proposed development would be of the same height and architectural style as the adjoining run of units on Main Street. The North-West elevation would pick up on the proportions of 84 Main Street which ensures the development would sit well within its surrounding context and would not detract from the overall appearance of the street. The proposed South-West elevation provides an active frontage to Crawford Street, improving on the existing blank wall that is being utilised for advertising. A condition could be added to any permission requiring external finishes to be confirmed.

The site is next to a railway station and road, with no residential properties above or nearby. The proposed hours of operation are considered acceptable for this town centre location. The hours could be controlled by condition as could the details of the cooking equipment and noise from external plant. Transport Scotland, as Roads Authority for Main Street, has no objections. Given the above the proposal accords with Strategic Policy 2.

There are no other material considerations. Given that the proposal is in accordance with the relevant policies of the LDP, it is considered that planning permission can be granted subject to conditions.

4. Full Recommendation

Approved subject to Conditions

Reasons for Decision

Condition

1. Prior to commencement of development, details of all external finished to be submitted to North Ayrshire Council, as planning authority, for written approval. The development will then be carried out in accordance with any details as approved.

Reason

To ensure the proposed building is in keeping with the appearance of its neighbouring buildings, in the interest of amenity.

Condition

2. That the hot food takeaway use hereby approved shall operate only between the hours of 08:00 and 23:00 hours Sunday to Thursday and between the hours of 08:00 and 0:00 (midnight) Friday and Saturday to the satisfaction of North Ayrshire Council as Planning Authority.

Reason

To ensure that the takeaway does not operate at antisocial hours, in the interest of amenity.

Condition

3. The rated noise level, from the operation of all plant/equipment associated with the premises including extraction system and associated flues etc, must not exceed the background noise level by 5dB(A) or more at the curtilage of any noise sensitive premises.

Reason

To ensure that the takeaway does not result in excess noise, in the interest of amenity.

Condition

4. That the mechanical ventilation system in the kitchen shall be designed and installed to be suitable for the type of cooking to be undertaken and be capable of operating without causing nuisance to neighbouring properties due to cooking odours or noise. The system must incorporate suitable means of filtration (e.g. grease and charcoal filters) and be suitably isolated from the structure of the building. Fan units positioned in a ducted system should be isolated from the ducting by means of flexible connections, all to the satisfaction of North Ayrshire Council as Planning Authority.

Reason

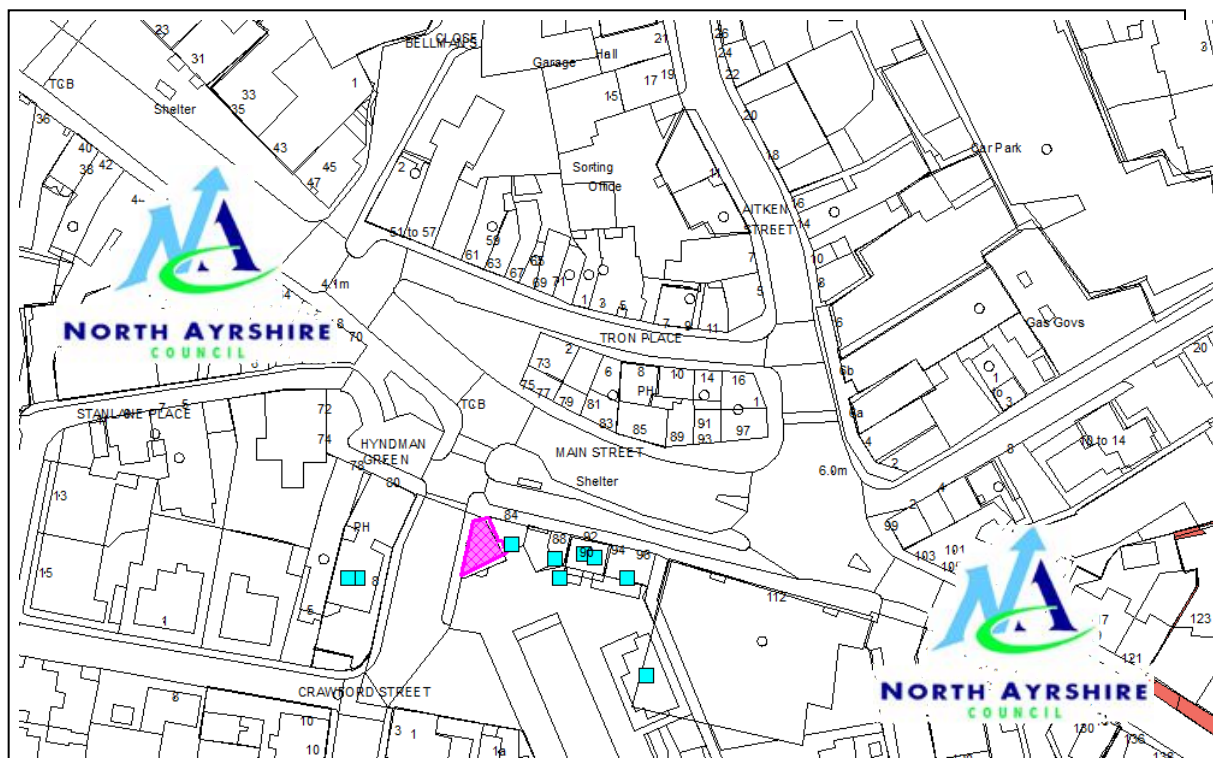
To ensure that the mechanical ventilation system suitably disposes of cooking fumes and does not result in excess noise, in the interest of amenity.

James Miller
Chief Planning Officer

For further information please contact Rowan Carmichael on 01294 315323.

Appendix 1 – Location Plan

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NORTH AYRSHIRE COUNCIL
Planning Committee

Locality	North Coast and Cumbraes
Reference	22/00150/PP
Application Registered	28th February 2022
Decision Due	28th April 2022
Ward	North Coast

Recommendation	Approved subject to Conditions
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Location	Site To South Of 25 Marine Parade Millport Ayrshire
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Applicant	Mr Colin McGregor
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Proposal	Erection of detached dwelling house
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1. Description

The application site lies between 25 and 26 Marine Parade in Millport. To the front of the site, facing Marine Parade, is an approx. 2m high stone wall. Behind the front boundary wall, the site is flat and open in character and is currently unmaintained and is overgrown with shrubs and bushes. The surrounding area comprises mostly of large Victorian villas and to the rear of the site is a steeply sloping wooded hillside with raised beach/countryside beyond.

The entire site between 25 and 26 Marine Parade was subdivided into two development plots, both of which have planning permission in principle for the erection of a dwellinghouse. This application refers to the larger northern site which has an area of 920sqm and for which planning permission in principle was granted in December 2021 (21/01051/PPP), subject to two conditions; a standard matters specified in conditions condition and a condition requiring that any dwellinghouse not be located forward of the front building line of 27 Marine Parade.

It is proposed to erect a detached two storey dwellinghouse on the site. The house would be located in the centre of the site, with an access onto Marine Parade to the west and parking and SuDS located in the front garden. The house would measure approx. 94sqm in area and would have a flat roof design approx. 6.8m in height. The house has been designed in a

faux Art Deco style and would be finished in white render with a single ply membrane flat roof.

In the adopted North Ayrshire Local Development Plan (LDP) the site lies within a General Urban Area allocation and therefore the Towns and Villages Objective of Strategic Policy 1: Spatial Strategy applies to this proposal. In addition, all development proposals require to be assessed in terms of Strategic Policy 2: Placemaking. The site is also located in Millport Conservation Area, and therefore Policy 9: Protecting and Enhancing our Conservation Areas, also applies. Finally, all proposals for new buildings need to be assessed under Policy 29: Energy Infrastructure Developments. North Ayrshire Council also has Coastal Design Guidance which is of relevance.

In August 2013 planning permission was granted for the erection of a building consisting of 4 dwellingflats on the site (13/00337/PP). This application was renewed in August 2016 (16/00550/PP). In October 2021 two applications for planning permission in principle for the formation of two residential plots were submitted (21/00972/PPP and 21/00973/PPP). The plots were to be divided into an eastern plot and a western plot with the western plot having a frontage onto Marine Parade and the eastern plot only being accessed by a narrow 'panhandle'. No pre-application discussions had taken place, and the case officer advised that the proposed plot layout would result in the eastern plot being backland development without a suitable street frontage. As such, the applicant was asked to revise the scheme so that the plots were divided into a north and south plot to give both plots a direct street frontage onto Marine Parade. The revised applications were approved in December 2021(ref. 21/01051/PPP and 21/01053/PPP).

As is required for new housing in conservation areas, a design statement is a statutory requirement. The submitted Design Statement highlights that the proposed Art Deco style house is considered to be suitable for the seaside location and will infill a key gap site in the Millport seafront. It notes that Art Deco housing positioned in-between traditional housing is not uncommon in Scottish seaside towns. A number of examples are provided to back up this claim including examples in Dunure, Leven, St Andrews, Rothesay and Nardini's in Largs. The house would utilise an air source heat pump, heat recovery management system, solar panels and triple glazed windows.

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 9 - Conservation Areas

Policy 9:

Preserving and Enhancing our Conservation Areas

Development within or adjacent to a Conservation Area, that preserves or enhances its character and appearance, and is consistent with any relevant Conservation Area Appraisal or Management Plan, will be supported providing it can be demonstrated that it retains appropriate scale, proportion, siting, massing, design, and use of materials whilst not inhibiting high quality innovative design.

There is a presumption against the demolition of unlisted buildings that contribute positively towards the character and appearance of a Conservation Area. Proposals will only be supported in the following exceptional circumstances:

- i) The proposal is accompanied by a suitable redevelopment of the site which contributes positively toward the character and appearance of the Conservation Area. Such proposals should also include interim landscaping or sensitive screening of the site. We will also expect proposals to be accompanied by an implementation timetable and where the

redevelopment period is considered to be excessive the demolition will generally be resisted.

AND

- ii) A competent assessment of the building's contribution to the Conservation Area has concluded that there is little or no value in the building's retention; and
 - o The repair or reuse of the building is not economically viable; or
 - o The demolition of the building is essential to delivering significant benefits to the wider community economically, socially or environmentally.

Works to trees within Conservation Areas will be supported where they are:

- o Part of an agreed scheme of tree management; or
- o Required on the grounds of safety or nuisance; or
- o Directed towards trees which are not of a material value to the conservation area (i.e. the trees are small, self-seeded saplings; or not otherwise visible to the public/neighbours - they are remotely located; or fast growing tree species such as conifers, leylandii etc.); or
- o In association with a wider development proposal which would enhance the amenity of the conservation area overall - including one where suitable replacement trees can be accommodated.

Further information on our Built Heritage Designations can be found in schedule 9.

Detailed Policy 29 - Energy Infrastructure

Policy 29:

Energy Infrastructure Development

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

Environmental

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

Community

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

Public Safety

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

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

Buildings: Low and Zero Carbon Generating Technology

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

This requirement will not apply to:

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

2. Consultations and Representations

Neighbour notification was undertaken and there was no requirement to advertise the application. One letter of support has been received, making the following point;

1. The design is suitable for the location, and it would be good to see this gap site filled.

Response: Noted. The proposed design is assessed in the following section of this report.

Consultations:

North Ayrshire Council (NAC) Active Travel and Transportation: No objections, subject to conditions covering hard surfacing and drainage of the access and drop kerbing.

Response: Noted, such conditions could be applied to any planning permission that may be granted.

Cumbræ Community Council: No objection, however, consider that the Art Deco style of the house is not in-keeping with the character of the Conservation Area, and the contrasting colour of the window is different from that required for other buildings in the Conservation Area.

Response: It is agreed that the design contrasts with the character of the Conservation Area; see analysis for further discussion. While Cumbræ Community Council has not objected, due to their concerns with relation to the design, the CC has requested that the application should be determined by Planning Committee. While no details of the colour of the windows have been provided it is noted that on the 3D visualisation, the windows are portrayed as black in contrast to the white render, which may be acceptable, however, full details of finishing materials including colours could be required by condition.

3. Analysis

Planning permission in principle for the erection of a dwellinghouse on this site has already been granted and therefore the principle of the development is acceptable under The Towns and Villages Objective of Strategic Policy 1: Spatial Strategy of the LDP. With the principle of a house on the site having been approved, the application requires to be assessed in terms of the other relevant policies of the LDP.

Strategic Policy 2 (Placemaking) requires that all development proposals meet the qualities of successful places. The scale of the proposed dwellinghouse in terms of area is smaller than the majority of the nearby houses which are mostly large Victorian villas. As such, the house would sit comfortably within the plot with sufficient room remaining for amenity purposes, access and parking. The height of the proposed dwellinghouse would also be lower than the majority of its neighbours due to its flat roof design. Overall, whilst smaller than the nearby housing on Marine Parade, it is considered the scale and massing of the proposed dwellinghouse would not be to the detriment of the character of the Conservation Area. In terms of siting, the house would be located back from the front building line of 27 Marine Parade as required by condition 2 of planning permission in principle (ref. 21/01051/PPP).

Turning to design, it is acknowledged by the applicants Design Statement that the Art Deco design diverges from the mainly Victorian/Edwardian character of the surrounding streetscape. However, the applicant has argued that Art Deco is a suitable design style for 'traditional' Scottish seafront locations that is compatible with the neo-classical building designs usually found in these locations. It is agreed that this style is compatible with the seafront locations referenced elsewhere. In relation to this particular site, and Millport more generally, it is considered the proposed design would be successful at emulating the characteristics of 1930s-40s Art Deco and would not come across as pastiche. Whilst the house would contrast markedly with the other houses nearby, it is considered that the site and its environs create an appropriate context for such architecture. Its two-storey scale would not be over-dominant for its site and, by using an established twentieth century architectural form, would avoid being overly modern, thus adding positively to the enjoyment of the main approach road leading into Millport from the east. The house would be visible from across Kames Bay as a white building in a group with a dominant backdrop of wooded hillside. The finishing materials are listed as roughcast render, single ply membrane and

aluminium windows; further details are required of the materials and could be ensured via condition.

The Coastal Design guidance states that new development should consolidate the settlement pattern and retain the scale of existing development. As highlighted above it is considered that the proposed development would match the existing building line and townscape. The guidance also states:

'Art Deco pavilions: The coasts of Scotland have a history of seaside buildings constructed during the 1930's in an Art Deco or International style. They were used as theatres, cafes and restaurants.' While this is in reference to landmark buildings rather than dwellinghouse, it highlights how Art Deco can be an appropriate design style for seaside locations. The proposal complies with the Coastal Design Guidance.

No details of boundary treatments or landscaping have been provided and these would also need to be secured via condition. With respect to drainage, a SuDS feature is displayed on the proposed site plan, but no further details have been provided. Again, this would need to be addressed by way of a condition. Parking arrangements include an access from Marine Parade leading to a parking/turning area with room for two cars. Subject to the conditions outlined above, the proposal accords with Strategic Policy 2.

The application site is located in the Millport Conservation Area and therefore Policy 9: Protecting and Enhancing our Conservation Areas, applies. The effect on the character of the Conservation Area has been touched upon in the previous section of this report, but to summarise, it is considered that whilst not being in-keeping with the Victorian architectural character of the surrounding area, the Art Deco design of the proposed dwellinghouse would enhance the appearance of the Conservation Area by introducing an established architectural form that has been used successfully in other seaside settings, as demonstrated in the design statement. The nature of the gap site in Marine Parade is such that more varied forms of architecture can be accommodated without detriment to the dominant Victorian character which this long-established grouping of housing has. As such, the proposed development accords with Policy 9 of the LDP.

Policy 29: Energy Infrastructure Developments, requires that at least 10% of the current carbon emission reductions targets set by Scottish Building Standards are met through the use of low or zero carbon generating technologies. The applicant's Design Statement states that the proposal will utilise an air source heat pump, heat recovery management system, solar panels and triple glazed windows. This is considered acceptable; however, details of these measures are not shown on the submitted drawings and therefore full details would be required via condition.

There are no other material considerations. Given that the proposal is in accordance with the relevant policies of the LDP, it is considered that planning permission can be granted, subject to conditions.

4. Full Recommendation

Approved subject to Conditions

Reasons for Decision

Condition

1. That prior to the commencement of the development hereby approved, full details of the proposed finishing materials shall be submitted for the written approval of North Ayrshire Council as Planning Authority. Thereafter, the development shall progress in accordance with such details as may be approved.

Reason

In order to ensure that the finishing materials are high quality and appropriate for the location. In the interest of the visual amenity of the area.

Condition

2. That prior to the commencement of the development hereby approved, full details of the proposed boundary treatments shall be submitted for the written approval of North Ayrshire Council as Planning Authority. Any treatments as may be approved shall be fully implemented prior to the occupation of the house.

Reason

In order to ensure that the boundary treatments are acceptable. In the interest of amenity.

Condition

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

Reason

In order to ensure that the landscaping is acceptable. In the interest of amenity.

Condition

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

Reason

In order to ensure that the landscaping scheme is suitably carried out and maintained. In the interest of amenity.

Condition

5. That prior to the commencement of the development hereby approved, full details of the surface water drainage arrangements shall be submitted for the written approval of North Ayrshire Council as Planning Authority. Thereafter, the development shall progress in accordance with such details as may be approved.

Reason

In order to ensure that the site is suitably drained in order to prevent flooding.

Condition

6. That prior to the commencement of the development hereby approved, full details of the proposed low and zero carbon generating technologies to be used shall be submitted for the written approval of North Ayrshire Council as Planning Authority. Thereafter, the development shall progress in accordance with such details as may be approved.

Reason

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

Condition

7. That the first 2 metres of the access, measured from the heel of the footway shall be hard surfaced in order to prevent deleterious material being carried onto the carriageway and designed in such a way that no surface water shall issue from the access onto the carriageway.

Reason

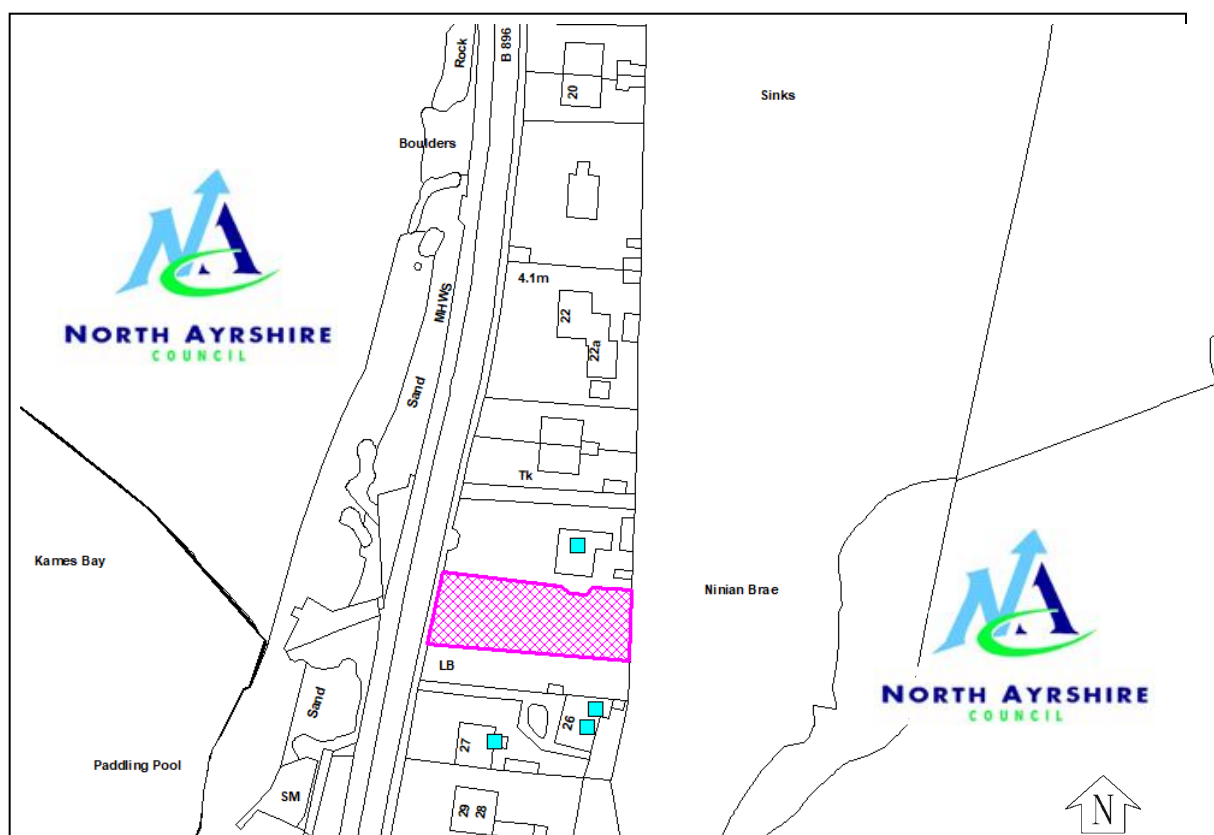
In the interest of road safety.

James Miller
Chief Planning Officer

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

Appendix 1 – Location Plan

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NORTH AYRSHIRE COUNCIL
Planning Committee

Locality	Three Towns
Reference	22/00216/PP
Application Registered	24th March 2022
Decision Due	24th May 2022
Ward	Saltcoats

Recommendation	Approved subject to Conditions
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Location	16-18 Dockhead Street Saltcoats Ayrshire KA21 5EG
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Applicant	Albion Douglas Ltd Fao Mr Ewan McLaughlin
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Proposal	Removal of condition 1 of planning permission 21/00233/PP to allow permanent use of the external seating area to the rear of the public house
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1. Description

Permission is sought for the deletion of Condition No. 1 of a planning permission (ref. 21/00233/PP), which permitted the use of an area to the rear of a public house as a beer garden associated with the public house.

At the meeting on 19th May 2021, the Planning Committee granted planning permission, subject to conditions, which included Condition No. 1, which states, that the use of the land, hereby approved, shall cease and all tables and chairs be removed by 20th May 2022, all to the satisfaction of North Ayrshire Council, as Planning Authority. The reason for the conditions was in recognition of the potential noise nuisance which could be generated by such a use, and to allow the use to be reassessed.

The public house is located on the southern side of Dockhead Street. There are other commercial properties to either side on Dockhead Street with flatted properties above. The application site is located between the rear (south) of the public house building and the north side of Dockhead Place. The application site is some 122sqm in area, including an existing terrace. Seats for a maximum of 67 persons would be provided. The western boundary of the site is the blank wall of a rear extension of No. 20-24 Dockhead Place. To the east of the site is the rear yard of No. 5-11 Quay Street. Across Dockhead Place to the

south at a distance of some 8m are the rear gardens of flats at No. 15 Quay Street and No. 1 and 3 The Braes. The rear elevations of those buildings are between some 18m and 28m distant.

The application site would be used for external seating. A 2.5m high palisade fence with a recessed gate has been erected on the southern boundary with Dockhead Place. An external covered terrace already exists within the site. Planning permission was granted retrospectively (ref: 06/00401/PP) in 2006 for use as a terrace associated with the public house.

It is understood the area has been used at points during the Covid emergency period for outdoor drinking. During 2020 the use of the area for consumption of drink was granted temporary licenses by the Council, as Licensing Authority. The Licensing Committee granted a permanent license for the use of the area in March 2021.

The site is identified in the Adopted North Ayrshire Council Local Development Plan (the LDP) as part of the town centre of Saltcoats. The proposal requires to be assessed against Strategic Policy 1: Towns and Villages Objective, Strategic Policy 2: Placemaking and Policy 3: Town Centres and Retail.

The Scottish Government has provided advice in respect of development arising during the Covid period, which runs until 30th September 2022. The advice states that "in the main, the most appropriate, straightforward and efficient way planning authorities can allow for reasonable temporary changes is by informally relaxing planning controls; particularly by using their discretion not to take enforcement action against planning breaches that are acceptable in the current circumstances."

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 3 -Town Centres & Retail Policy 3:

Town Centres and Retail

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

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

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

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

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

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

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

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

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

2. Consultations and Representations

Neighbour notification was carried out and the application advertised in the press. No objections have been received.

NAC Environmental Health - expressed reservations in respect of the application in 2021 regarding the potential for noise. However, there are no objections to the current proposal.

Response: Noted. Planning permission was granted for a temporary period to allow the Council, as Planning Authority, in consultation with Environmental Health to assess the appropriateness of a permanent permission. Environmental Health would retain the ability to control any statutory nuisance under their powers.

3. Analysis

The Town and Country Objective of Strategic Policy 1 states that the Council will support the social and economic functions of town centres. Strategic Policy 2 states that proposals should respect the amenity of existing and future users in terms of factors including noise. Policy 3 states that appropriate development within town centres has the potential to

improve their vitality and vibrancy. In principle support will be given to development which is of an appropriate scale for the town centre.

It is considered that allowing the retention of the use would support the operation of an existing town centre use and therefore support the social and economic function of Saltcoats town centre. The development is relatively small in scale being contained within an existing yard to the rear of the existing public house. As such it is considered the proposal accords with Strategic Policy 1 and Policy 3 of the LDP.

A fence has been erected to enclose the yard. Details of the fence were required by condition of the previous permission, which was found to be acceptable. A condition could be added to any further permission requiring the fence to be retained in the interest of visual amenity.

The main issue is considered to be the potential noise impact arising from the use. One objection was received on the previous application on the grounds that noise disturbance would occur. The previous permission was granted for one year so that noise could be reassessed. The Council, as Planning Authority, has not received any complaints about the use during the past year. Environmental Health has not reported any complaints and has no objections to this application. Environmental Health would retain the ability to control any statutory nuisance under their powers.

It is considered that a permission without a time limit be granted, subject to a condition requiring retention of the fence, would accord with Strategic Policy 2 of the LDP.

It is therefore recommended that planning permission be granted subject to such a condition.

4. Full Recommendation

Approved subject to Conditions

Reasons for Decision

Condition

1. That boundary fence and gates shall be retained in perpetuity to the satisfaction of North Ayrshire Council, as Planning Authority.

Reason

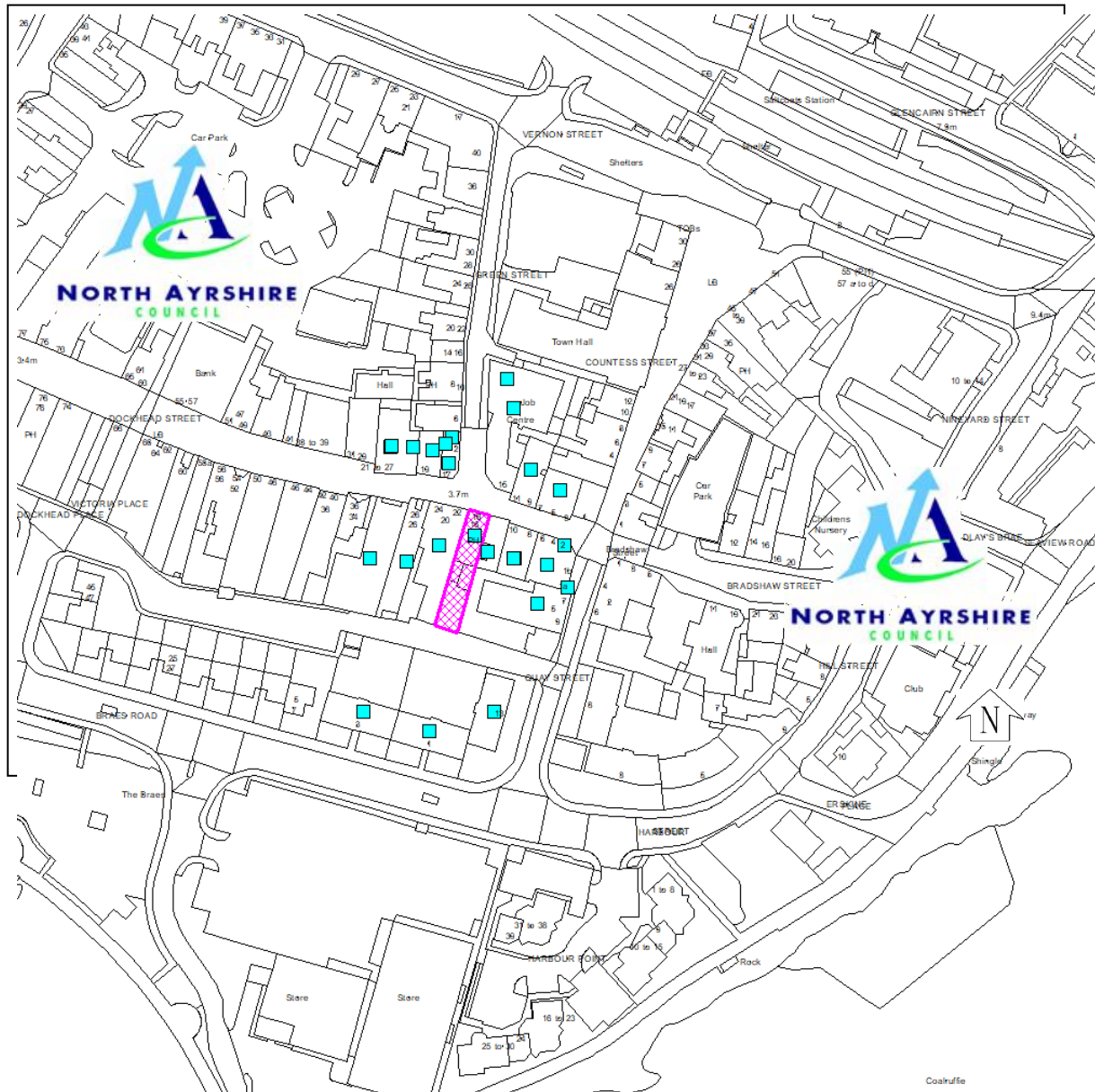
To ensure an appropriate boundary enclosure in the interest of the visual amenity of the area.

James Miller
Chief Planning Officer

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

Appendix 1 – Location Plan

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NORTH AYRSHIRE COUNCIL

8th June 2022

Planning Committee

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

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

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

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

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

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

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

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

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

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

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

Relevant Development Plan Policies

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

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

non-residential proposals will be assessed against policies of this LDP that relate to the proposal.

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

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

Strategic Policy 2

Placemaking

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

Six qualities of a successful place

Distinctive

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

Welcoming

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

Safe and Pleasant

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

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

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

Adaptable

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

Resource Efficient

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

Easy to Move Around and Beyond

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

Detailed Policy 19 - Open Space Devs

Policy 19:

Developments Involving Open Space

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

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

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

Detailed Policy 29 - Energy Infrastructure Development

Policy 29:

Energy Infrastructure Development

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

Environmental

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

Community

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

Public Safety

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

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

Buildings: Low and Zero Carbon Generating Technology

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

This requirement will not apply to:

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

2. Consultations and Representations

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

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

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

Consultations

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

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

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

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

3. Analysis

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

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

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

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

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

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

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

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

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

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

Welcoming

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

Distinctive

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

Safe and Pleasant

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

Adaptable

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

Resource Efficient

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

Easy to Move Around and Beyond

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

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

4. Full Recommendation

Approved subject to Conditions

Reasons for Decision

Condition

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

Reason

In the interest of the amenity of the area.

James Miller
Chief Planning Officer

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

Appendix 1 – Location Plan

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NORTH AYRSHIRE COUNCIL

8 June 2022

Planning Committee

Title:	Planning Performance Framework
Purpose:	To present the 2021/2022 Planning Performance Framework report
Recommendation:	Note the content of the latest Planning Performance Framework report (Appendix 1) and approve its submission to Scottish Government

1. Executive Summary

- 1.1 The performance of the Planning Service is outlined in an annual report prepared under the well-established Planning Performance Framework (PPF) and submitted to the Scottish Government in July each year. The Planning Performance report captures key elements of a planning service's performance and reports on a range of qualitative and quantitative indicators.
- 1.2 Our latest PPF Report, the eleventh to be prepared, covers the period April 2021 to March 2022 and is included at Appendix 1. PPF11 reports on the feedback from Scottish Government on last year's PPF; outlines case studies that demonstrate we are a high-quality planning service (Part 1); provides a performance update in relation to key development management, development planning, planning enforcement and development land indicators (Part 2); and considers our service improvement actions (Part 3). Despite a significant increase in the number of applications submitted, the Service has been able to maintain and improve determination timescales over the past 12 months.

2. Background

- 2.1 The Planning Performance Framework (PPF) was introduced in 2012, developed by Heads of Planning Scotland in response to the Scottish Government's planning reform agenda. PPF captures key elements of a high-performing planning service, giving a balanced measurement of the overall quality of the service while contributing towards driving continuous improvement. PPFs also report on a set of agreed performance markers on which the Scottish Government provide feedback.
- 2.2 The Scottish Government's feedback on last year's Planning Performance Framework, which rated North Ayrshire's Planning Service 'green' against all relevant markers, was reported to Planning Committee on 1 December 2021 and is summarised on page 2 of

the 2021/22 report.

- 2.3 The period covered by this PPF saw the Planning Service continue to operate under coronavirus restrictions for the majority of the year with all staff continuing to work from home. The PPF highlights how we have adapted to continue to provide exceptional application determination timescales; implement the recently adopted Local Development and respond to the wider reform of the planning system in Scotland.
- 2.4 Part 2 of the PPF is focused around National Headline Indicators – quantitative indicators which examine all aspects of the planning process, providing data on areas such as planning decision making timescales, the progress of the Local Development Plan, and the level of the housing land supply – and Official Statistics, which together provide an accurate and reliable account of performance over time. An update in respect to the performance markers is also provided.
- 2.5 As communities and the economy began to adjust and recover from the pandemic, the Service processed 675 applications over the 12-month period to 31 March 2021, an increase of 27% on the previous year and more applications than any of the previous seven years. Despite this increase, our excellent decision-making timescales have been maintained. On average, major applications were determined in 9.4 weeks, an improvement on 11.1 weeks the previous year. There was a small increase in average timescales for local (non-householder) and householder applications of just 0.3 weeks, but times for all three development types are expected to remain quicker than the Scottish average.
- 2.6 Part 3 of the PPF reports on the delivery of service improvement actions committed in the previous year and planned service improvements for 2022/23. The focus of the Planning Service continues to be driving improved performance; positioning the Service to promote placemaking; and promoting the plan-led system, while meeting statutory requirements. Of significant importance this year will be commencing work on North Ayrshire's next Local Development Plan and aligning this work with the cross-Council approach to economic development centred on placemaking and Community Wealth Building.

3. Proposals

- 3.1 It is recommended that Planning Committee notes the content of the latest Planning Performance Framework report (Appendix 1) and approve its submission to Scottish Government.

4. Implications/Socio-economic Duty

Financial

4.1 None.

Human Resources

4.2 None. The PPF Report provides an overview of the Planning Service workforce which enables comparison with other local authorities.

Legal

4.3 None.

Equality/Socio-economic

4.4 None.

Climate Change and Carbon

4.5 The Planning Service has a role in supporting the implementation of the Council's Environmental Sustainability and Climate Change Strategy in the context of development and land-use.

Key Priorities

4.6 The Planning Performance Framework report contributes to increasing the levels of accountability and transparency within the planning service; promoting the role of the service and continual improvement. The service supports many of the key priorities of the Council, including around the environment, housing, the economy and health and well-being. Planning certainty – as provided by the development plan – and efficient development management processes are important to support investment in North Ayrshire.

Community Wealth Building

4.7 The Planning Service intends to explore how planning can contribute to supporting Community Wealth Building in North Ayrshire.

5. Consultation

5.1 None.

JAMES MILLER
Chief Planning Officer

For further information please contact **Alistair Gemmell, Strategic Planning Manager**, on **01294 324021**.

Background Papers

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Planning Performance Framework 2021/22

May 2022



North Ayrshire Council
Comhairle Siorrachd Àir a Tuath

Introduction

North Ayrshire Council Planning Service

Following an unprecedented period for the Planning Service, documented in our previous Planning Performance Framework Report, the Planning Service has continued to adapt to the changing circumstances surrounding the coronavirus pandemic over the last 12 months. The flexibility and determination of our small team has enabled us to continue to operate as a high-performing planning service while continuing to exclusively work from home.

During 2021/22, the Service handled a significant increase in planning applications from developers, businesses and householders but our focus on delivering sector-leading performance has meant determination timescales for planning applications have largely been maintained, with the average determination time for major planning applications improving to 9.4 weeks.

The Service's joined-up approach to implementing the adopted Local Development Plan has continued, including our engagement with the housebuilding industry to bring new private-sector development to North Ayrshire, with another increase in the number of homes granted planning permission: 965 approved during 2021/22.

Implementation of the Planning (Scotland) Act 2019 has also been a key area of work over the last 12 months, with the Service responding to consultations on the draft National Planning Framework and regulations for Local Place Plans, Local Development Plans, Open Space Strategies and Play Sufficiency Assessments.

Moving forward we will continue to support delivery of the Ayrshire Growth Deal, Environmental Sustainability and Climate Change Strategy and the Council's ground-breaking Community Wealth Building Strategy.

Planning Performance Framework

This is the Planning Performance Framework Report for North Ayrshire Council's Planning Service for the period April 2021 to March 2022.

The planning performance framework was introduced by planning authorities in 2012. Developed by Heads of Planning Scotland and supported by the Scottish Government the framework captures key elements of a high-performing planning service, such as:

- speed of decision-making;
- certainty of timescales, process and advice;
- delivery of good quality development;
- an overall 'open for business' attitude.

The framework gives a balanced measurement of the overall quality of the planning service and contributes towards driving a culture of continuous improvement.

All planning authorities, strategic development plan authorities and seven key agencies prepare a Planning Performance Framework (PPF) report on an annual basis and receive feedback from the Scottish Government. PPF reports contain both qualitative and quantitative elements of performance and set out proposals for service improvement. They also report on a set of Performance Markers which were agreed by the High-Level Group¹ on Planning Performance in 2013.

¹ The remit of the High-Level Group on Planning Performance includes supporting improved planning performance and linking performance with planning fees. The Scottish Government and the Convention of Scottish Local Authorities (COSLA) co-chair the group with the remaining members comprising: Heads of Planning Scotland; the Society of Local Authority Chief Executives; the Society of Lawyers and Administrators in Scotland and the Royal Town Planning Institute.

Scottish Government Feedback 2020/21

North Ayrshire Council's tenth [Planning Performance Framework Report](#), covering the period April 2020 to March 2021, was submitted to Scottish Ministers in July 2021. In November 2021, the Minister for Local Government and Housing provided feedback on the report based around the 15 performance markers agreed by the High-Level Group on Planning Performance. Red, Amber or Green ratings were awarded based on the evidence provided, giving an indication of performance and the priority areas for improvement action.

The graphic opposite illustrates that, for 2020/21, the Scottish Government rated us green against all 13 performance markers applicable during the monitoring year. This is the second consecutive year and third year in the last four North Ayrshire's Planning Service has been rated green against all performance markers.

Part 2 of this Planning Performance Framework Annual Report details the rating given for each performance marker; the feedback received from the Scottish Government; and a summary analysis of how the Council is performing 12 months on.

► Scottish Government Feedback: <https://tinyurl.com/muj84b7>

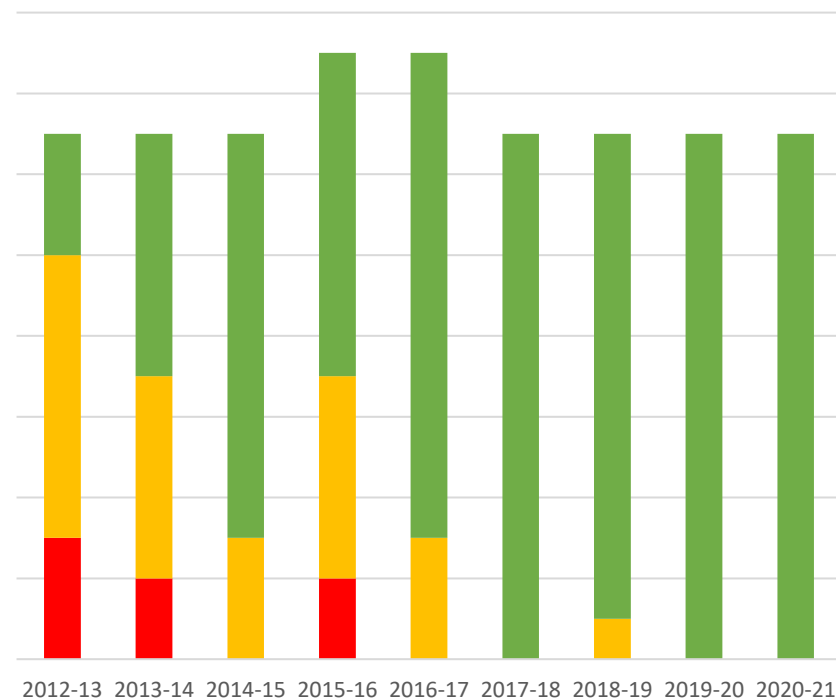


Chart 1 – Planning Performance Framework Ratings 2012-21

Key Performance Markers Summary 2021/22

No.	Performance Marker	Evidence	Page
DRIVING IMPROVED PERFORMANCE			
1	Decision-making: demonstrating continuous evidence of reducing average timescales for all development types	<ul style="list-style-type: none"> Average timescales for determining major applications again improved, from 11.1 to 9.4 weeks. Timescales for determining Local (non-householder) applications increased by 0.3 weeks to 6.2 weeks Average householder application timescales also increased 0.3 weeks, from 5.4 to 5.7 weeks. 	12-14
2	Processing agreements: offer of processing agreements (or other agreed project plan) made to prospective applicants in advance of all major applications and availability publicised on planning authority website	Processing agreements continue to be offered for all major applications and for complex local applications. This is highlighted on our website at: https://www.north-ayrshire.gov.uk/planning-and-building-standards/make-a-planning-application.aspx	15
3	Early collaboration with applicants and consultees on planning applications: <ul style="list-style-type: none"> availability and promotion of pre-application discussions for all prospective applications clear and proportionate requests for supporting information 	<p>The service provides pre-application advice and guidance on development which needs approval from the Council, including: the development of business and commercial properties, or making alterations to existing premises; the development of new housing; change in the use of land or buildings; outdoor advertisements; buildings in conservation areas; listed buildings and trees covered by tree preservation orders. A total of 398 pre-application enquiries were recorded in the past year.</p> <p>Case study B1 highlights one example of pre-application discussions having a positive impact on development.</p> <p>More details are available on our website: https://www.north-ayrshire.gov.uk/planning-and-building-standards/do-i-need-planning-permission.aspx</p>	8 15-16
4	Legal agreements: conclude (or reconsider) applications within 6 months of 'resolving to grant'	No applications were subject to a legal agreement as we continue to seek to avoid the use of such agreements where possible.	15-16

5	Enforcement charter updated / re-published within last 2 years	The Enforcement Charter was updated and republished in March 2021 https://www.north-ayrshire.gov.uk/Documents/CorporateServices/LegalProtective/Planning/enforcement-charter.pdf	16
6	Continuous improvement: progress ambitious and relevant service improvement commitments identified through PPF report	All service improvement commitments set out last year have been completed or are ongoing.	21-22
PROMOTING THE PLAN-LED SYSTEM			
7	Local development plan less than 5 years since adoption	The North Ayrshire Local Development Plan (LDP2) was adopted on 28 November 2019. See: https://www.north-ayrshire.gov.uk/planning-and-building-standards/ldp/local-development-plan.aspx	17-18
8	Development plan scheme demonstrates next LDP: <ul style="list-style-type: none"> on course for adoption within 5-year cycle project planned and expected to be delivered to planned timescale 	Work will formally commence on LDP3 when regulations and guidance implementing the relevant provisions of the Planning (Scotland) Act 2019 are published. Scoping work around the information required for the Evidence Report and participation is already underway. Our latest Development Plan Scheme, published in September 2021, sets out an indicative timetable for preparing LDP3. Due to the further delay in the publication of the new Local Development Planning regulations, originally expected to be in place by December 2021, we now anticipate it will not be possible to adopt LDP3 within 5 years of LDP2 (i.e. by November 2024). See: https://www.north-ayrshire.gov.uk/planning-and-building-standards/ldp/development-plan-next-steps.aspx	17-18
9	Engagement: Stakeholders including Elected Members, industry, agencies, the public and Scottish Government are engaged appropriately through all key stages of development plan preparation	The Strategic Planning Team continued to engage with stakeholders – including developers and landowners, key agencies and the Community Planning Partnership during 2021/22, ahead of the preparation of our next Local Development Plan and also with regard to Local Place Plans.	
10	Merged with No. 9 for 2021/22		
11	Production of relevant and up to date policy advice	Work to update and rationalise our non-statutory supplementary planning guidance is ongoing. In June 2021 we adopted a policy	17-18

		<p>guidance note on new housing development in the countryside and in February 2022 adopted an updated Design Guide for a self-build site in Millport. We are also developing policy advice relating to climate change in response to the Council declaring a 'Climate Change Emergency' and Developer Contributions for Education.</p> <p>Other Planning Guidance: https://www.north-ayrshire.gov.uk/planning-and-building-standards/ldp/other-planning-guidance.aspx</p>	
SIMPLIFYING AND STREAMLINING			
12	<p>Corporate working across services to improve outputs and services for customer benefit (for example: protocols; joined-up services; single contact arrangements; joint pre-application advice)</p>	<p>The Planning Service continues to work across the services to support, among other things, the Ayrshire Growth Deal, the Council's ambitious Strategic Housing Investment Programme (SHIP), Community Wealth Building, implementing the Environmental Sustainability and Climate Change Strategy and Regeneration Delivery Plan and with regard to school capacity. Cross service working and benchmarking with other authorities has informed the preparation of a draft Education Contributions Policy to support our approach to infrastructure delivery.</p> <p>The Strategic Planning and Connected Communities teams are working together to develop an approach that will support community bodies to prepare Local Place Plans (see Case Study B2).</p>	
13	<p>Sharing good practice, skills and knowledge between authorities</p>	<p>A strong emphasis within the service is placed on sharing good practice, skills and knowledge. The Service is an active participant in the Heads of Planning Scotland Executive and committee and in groups looking at the implementation of Local Place Plans and new procedures for preparing Local Development Plans. In October 2021, the Chief Planning Officer gave a presentation to The Scottish Planner Live on wellbeing in the context of green economic recovery.</p>	11
DELIVERING DEVELOPMENT			

14	Stalled sites / legacy cases: conclusion or withdrawal of planning applications more than one year old.	One legacy case remains, with no additional live applications more than one year old recorded.	19
15	Developer contributions: clear expectations <ul style="list-style-type: none"> • set out in development plan (and/or emerging plan); and • in pre-application discussions 	To support development and regeneration in North Ayrshire we do not routinely require developer contributions. The Local Development Plan expects the majority of new development to be directed towards sites that have infrastructure or services in place. Where further provision is required, the Supporting Development Objective: Infrastructure and Services policy within the LDP (p.16) sets out clear and proportionate expectations and the need for relevant assessments is highlighted alongside each development site where potential infrastructure deficiencies are known: https://www.north-ayrshire.gov.uk/Documents/CorporateServices/LegalProtective/LocalDevelopmentPlan/ldp2.pdf	15

Part 1 – Demonstrating a high-quality planning service

The Planning Performance Framework Annual Report aims to provide both quantitative and qualitative evidence to illustrate the performance of the Planning Service over the past 12 months, with a focus on our improvement journey.

Part 1 of the Planning Performance Framework Annual Report seeks to document the qualitative story of the past year's performance, supported by case studies.

The narrative is structured around the following four themes:

A: Quality of Outcomes – Demonstrating the added value delivered by planning;

B: Quality of Service and Engagement – Demonstrating positive actions to support sustainable economic growth, initiatives to work consistently with stakeholders and deliver a positive customer experience;

C: Governance – illustrating how structures and processes are proportionate, effective and fit for purpose;

D: Culture of Continuous Engagement – improvements and changes in the last 12 months.

A. Quality of Outcomes

A1. Montgomerie Park Simplified Planning Zone – Update

Montgomerie Park is Scotland's first Simplified Planning Zone for a major residential development. Following the adoption of the Montgomerie Park SPZ scheme in November 2019 (see [PPF9](#)), the Council-owned land was marketed for sale in January 2020. In May 2020, during the first UK lockdown, a preferred bidder was selected.

In November 2021, North Ayrshire Council's Cabinet approved disposal and the site was sold to Bellway Homes Ltd, with missives concluding in January 2022. During this time between November 2021 and January 2022 Bellway worked with Planning, Regeneration, Roads, Legal and Estates to ensure compliance with the terms of the SPZ, Roads Construction Consent requirements and that all legal and financial elements were in place to ensure conclusion of the sale and to promote an alternative form of housing delivery on the site.

146 new homes are to be built under the SPZ scheme with groundworks already taking place. During the SPZ process changes had to be made to the site layout due to a legal issue. However, as the SPZ concept masterplan was designed to be flexible it meant that the developer could change their layout to overcome the legal issue with ease as they did not need to re-submit a planning application. A new layout was tabled to North Ayrshire Council which also complied with the SPZ allowing all financial and legal elements to proceed. As such, the scheme proposed retained its consent under the SPZ.

The site was also the Council's first residential land sale to a private developer since 2006 when the sale of land at Montgomerie Park stalled amid the recession. The capital receipt from the sale will be used to support the North Ayrshire Council Capital Investment



Programme, including a new primary school and early years centre at Montgomerie Park, as approved by the council in March 2021.

Further information on the Montgomerie Park SPZ is available [here](#).

B. Quality of Service and Engagement

B1. Blairbowie Forge - house and farrier's workshop with training facility in the countryside

The Planning Service has delivered a positive customer experience for a North Ayrshire-based farrier, allowing him and his family to build a new home and training facility.

The farrier trains apprentices who travel to Scotland from Europe, especially Spain and Portugal. The business was having to bear the cost of overnight accommodation, with training provided in a forge within another local authority area around 15 miles from the farrier's home in North Ayrshire. The farrier's brief was to consolidate all activities onto one site but the house that the farrier and his family lived in was not capable of being extended and altered to accommodate the new facilities. Land, however, was available to purchase around 500m to the north of the existing house providing adequate space as well as panoramic views over the surrounding landscape, the Ayrshire coast and the Isle of Arran.



Following pre-application advice and a site inspection, planning officers supported the choice of location and held meetings with the project architects. From an initial design, amendments to meet design guidance were submitted, resulting in a proposed sustainable house of contemporary design and a planning application was made. The application process did not identify any significant issues with the development of the site – which is rural in character and is not subject to any specific landscape or habitat protection designations – and permission was granted within the statutory 2-month time period.

The case study illustrates the strength and flexibility of North Ayrshire's Local Development Plan, in particular the Countryside Objective:

The Countryside Objective

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

Following planning application approval, delivery of the project on-site was then delayed by rising budget concerns and this was addressed by an agreed sympathetic design and materials simplification of the forge building while retaining its functionality and without comprising the high-quality design of the house itself.

The development has secured the future of a rural business by reducing the transport and accommodation costs associated with the training of farriers. The house has provided a sustainable family dwelling which benefits from an air source heat pump, under floor heating and a very high standard of insulation.



A follow-up site visit was undertaken during early 2022. The farrier, his wife and family who live in the house have stated that they were very pleased with the outcome and the support provided throughout the planning process. Despite delays to construction because of the Covid-19 pandemic, the house, workshop and landscaping have now been fully completed. The development fits extremely well into its landscape setting, creating a contemporary living and working space which will benefit the farrier and family for decades to come. The timber cladding on the house and workshop complements the backdrop of mature coniferous woodland, making a distinctive and welcoming landmark in a rural part of North Ayrshire.

B2. Early engagement on Local Place Plans

Planning reform and the Planning (Scotland) Act 2019 has introduced a new right for community bodies to prepare Local Place Plans. Working alongside colleagues in the Council's Connected Communities Service, we took the Scottish Government's consultation on regulations and guidance for Local Place Plans as an opportunity to host two workshops in May and June 2021 with community representatives and Community Planning partners to introduce and consider Local Place Plans.

The purpose of the workshops was to understand what Local Place Plans are; consider how they might work in North Ayrshire and to gather feedback to inform a Community Planning Partnership response to the consultation.

The workshops were attended by around 50 representatives of the community over the two sessions and focused on five areas: the form and content of Local Place Plans; how community bodies should consult; resources and support; relationship to other plans and what Local Place Plans could achieve.

A number of themes emerged from the workshop and since the end of the consultation and publication of the Local Place Plan regulations and Circular, follow up meetings have been held with community bodies interested in preparing a Local Place Plan for their area. We will continue to work with community planning colleagues to develop a protocol and resources to support the preparation of Local Place Plans, working up to and beyond the formal 'invitation to prepare' Local Place Plans being published later in the year.

Further information ► <https://tinyurl.com/38jvsbms>

C. Governance

C1. Development Management – changes to processes for improving agile working

In the first year of the Covid-19 pandemic, the Planning Service had to adapt rapidly from a traditional office-based model, bringing many challenges to staff and service users. During the year 2021/22, the Service had to adapt from 'working at home' to the new designation of 'agile working'. This meant that many of the initial temporary workaround processes that had been put in place needed to be examined for their effectiveness, or otherwise, for use on a longer-term basis. Whilst this affected all aspects of delivering a planning service for North Ayrshire, there were some specific issues faced by staff working in Development Management.

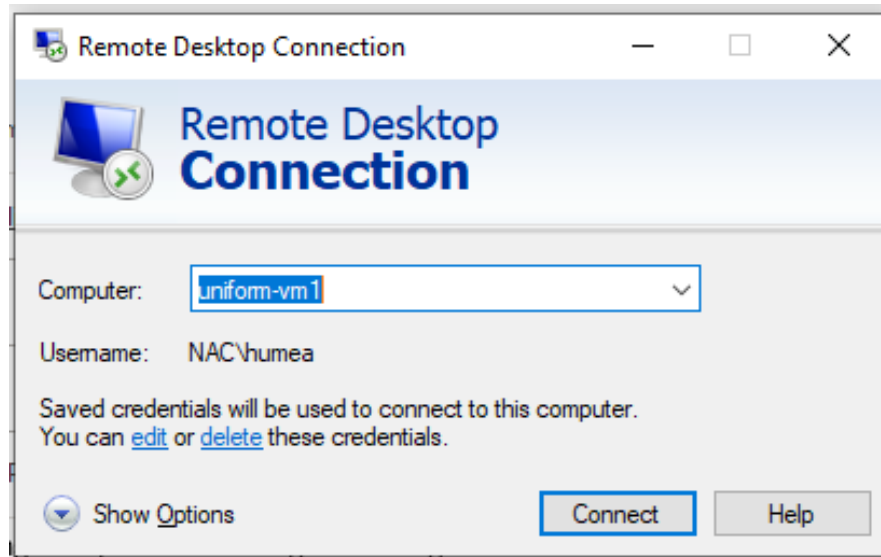
A key problem within the Development Management service arose due to the use of a Virtual Private Network (VPN) which all of the Council's IT equipment had to operate within. A VPN creates a secure link between the Council's office-based servers, hard drives and external users, protecting the data being transmitted through the internet against hackers, malware, ransomware and viruses. Although the VPN is an essential element in data protection, and is widely used, a problem arose using Uniform software whereby the VPN would significantly slow down the transmission and retrieval of data as well as disabling many tasks that had been relatively straightforward and rapid within the office. This was not an issue related to internet connection speed within people's homes; rather it was due to laptops and PCs having to navigate a bottleneck in the VPN server which resulted in speeds being 'throttled' despite otherwise good network connections for other software. It became evident that cloud-based servers were more adept at high speed data transfer, which wasn't an option for Uniform users.

A further issue arose in relation to clerical and administrative tasks on Uniform which had been largely performed by one member of the team. The additional burden placed on that team member was considered unacceptable and ways had to be found to alleviate the pressure. This pressure had increased greatly due to the poor performance of Uniform through the VPN, adding greatly to the time needed to carry out even basic functions.

Initially this was addressed simply by getting officers in the Development Management service to carry out their own routine clerical tasks - such as data entry on parts of Uniform that had previously been regarded as 'clerical work'. This was then gradually increased so that officers became responsible for validating their own applications, issuing acknowledgement letters and carrying out consultations.

The processes involved at the start were quite daunting but soon became routine. However, the disabled functions problem within Uniform was still a serious issue, affecting both performance and consuming a disproportionate amount of time relative to the scale of what were, after all, routine tasks.

The service was able to resolve this during February 2022 when IT staff created a Remote Desktop Connection for each officer, technician and the clerical officer. The improvement to the performance of Uniform was significant, with many of the previous issues resolved instantly. The Remote Desktop Connection creates a virtual PC window within the existing Windows environment, effectively bypassing the bottleneck caused by the VPN without any loss of security.



Since the introduction of the Remote Desktop Connections, the change to working practices has continued. Having learned how to carry out more tasks within the Uniform environment, officers are now able to quickly and efficiently carry out tasks which previously had resulted in inefficient double handling. As a result, the workflow process is now more logical and the clerical officer is now able to focus on dealing with the publication of public comments and issuing decision notices.

Further improvements to communication processes, especially in relation to the handling and publishing of public comments online, are planned.

D. Culture of Continuous Improvement

D1. Training

The Service continues to provide a training and learning environment to support our staff, with working from home having the benefit of increasing the opportunities to 'virtually' attend training events online without the need to travel. Some of the training undertaken by the team this year included:

- ▶ Conservation and New Towns (August 2021)
- ▶ Implementing the new planning framework in (October 2021)
- ▶ ESRI webinars on data analysis and GIS (various)
- ▶ Scotland's towns conference (November 2021)

D2. Benchmarking

The well-established West of Scotland Planning Benchmarking Group did not convene this year but informal networks ensured exchange of views, information and knowledge on specific planning issues continued throughout the pandemic. The Knowledge Hub online forum also proved to be a valuable resource as did the Service's engagement with the Heads of Planning Scotland (HOPS) Executive and Development Management and Developing Planning sub-groups.

Emerging from the HOPS Development Planning sub-committee, we have come together with other local authorities who are at the same stage of plan preparation through the Fife Peer Review Group. The group has met a number of times over the past 12 months to discuss approaches and share thinking around the preparation of a Local Development Plan under the new arrangements of the Planning (Scotland) Act 2019.

D3. Sharing Best Practice

As part of the RTPi's COP26 programme aiming to highlight the role that planners can play in tackling climate change and achieving net zero carbon targets, the Scottish Planner Live event in October 2021 brought together a range of perspectives to explore what a green economy should comprise and what is needed to deliver it. It also looked at leading practice in a range of different settings, examined what planners can contribute and what is needed to initiate changes required.

In a presentation to the event, Chief Planning Officer Jim Miller shared North Ayrshire's approach to planning for a green economy with a focus on wellbeing. The presentation highlighted how our vision of 'A Better Life' is aligned through North Ayrshire's Local Outcomes Improvement Plan, Local Development Plan, Council Plan and Community Wealth Building and Environmental Sustainability and Climate Change Strategies to develop a 'A Green New Deal'.

Webinar details ▶ <https://tinyurl.com/23mcmhcd>

Part 2 – Performance Update

Including National Headline Indicators & Official Statistics

Development Management

	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22
Application approval rate	96.7%	96.2%	97.1%	96.6%	95.7%	96.5%	95.2%	96.7%
Delegation rate	96.8%	96.5%	97.0%	97.2%	96.2%	97.5%	97%	97%
Percentage of applications valid upon receipt			58.0%	39.2%	37.5%	37.7%	52.7%	36.6%
Number of applications determined	590	571	639	564	603	560	531	675

PM1 – Decision Making

Major Developments (not subject to processing agreement)

	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22
Number of decisions	5	6	0	2	4	4	4	2
Average number of weeks to decision	12.6	24.3	-	9.5	10.2	13.1	11.1	9.4

Local (non-householder) Developments (not subject to processing agreement)

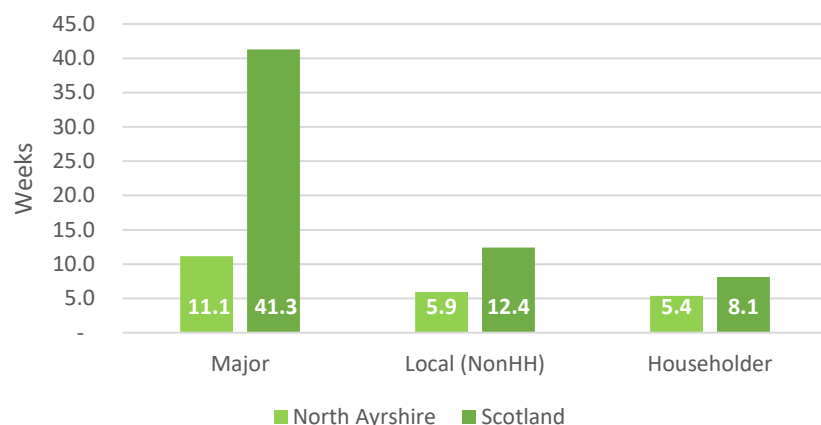
	Number of decisions	247	241	259	231	234	221	234	232
	Average number of weeks to decision	6.2	5.8	5.9	5.9	5.9	5.4	5.9	6.2
< 2 months	Percentage of decisions	95.5%	97.5%	98.5%	98.3%	92.3%	96.4%	97.4%	94%
< 2 months	Average number of weeks to decision				5.8	5.6	5.3	5.8	6.1
> 2 months	Percentage of decisions	4.5%	2.5%	1.5%	1.7%	7.7%	3.6%	2.6%	6%
> 2 months	Average number of weeks to decision				9.8	9.7	9.6	10.1	9.2

Householder Developments

	Number of decisions	224	213	253	225	268	229	194	304
	Average number of weeks to decision	5.1	4.7	4.6	4.7	4.3	4.3	5.4	5.7
< 2 months	Percentage of decisions	100%	100%	100%	99.1%	99.6%	99.6%	99.5%	98.7%
< 2 months	Average number of weeks to decision				4.6	4.3	4.2	5.4	5.7
> 2 months	Percentage of decisions	-	-	-	0.9%	0.4%	0.4%	0.5%	3.4%
> 2 months	Average number of weeks to decision				8.6	8.7	9.9	8.7	8.8

2020/21 ● Our previous PPF Report again reported outstanding decision-making timescales. Our average timescale for determining major applications was faster than the previous year (11.1 vs. 13.1 weeks) and the statutory timescale and considerably faster than the Scottish average of 41.3 weeks. While our timescales for local and householder applications were marginally slower as the service adapted to working under coronavirus restrictions – increasing by 0.5 and 1.1 weeks respectively – it was noted that they remained faster than the Scottish average and statutory timescale. The Scottish Government awarded us a green rating for Performance Marker 1 – Decision-making.

Figure 1: North Ayrshire average decision-making timescales vs. Scottish average, 2020/21



2021/22 Over the past twelve months we have largely been able to maintain our excellent decision-making timescales despite a significant increase in applications to the authority. The Planning Service determined 675 applications during 2021/22, an increase of 27% on the previous year and more applications than any of the previous seven years. This includes a rise of over 100 householder applications.

We dealt with 3 major applications in total, with the two that did not have processing agreements determined in an average time of 9.4 weeks. This is an improvement on 11.1 weeks during 2019/20 (4 applications without a Processing Agreement).

There has been a minor increase in determination times of just 0.3 weeks for local developments but over 96% of all local developments were determined within 2 months.

Development Management Overview

Our development management team has remained a team of six planners following an expansion from 5 to 6 planners in 2019/20. A vacancy did arise at the start of March 2022 when a Planning Assistant returned to the Council's Flooding team for a promoted post but we have successfully recruited to fill this post, with a new Planning Assistant beginning at the end of May 2022.

The team operates on a broadly area basis, with a 'west' team covering the north coast, Three Towns and Arran and 'east' team covering Irvine, Kilwinning, and the Garnock Valley. Each team is headed by a Senior Development Management Officer, while there is a planning officer dedicated to the Isle of Arran.

This arrangement provides senior overview of key issues within each area whilst allowing for flexibility for officers. It also reflects the distinctive nature and challenges of serving a large island within a predominantly mainland authority. This system gives the officers the chance to engage in a wide range of development management issues, increasing knowledge and skill base, whilst allowing them to focus on the ethos of providing timely decisions and first-class customer service. The Council's decision-making performance continues to be class leading with timescales in all classes of development consistently and significantly lower than the Scottish averages.

Other Development and Decision Types (not subject to processing agreement)

Housing developments – Major

	2019-20	2020-21	2021-22
Number of decisions	1	3	0
Average number of weeks to decision	21.1	9.6	-

Business and Industry developments – Major

	2019-20	2020-21	2021-22
Number of decisions	0	0	1
Average number of weeks to decision	-	-	12

Housing developments – Local

		2019-20	2020-21	2021-22
	Number of decisions	83	74	83
	Average number of weeks to decision	6.0	6.3	6.3
< 2 months	Percentage of decisions	97.6%	97.3%	95.2%
< 2 months	Average number of weeks to decision	5.9	6.2	6.2
> 2 months	Percentage of decisions	2.4%	2.7%	4.8%
> 2 months	Average number of weeks to decision	9.2	9.1	9.2

Business & Industry developments – Local

		2019-20	2020-21	2021-22
	Number of decisions	11	16	10
	Average number of weeks to decision	5.1	5.4	6.0
< 2 months	Percentage of decisions	100%	93.8%	90%
< 2 months	Average number of weeks to decision	5.1	5.2	5.5
> 2 months	Percentage of decisions	-	6.3%	10%
> 2 months	Average number of weeks to decision	-	8.9	10.3

Advertisements

	2019-20	2020-21	2021-22
Number of decisions	24	10	35
Average number of weeks to decision	3.8	5.9	4.8

Listed Building and Conservation Area Consent

	2019-20	2020-21	2021-22
Number of decisions	33	28	23
Average number of weeks to decision	5.9	6.0	6.7

Other Consents and Certificates

	2019-20	2020-21	2021-22
Number of decisions	45	55	49
Average number of weeks to decision	2.4	3.7	4.6

Local Reviews

	2019-20	2020-21	2021-22
Number of decisions	10	9	8
Original decision upheld – Number	7	7	6
Original decision upheld – %	70%	77.8%	75%

Appeals to Scottish Ministers

	2019-20	2020-21	2021-22
Number of decisions	1	0	3
Original decision upheld – Number	1	-	2
Original decision upheld – %	100%	-	66.7%

NB: There have been no *EIA Developments* or *Hazardous Substances* applications between 2019-20 and 2021-22

PM2. Processing Agreements

	2017-18	2018-19	2019-20	2020-21	2021-22
Number of major applications subject to processing agreement	5	2	6	5	1
Percentage of major applications subject to processing agreement	62.5%	50%	75%	55%	33%

PM3. Early Collaboration

	2017-18	2018-19	2019-20	2020-21	2021-22
Number of applications subject to pre-application advice	193	148	131	126	165
Percentage of applications subject to pre-application advice	35%	24%	20%	28.7%	25%

PM4. Legal Agreements

		2017-18	2018-19	2019-20	2020-21	2021-22
Major	Number	1	0	0	0	0
Major	Average number of weeks	13.9	-	-	-	-
Local	Number	0	0	0	0	0
Local	Average number of weeks	-	-	-	-	-

2020/21 ●●●

The Scottish Government's Performance Markers Report again awarded us a green rating for the performance markers relating to processing agreements (PM2), early collaboration with applications and consultees (PM3) and on the use of legal agreements (PM4) for the 2020/21 reporting period. It noted that processing agreements continued to be offered for all major applications and for complex local applications; that our report contained a number of examples of continuing positive pre-application engagement and that we did not determine any applications that were subject to a legal agreement during the time period.

2021/22

We continue to encourage the use of processing agreements for all major and relevant local applications and last year 1 out of 3 major applications, four local applications and one other consent were subject to such an agreement. Ensuring we use processing agreements proportionately assists us to project manage the formal application process and sets out what is expected of applicants in terms of information needed to reach a decision. The use of Processing Agreements is promoted and explained on our website ► <https://tinyurl.com/y2abqudl>

The Council offers free pre-application advice for all applications, which are recorded within Uniform ensuring consistency of advice. This year 398 pre-application enquiries were logged. Case study B1 provides just one example of the positive pre-application engagements we have had which contributes to high quality developments in North Ayrshire.

Pre-application Advice for applicants ► <https://tinyurl.com/jmw6sw6w>

Again, no applications were determined with a legal agreement.

Enforcement

PM5. Enforcement Charter						
	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22
Time since enforcement charter published or reviewed (at 31 st March)	23 months	9 months	21 months	10 months	0 months	12 months
Indicators and Statistics						
Complaints lodged and investigated	183	148	162	147	124	155
Breaches identified	124	107	96	90	59	88
Cases closed	125	113	210	152	101	149
Notices Served	21	17	10	9	12	13
Direct Action	0	0	0	0	0	0
Reports to the Procurator Fiscal	0	2	0	0	0	0
Prosecutions	0	0	0	0	0	0

The Planning Service's Enforcement Charter was updated in March 2021 ► <https://tinyurl.com/2p82mrx>

Following last year's downturn in enforcement statistics, which was attributable to COVID restrictions, there has been a slight upturn in cases lodged and investigated. Due to fewer movement restrictions, more investigation site visits were undertaken and there has been an increase in breaches identified. This has also allowed the Council to progress existing cases with an approx. 50% increase in cases closed. The Council has continued to take appropriate action where considered expedient to do so.

Development Planning

Following the adoption of the North Ayrshire Local Development Plan, our second local development plan (LDP2), in November 2019 the Planning Committee endorsed our intention not to begin preparation of our next LDP under the 'old' legislation and regulations but to prepare LDP3 under the new provisions of the 2019 Act once they are laid in Parliament and published. An updated Development Plan Scheme was agreed by Planning Committee in September 2021 which revised the indicative timetable to account for the delay in the publication of the Local Development Planning Regulations, which were initially expected to be published in December 2021.

It is anticipated that the current timetable for producing LDP3 may be subject to further delay in-line with the publication of the Regulations, now expected to be "later in 2022". In the meantime, we are progressing with scoping work around the content and data requirements of the Evidence Report and developing a Participation Strategy for LDP3, including through discussions with other local planning authorities at the same stage of plan preparation (see case study D2).

A number of monitoring workstreams are being progressed which will inform the Evidence Report. Ongoing audit work includes on town centres, local nature conservation sites and landscape areas, GP and school capacity, employment land and housing land. Our 2020/21 Housing Land Audit was published in February 2022 after being agreed with Homes for Scotland as we continue to work closely

with the housebuilding industry to deliver new homes in North Ayrshire.

Another key focus of the Strategic Planning team during 2021/22 has been the adoption of Development Frameworks for two of the LDP's Strategic Development Areas at Ardrossan North Shore and Hunterston. The LDP calls for co-ordinated action and a masterplanned approach at Hunterston and the Planning Service has worked alongside site owners Peel Ports and other stakeholders to bring forward a Framework which supports the site's development and to promote Hunterston as a 'National Development' within the National Planning Framework (NPF).

Finally, responding to the Scottish Government consultations on Draft NPF 4, proposals for regulations and draft guidance on local development planning, open space strategies and Play Sufficiency Assessments was a significant undertaking for the Strategic Planning team in the final four months of 2021/22. The team engaged with services across the Council, including through the preparation of topic-specific briefings, to ensure a comprehensive response to NPF4 was submitted covering a range of different topics. The Strategic Planning Manager also led on responding to the consultation on Local Place Plan regulation for Heads of Planning Scotland in June 2021.

► LDP webpage: <https://tinyurl.com/yymblben>

► Development Plan Scheme: <https://tinyurl.com/y6a2q933>

PM7. Local Development Plan	2020/21 ●					
PM8. Development Plan Scheme	2020/21 ●					
	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22
Age of local development plan at end of reporting period (requirement: < 5 years)	2 years, 10 months	3 years, 10 months	4 years, 10 months	4 months	1 year, 4 months	2 years, 4 months
Will the local development plan be replaced by its fifth anniversary according to the current development plan scheme?	Y	Y	N	Y	Y	N
Was the expected date of submission of the plan to Scottish Ministers in the Development Plan Scheme changed over the past year?	N	N	N	N/A	N/A	Y
Were development plan scheme engagement/ consultation commitments met during the year?	Y	Y	Y	N/A	N/A	N/A

Land Supply and Development

NB. Latest Housing Land Audit covers 2020/21

Indicators & Statistics	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21
Established housing land supply (units)	8800	9249	9110	8620	9115	8665
5-year effective housing land supply – programming (units)	2674	2405	2443	2491	2558	2654
5-year effective housing land supply – total capacity (units)	7012	4984	4714	5099	4888	4697
5-year housing supply target (units)	2090	1585 ¹	1585 ¹	1585 ¹	2036 ²	2036²
5-year effective housing land supply (years)	6.4	7.6	7.7	7.9	6.3	6.5
Housing approvals (units)	580	451	551	378	892	965
Housing completions over last 5 years (units)	1553	1305	1320	1447	1445	1425
Marketable employment land supply (ha)	-	416	416	416	416	514³
Employment land take-up (ha)	-	-	-	-	-	-

¹ Housing Supply Target updated from Local Housing Strategy 2018-22 agreed by Cabinet 12 December 2017

² Figure from adopted Local Development Plan (November 2019)

³ Figure from draft Employment Land Audit 2021 following review and reclassification of all employment sites.

PM11. Regular and Proportionate Advice

2020/21 ● The Scottish Government's feedback on last year's PPF acknowledged that work to update and rationalise non-statutory and statutory supplementary guidance was ongoing, with a draft policy guidance note on new housing development in the countryside being published and that we continued to develop advice on climate change in response to the council's declaration of the Climate Emergency.

2021/22 A comprehensive review of our supplementary and other planning guidance is ongoing following the adoption of the Local Development Plan, which forms the basis of our proportionate approach to providing policy advice, in November 2019. The overall aim is to update, streamline and reduce the amount of guidance. In June 2021, a new policy guidance note on new housing in the countryside was adopted and in February 2022 a Design Guide for a self-build scheme in Millport was revised. Work to prepare guidance on climate change and sustainability will be prepared this year following the publication of the Council's strategy on this important subject and in line with NPF4.

► Planning Guidance: <https://tinyurl.com/yaigprto>

PM14. Legacy Cases

	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22
Number of cases cleared during reporting period	3	2	0	1	0	0
Number remaining	4	2	2	1	1	1

2019/20 ● At the end of March 2021, the number of legacy cases (applications over 1 year old) remained at one. This remaining legacy case relates to a key regeneration project under development and the applicant has indicated the intention not to withdraw the application.

2020/21 No change.

Officers continue to ensure that all new applications are progressed effectively, pro-actively managing cases using a range of approaches including weekly programming meetings, time management of casework, use of processing agreements, and pre-application discussions to enable 'right first time' submissions. We continue to focus on negotiating out issues which, in the past, would have resulted in S75 obligations, which limit the likelihood of an increase in legacy cases in the future.

PM15. Developer Contributions

- 2020/21** ● The Scottish Government feedback rated us 'green' against this Performance Marker, noting that we do not routinely require developer contributions as a means to encourage investment in North Ayrshire and that where contributions are required, the LDP policy sets out the requirements.
- 2021/22** As noted last year, to support development and regeneration in North Ayrshire we do not routinely require developer contributions. The LDP expects most of the new development to be directed towards sites that have infrastructure or services in place. Where further provision is required, the Supporting Development Objective: Infrastructure and Services policy within the LDP (p.16) sets out clear and proportionate expectations and the need for relevant assessments is highlighted alongside each development site where potential infrastructure deficiencies are known. The Council's position with regard to education capacity is currently being reviewed.

Local Development Plan ► <https://tinyurl.com/y8e79jgn>

Part 3 – Service Improvements

Delivery of service improvement actions committed in previous year and planned service improvements in 2022/23

2021/22		2022/23	
2020/21 Commitment	Progress		2022/23 Commitment
<p>Ayrshire Growth Deal: Support the Director of Growth and Investment in the implementation of the Ayrshire Growth Deal in North Ayrshire and the wider growth and investment opportunities.</p> <p>Progress Masterplan for Hunterston in partnership with site owners.</p>	<p>✓ Development Frameworks for Ardrossan North Shore and Hunterston approved at Planning Committee in April 2021 and December 2021</p> <p>✓ Planning represented on Programme Boards for Growth Deal projects.</p>	<p>Repositioning the Planning Service to promote Placemaking</p>	<p>Continued commitment for 2022/23 with focus on supporting delivery.</p>
<p>Support economic recovery and renewal by contributing to a cross service/Council approach to economic development, centred on placemaking and Community Wealth Building.</p>	<p>🔄 Ongoing. Planning represented on the Regeneration Sounding Board and Inward Investment Group.</p> <p>Supported plans for £100m plus investment in a new global manufacturing centre at Dalry, announced during COP 26.</p>	<p>Repositioning the Planning Service to promote Placemaking</p>	<p>Continued commitment for 2022/23 with focus exploring the alignment of Planning and Community Wealth Building, including in context of NPF4.</p>

Development Management: Continue to provide an efficient and effective Development Management Service.	✓ Sector leading performance maintained	Driving Improved Performance	Continued commitment for 2022/23
Service Delivery: review changes to service delivery necessitated by COVID-19 and new working patterns to identify potential opportunities to improve robustness of service delivery.	✓ see Case Study B1	Driving Improved Performance	Continued commitment for 2022/23 including further improvements to communication processes, especially in relation to the handling and publishing of public comments online, are planned.
Development Planning: Following the timetable set out in the Development Plan Scheme, develop Evidence Base to inform LDP3. Explore how Community Wealth Building can be embedded within the new LDP.	🔄 Development Plan Scheme revised to reflect delays in implementation of new legislation on Local Development Planning A number of audits are ongoing to inform the Evidence Report and next LDP	Promoting the Plan-led System	Continued commitment for 2022/23 with focus on promoting a corporate approach to developing LDP3.

Workforce Information at 31st March 2022

	Tier 1 <i>Chief Executive</i>	Tier 2 <i>Director</i>	Tier 3 <i>Head of Service</i>	Tier 4 <i>Manager</i>	
Head of Planning Service				✓	See Appendix 1

Headcount	Chartered RTPI	Licentiate RTPI	All
Development Management	3	1	5*
Development Planning	2	2	4
Technical Support			4
Total (inc. Senior Manager)	5	5	14

*One vacant post in Development Management at 31st March 2022 which has subsequently been filled.

	Age Profile
Under 30	2
30-39	3
40-49	5
50 and over	4

Planning Committee Information

Committee & Site Visits	Number per year
Full Council meetings	9
Planning committees	10
Area committees	n/a
Committee site visits	0
Local Review Body	8
Local Review Body site visits	1

Appendix 1 – Corporate Structure

(at May 2022)



Our Contact Details

For more information or advice, please contact:

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This Planning Performance Framework can be made available in other formats such as on audio tape, on CD, in Braille or in large print. We can also provide it in other languages if you ask us to.



North Ayrshire Council
Comhairle Siorrachd Àir a Tuath