



**REPORT BY DEPUTE CHIEF EXECUTIVE AND  
EXECUTIVE DIRECTOR OF DEVELOPMENT AND ENVIRONMENT**

**REGULATORY PANEL: 26 NOVEMBER 2009**

<b>SUBJECT:</b>	<b>PLANNING APPLICATION REPORT</b>
<b>09/00683/OUT</b>	<b>AYR – GREENAN, LAND AT DUNURE ROAD</b>
<b>DESCRIPTION:</b>	<b>PLANNING PERMISSION IN PRINCIPLE FOR ERECTION OF RESIDENTIAL DEVELOPMENT AND ANCILLARY USES INCLUDING, LOCAL CONVENIENCE RETAIL, CARE HOME, AND ASSOCIATED CAR PARKING, OPEN SPACE AND LANDSCAPING.</b>
<b>REPRESENTATIONS:</b>	<b>46 OBJECTIONS HAVE BEEN RECEIVED</b>
<b>RECOMMENDATION:</b>	<b>DELEGATED POWERS TO APPROVE SUBJECT TO APPROPRIATE CONDITIONS, AND SUBJECT TO CONCLUSION OF A LEGAL AGREEMENT TO SECURE THE PROVISION OF AFFORDABLE HOUSING, EDUCATIONAL REQUIREMENTS, COMMUNITY FACILITY, AND PUBLIC TRANSPORT REQUIREMENTS AND OFF SITE ROAD WORKS.</b>

**APPLICATION REPORT**

**1. Introduction:**

This application is being reported to the Regulatory Panel, in accordance with the Council's scheme of delegation, as it is a major application, and as there are 5 or more competent written objections. The Panel should note that the Masterplan document submitted with this application is available to elected members electronically from the Council's website at [www.south-ayrshire.gov.uk/planning](http://www.south-ayrshire.gov.uk/planning)

**2. Proposal:**

- 2.1 Planning permission in principle is sought to develop approximately 35 hectares of agricultural land to the southwest of Doonfoot, Ayr. The site at Greenan, comprises undulating agricultural fields, that generally rise from the north eastern part of the site in a southerly and westerly direction. There are field boundaries and tree lines running across the site.
- 2.2 The current built limit of Ayr, lies to the immediate east of the site, and the southern boundary of the site is defined by the A719 (Dunure Road). The western limit of the site is defined by mature planting and a farm track, beyond which is High Greenan and further west again is the Craig Tara Holiday Park. A section of the National Cycle Route is situated on the farm track to the west and north of the site, and this connects Ayr Esplanade to the A719. The site's northern boundary is not marked by any physical feature, but would in topographical terms form a continuation of the edge of the existing housing to the east.
- 2.3 The submitted application indicates that the proposal is for residential development and ancillary uses, including a local convenience retail unit (Class1), a residential care home (Class8), community facility and associated access, car parking and landscaping works. The applicants have also

indicated that the residential component shall comprise a maximum of 500 units, that the retail (food) unit shall comprise of a gross floorspace of 1,000 sq m, and that residential care home shall comprise of 90 rooms. Foul drainage from the site is to be connected to an existing trunk sewer located to the east of the site. Surface water flows are to be directed to two sustainable urban drainage ponds, prior to discharge of flows off the site.

- 2.4 The landscape and open space proposals include two extensive areas of parkland, and a broad new woodland shelterbelt along the western boundary. The Masterplan proposes that the site has an area of approximately 35 hectares, and that the developable footprint of the housing areas is approximately 21 hectares.
- 2.5 Since the application was submitted, a separate community facility has been deleted from the proposals and this is now proposed in the form of an extension to Doonfoot Primary School.

Submitted Documentation:

- 2.6 The planning application takes the form of a plan identifying the extent of land to which the planning application in principle relates; and which has been accompanied with the following supporting documentation:

- Planning Application Forms and Certificates
- Masterplan Document
- Processing Agreement between SAC and developer
- EIA Screening Opinion and request
- Transportation Statement
- Tree Survey
- Ecological Assessment
- Community Consultation Report
- Archaeological Survey

- 2.7 The applicants state that the submitted Masterplan seeks to achieve the following objectives in developing the site:

- Create a quality and well designed residential environment with appropriate areas of open space provision.
- Ensure that a new gateway to Ayr is provided.
- Seek consistent application of the Masterplan and design brief principles in all phases of the development of the site.
- Take account of pedestrian and cycle access points from design inception.
- Public transport options for residents.
- Provide a suitable landscape framework within which future development will be accommodated, including suitable boundary treatments.
- Address consequential infrastructure requirements, including education provision.
- Provide a range of residential tenure options and development densities.
- Promote the development of the site by a number of housebuilders.

- 2.8 I note the content of the submitted Masterplan and this is a comprehensive document and includes a drawing which sets out the range and location of land uses within the application site. It also confirms the access arrangements and the proposed circulation hierarchy both through the site, and its connection with adjoining land. The Masterplan further provides an overall landscape framework for the site, sets out the urban form of the proposed development, indicating buildings which will have important frontages, as feature buildings. The Masterplan also identifies indicative locations for Sustainable Urban Drainage ponds, and includes information on design principles and on proposed finishing materials.

- 2.9 The Masterplan confirms that the site is to be developed in five phases over a 10 year period; and provision for affordable housing is to be made in three of these phases. The applicants further confirm that it is their intention to provide for affordable housing to a target of 25% of housing units, and have indicated a preference for this being both through the provision of social rented housing by Registered Social Landlords and a shared equity scheme.

It is intended that part of the site adjacent to Doonfoot will be the first phase. As the application is being made in principle, the precise detailed layout within each phase shall require to be the subject of further formal applications to the Planning Authority.

- 2.10 In summary, the Masterplan layout confirms areas of the site which can accommodate housing of different forms, including in terms of height, areas of local green squares, extensive areas of open space and landscaping, including kickabout pitch. The Masterplan layout further identifies the indicative road hierarchy, cycleways/footways, potential locations for feature buildings, and the potential location of the retail store adjacent to the A719.
- 2.11 In addition to the Masterplan, the applicants have also submitted documents which deal with various topics, including a survey of all trees within the application site, and an assessment of the proposals on the ecological and archaeological resources of the area.
- 2.12 The applicants indicate that they are also seeking planning permission in principle for eight years, as facilitated by section 58 of the Town & Country Planning (Scotland) Act 1997. This is based on the scale of the proposal, up to 500 houses/dwellings, and will allow for all future applications for Approval of Matters Specified in Conditions to be consistent with and comply with the terms of the Greenan Masterplan, as the various phases of development are undertaken. Given the anticipated rate of development and the timescale for completion (around 8 years), it is considered that this condition helps to ensure that the vision and provisions of the Masterplan endure until such time as the development is complete.

### 3. **Consultations:**

- 3.1 There has been extensive consultation with interested parties, including statutory consultees, on the application proposals. Relevant supporting documentation was also forwarded to consultees. The comments and responses of the consultees are as summarised below:
- 3.1.1 Ayrshire Joint Structure Plan Manager offers no objections to the proposals.
- 3.1.2 The Council's Building Standards (Engineers) have no adverse comments to make on flood risk and drainage issues.
- 3.1.3 The Council's Children and Community Directorate has highlighted that the existing education provision is insufficient to meet the additional pupil demand arising out of the development. The Greenan development will impact on primary and early years provision at Doonfoot Primary School. The school will need to be extended and subject to appropriate developers contributions being made, the directorate do not envisage any insurmountable problems. Similarly, secondary provision will need to be expanded within the town of Ayr to accommodate pupils from all new housing, including the Greenan development.
- In addition, the impact of extending Doonfoot Primary will result in the loss of an existing community facility. It is further considered that integrated community provision should be provided within the extended school.
- In conclusion, subject to appropriate developers' contributions being made the Directorate offers no objections to the proposals.
- 3.1.4 The Council's Environmental Health Department considered the application and offer no objections to the proposals.
- 3.1.5 The Council's Housing Service (Housing Policy and Strategy) support the proposal and it is suggested that 25% affordable housing be provided throughout the development and welcome the partnerships approach with the preferred RSL provider, West of Scotland Housing Association. No objections are proposed to the provision of affordable housing in the form of completed units or in the form of transfer of serviced land.
- 3.1.6 The Council's Landscape Section welcome proposals for a 25-30m wide woodland belt on the western boundary and offer no objections subject to conditions on retention of trees and hedgerows.

- 3.1.7. The Council's Sustainable Development Team offer no objections to the proposals and do not consider that the proposals have a significant effect on the setting of nearby listed buildings at Greenan Castle and Greenan House, or on archaeological resources.
- 3.1.8 The Council's Roads and Transportation Services have considered the planning application and the applicants submitted Transport Assessment. They offer no objection to the permission in principle application, subject to conditions being attached to any grant of permission. These conditions are set out further in the report, under „Recommendation“, below.

Roads and Transportation Services further indicate that works are required to upgrade the local road network and which will require to be the subject of legal agreement. These include the provision of a mini roundabout at junction of Greenfield Avenue with Doonfoot Road/Dunure Road, a signalised crossing on Doonfoot Road, traffic calming on Longhill Avenue, bus stops on Scaur O' Doon Road, box junctions on the local road network, and provision of a mini roundabout at the junction of Alloway and Greenfield Avenue. In addition, Roads and Transportation Services indicate that funds are required for a new bus service to serve the development, and this will also require to be the subject of legal agreement.

- 3.1.9 Architecture + Design Scotland no response to consultation.
- 3.1.10 Scottish Government Housing Investment Division offer no objection and endorse the commitment to a mixed and integrated community at Greenan and are supportive of the proposed affordable housing and welcome the partnership approach to be implemented with the preferred RSL, West of Scotland Housing Association.
- 3.1.11 Scottish Environment Protection Agency (SEPA) offers no objection to the proposals and SEPA welcome the proposed installation of two sustainable urban drainage system (SUDS) ponds. SEPA request that a condition be attached to any grant of planning permission, requiring a SUDS system for surface water discharge.
- 3.1.12 Scottish Water offers no objection to the application. A totally separate drainage system will be required, with the surface water discharging to a suitable outlet. Scottish Water requires the principle of a sustainable urban drainage system (SUDS) to be adopted.
- 3.1.13 Scottish Wildlife Trust has considered the Ecological Assessment and offers no objections. The Trust is pleased that a broad new band of mixed deciduous trees is planned at the cycle track and at the north-west boundary. Woodland trees are also shown within the proposed new parks.
- 3.1.14 West of Scotland Archaeology Service offers no objection subject to a condition requiring a prior archaeological investigation of the site.
- 3.1.15 Transport Scotland (Trunk Roads Directorate) offers no objections to the proposals.
- 3.1.16 Historic Scotland notes that the development is in close proximity to be Greenan Castle scheduled as being of national importance under the Ancient Monuments and Archaeological Areas Act 1979. Historic Scotland notes that the development has been set back to take advantage of the topography of the site and offers no objections to the proposals.
- 3.1.17 Scottish Natural Heritage has considered the Ecological Assessment and considers that the site is of relatively low natural heritage interest and offers no objections subject to conditions relating to bats, new tree planting, and to phasing arrangements with regard to the bird breeding season.

#### **4. Representations:**

- 4.1 A total of 46 letters of objection have been received in total. 25 objections have been received by letter (copies attached) and 21 via the Council's online application comments facility, and these can be viewed at the following address: [www.south-ayrshire.gov.uk/planning](http://www.south-ayrshire.gov.uk/planning) In summary, the main grounds of objection are as follows:

- The proposals are contrary to the provision of the development plan.
- The provision of affordable housing/community facility/shop will result in anti-social behaviour/vandalism/litter, etc.

- Detrimental impact as a result of inadequate schooling, transport and social facilities.
- Detrimental impact on residential amenity as a result of light pollution and as a result of additional noise from traffic.
- Insufficient detail of the proposed care home.
- Detrimental impact on the Greenbelt.
- Detrimental visual impact as a result of flatted development.
- No need/demand for the provision of affordable housing.
- Road safety concerns as a result of increased traffic.
- Insufficient details to allow for informed comment.
- Detrimental impact on residential amenity of adjoining houses as a result of footpath links.
- Detrimental impact on protected wildlife sites and a flora and fauna of the locality.
- The proposed development will restrict views of the listed building at Greenan Castle.
- Adverse impact on the Scenic Area.
- An Environmental Impact Assessment should have been submitted.
- Concerns regarding insufficient drainage capacity and concerns as a result of proposed SUDS ponds
- The bus link at Abbots Way will be detrimental to road safety as it runs past Doonfoot Primary.

I will comment on the content of the representations later in this report.

## **5. Community Engagement:**

- 5.1 In addition to the publicity and consultation undertaken by the Planning Authority in terms of the formal assessment of the submitted planning application, the applicants undertook a programme of engagement with various stakeholders so as to inform the terms of their planning submission to the Council. The applicants have submitted a Consultation Report with the submitted application, and I would summarise this as follows.
- 5.2 Various relevant departments within the Council were consulted and views sought for defining the brief as set out in the adopted Local Plan. In addition, the master planning process was subject to consultation and feedback from various organisations as part of the ongoing design. A range of organisations were consulted, and their requirements taken on board, such as Scottish Environment Protection Agency, Architecture and Design Scotland, and Scottish Water.
- 5.3 Whilst the secondary legislation was not in place requiring community consultation and the applicants committed themselves to liaising with the local community and interested parties prior to the submission of the Masterplan. The applicants undertook public consultation in line with Planning Advice Note 81 „Community Engagement” and the National Standards for Community Engagement. The two objectives of the pre-application consultation process were to:
- a. To provide clear up-to-date information on the proposals to the general public and stakeholders with an interest in the proposed development at Greenan.
  - b. To engage with the local community and provide the residents living near to the Greenan site with an opportunity to give feedback on the concepts and design of the proposals as detailed in the draft Masterplan.

5.4 As a result, the applicants distributed 3,500 consultation leaflets to properties in the Doonfoot area. The leaflet included information on the development proposals for the site, details of a public exhibition and included a pre-paid response form which invited comments. The leaflets invited interested parties to a public exhibition of the proposals on Saturday 24<sup>th</sup> November 2007 and Wednesday 27<sup>th</sup> November 2007 at Doonfoot Primary School. In addition to members of the public being invited, the following were also invited:

Provost, Depute Provost and Leader of South Ayrshire Council  
 Members of the South Ayrshire Council Planning, Housing, Scrutiny and Environment Committees  
 South Ayrshire Council Officials  
 Alloway and Doonfoot Community Council  
 Ayrshire Post, Ayrshire World Series, the Extra Series and Ayr Advertiser.

Adverts for the exhibitions were also placed in the Ayrshire Post on 14<sup>th</sup> & 21<sup>st</sup> November 2007, and Press releases concerning the proposals and exhibition were issued to the local media.

5.5 The Consultation Report indicates that the main issues raised by attendees on the 2 days related to the following:

- Local school capacity
- Provision and location of affordable housing
- Provision of a local amenities/community facilities
- Impact on views
- The appearance of the buildings
- Drainage at the north end of the site
- Housing density
- National Cycle Route
- Pond safety
- Road infrastructure and traffic safety

5.6 In total 70 people attended the public exhibition on Saturday 24 November and a further 48 people attended on Wednesday 28 November. Twenty four individuals made a written reference regarding the development via the pre-paid reply slips attached to the invitation. Of the overall responses received at the exhibition, around 35 per cent were supportive of the proposals.

5.7 The Consultation Report indicates that while it appeared that many of those who attended the exhibition may initially have been sceptical about the development, the information provided tended to result in a more informed view of the scheme. It was also apparent that amongst those not in favour of the proposal, their reasons were not connected with the density or design of the development but due to the application of planning policy such as affordable housing provision, concerns for local education resources capacity, and the provision of community facilities. The level of outright objection to the actual principle of the development was considered to be low.

## **6. Assessment:**

6.1 The material considerations in the assessment of this application are the provisions of the development plan, the consultations received, government guidance, other planning policy considerations, objector concerns and the impact of the proposed development on the locality.

### **6.2 The Development Plan**

6.2.1 Section 25 of the Town and Country Planning Act (Scotland) (1997) requires all planning applications to be determined in accordance with the provisions of the development plan, unless material considerations indicate otherwise. In this instance, the development plan constitutes the provisions of the approved Ayrshire Joint Structure Plan (AJSP) and the Adopted South Ayrshire Local Plan (SALP).

6.2.2 Mindful of the relevance and statutory significance of the provisions of the development plan to the consideration of their proposals, the applicants have prepared and submitted a Masterplan Document in support of their application proposals. This provides a consideration of their application proposals in relation to the relevant policies, as set out in the development plan.

6.2.3 Notwithstanding the above, the application requires to be assessed in accordance with the provisions of the development plan which in this instance comprises the Approved Ayrshire Joint Structure Plan and the Adopted South Ayrshire Local Plan.

Ayrshire Joint Structure Plan: Growing a Sustainable Ayrshire

6.2.4. The Scottish Ministers approved the Ayrshire Joint Structure Plan on 22<sup>nd</sup> November 2007. The provisions of the Structure Plan have been fully considered in the assessment of this application and it is considered that the proposals accord with the approved Structure Plan. Set out further below, is an assessment of the application against those policies within the Structure Plan which are considered particularly relevant to the determination of the planning application.

6.2.5 Policy STRAT1 of the Structure Plan requires that, where appropriate, masterplans and planning applications shall apply the „Guiding Principles of Sustainable Development“, as set out in Schedule 1 of the policy. Schedule 1 classifies the guiding principles for sustainable development in terms of „Economic Resources“, „Community Regeneration“, „Environmental Quality“, „Improving Accessibility“ and „Development Obligations“. Under each heading is a raft of requirements.

6.2.6 Although the application is made in principle, the applicant has provided an extensive assessment of the potential implications of the proposed development, including a Masterplan Document containing design principles, an archaeological survey, an ecological assessment, tree survey etc.

6.2.7 The Masterplan Document sets out the developer’s consideration of their proposals against sustainability indicators within policy STRAT1. An increased use of public transport will be encouraged by the developers and the applicants” have also indicated that a series of developer contributions will be agreed to mitigate any adverse impacts, including bearing the cost of road improvement, a bus link and the provision of educational and community facilities. The Masterplan also identifies a range of walking, cycling and public transport proposals.

6.2.8 In this respect, I am satisfied that the application proposals comply with the provisions of policy STRAT1. The relevant principles have been fully considered and I am of the view that the planning application, together with the planning conditions recommended, satisfy these principles.

6.2.9 Policy TRANS 1 is also relevant in that it places an emphasis on all significant new trip generating development being closely linked to existing and proposed walking, cycling and public transport. In this regard the applicant’s have, in the Masterplan, set out , both to and within the site, walking and cycling routes. This includes linking with the National Cycle Network to the west of the site and linking with existing housing areas to the east. The applicant’s have further indicated the intention to fund a bus service to the site. Additionally policy TRANS 1 indicates that the costs of new transport infrastructure and services incurred as result of development proposals are met by developers. The comments and recommendations of the Council’s Roads & Transportation section are noted and the implications of the proposals in this regard can be addressed by the way of legal agreement prior to the grant of permission in principle, and also by conditions attached to that same permission. In these circumstances, I would consider that the proposals accord with policy TRANS 1.

6.2.10 The Structure Plan, through the provisions of policy ENV 1 seeks to maintain and enhance the quality of Ayrshire’s landscape. In providing for new development, particular care shall be taken to conserve those features that contribute to local distinctiveness, including:

- (a) setting of communities and buildings within the landscape;
- (b) patterns of woodland, fields, hedgerows and tree features;
- (c) skylines and hill features, including prominent views.

The development of the site has been the subject of a masterplan process, involving stakeholders who have informed the layout and design of the proposed development. The Masterplan and the Tree Survey also sets out a landscape framework for open space and structural planting, I am satisfied that the layout of site meets with the provisions of Structure Plan policy ENV1, including conserving prominent views and skylines, including of Greenan Castle and of Ayr bay.

South Ayrshire Local Plan (SALP)

- 6.2.11 The application site is within the settlement boundary of Ayr, as defined in the adopted SALP. Strategic Policy STRAT1 indicates that development be directed to defined settlements, and this proposal therefore complies with Policy STRAT1 of the SALP.
- 6.2.12 Strategic policy STRAT5 sets out a number of provisions that must be given consideration in the determination of all planning applications. Policy STRAT5 seeks to ensure high quality environments and sets out criteria that development will be expected to meet. These criteria relate to the layout of a development, visual impact, the safeguarding of amenity, natural and built heritage resources, sustainability and the impacts upon existing infrastructure. All these considerations have been assessed elsewhere in this report and in the applicants Masterplan and supporting documents. I consider that the proposals, together with the recommended planning conditions, satisfy the requirements of policy STRAT 5.
- 6.2.13 Policy H3B of the SALP states that 35 hectares of land at Greenan, Ayr will be acceptable for residential development, subject to conforming to masterplans prepared or otherwise approved by the Council. The SALP site will be expected to accommodate approximately 430 new dwellings, with a steady rate of development covering an extended period. The SALP then goes on to set out, under 12 separate bullet points, the considerations that the masterplan will require to address to a level of detail which ensures the proper implementation of development. Each of the twelve separate requirements are considered below.
- 6.2.14 The policy, the text and the specific items that the masterplan should address, all reflect the recommendations and findings of the Scottish Executive Reporters who held a local plan inquiry on the SALP in 2004/05. The reporters' recommendations in respect of housing development at Greenan, Ayr, and which have been transposed into the SALP, take into consideration all the consultations and objections that were advanced at that time.
- 6.2.15 Policy H3B indicates the Masterplan for the site will require to address:
- The overall disposition of land uses within the site, including housing densities and public open space;
  - The provision of vehicular, cycle and pedestrian access to and from the site including any and all necessary consequential off site works;
  - Measures to maximise the use of public transport by residents of the site;
  - The provision of all utility services to serve the site including any and all necessary consequential off site works;
  - The landscape framework for the site, including provision for an acceptable entrance to Ayr from the south;
  - The location of the main distributor road(s) within the site;
  - The specific treatments for the northern and western boundaries of the site to provide both defensible boundaries and a transition to the more open countryside and sensitive coastal area adjacent, and to ensure that there is no opportunity for further development (recommended depth of boundary treatment along Greenan's western edge: a minimum of 25-30m; and more along the northern edge);
  - Any necessary consequential requirements for augmenting the provision of primary and secondary education;
  - The provision of affordable rented housing on site;
  - The provision of any required community facilities either by on site provision and/or upgrading/extending existing off site facilities;

- The overall building design concept for the site; and
- Measures to co-ordinate the work of the development partners and to ensure the smooth delivery of all aspects of the proposal within the required timescale.

With the exception of bullet point 1, each of the masterplan requirements set out above are considered elsewhere in this report. However for the avoidance of doubt a summary of the considerations against each of these requirements is set out below.

*1. The overall disposition of land uses within the site; including housing densities and public open space*

The red line for the site covers 35 hectares. As the red line site is consistent with the area defined in the SALP, as being the area to which a masterplan should be prepared, I am confident that the area covered by policy H3B is being comprehensively planned through this planning application and that proposals will not be able to come forward in an incremental and uncoordinated manner. Another matter that is relevant to considerations in this section is the indicative number of housing units that can be accommodated within the site.

The SALP states that the site is expected to accommodate approximately 430 new dwellings. I am of the view that the final capacity of the site cannot be firmly defined at this planning permission in principle stage. However in order to protect the interests of the Council and to ensure that the requirements of policy H3B, relating to educational requirement are met, legal agreements relating to contributions for education purposes will require to proceed on the basis that if the actual number of units exceeds 430 then further developer contributions, above those agreed at the time of issuing any planning permission, may be required. Further, all impacts and mitigations have been calculated on a maximum basis, assuming no more than 500 units can be accommodated on site. In the interests of reasonable governance and even-handedness, any such contributions will be based upon the terms on which planning agreements have been secured for the purposes of this planning application.

In terms of the proposed land uses and the layout of these uses, there are many aspects relating to this matter that have been considered in my assessment. I consider that the proposals and the principles set out in the Masterplan provide a context within which a quality designed, accessible and integrated housing development can be established through the planning conditions recommended.

Having regard to the relationship with existing adjacent housing, landscape character and amenity, it is considered that the masterplan, including the layout of housing areas and landscaping, that the design concept and principles is appropriate.

In terms of public open space, I am satisfied that the amount of open space adequately meets with the minimum standards of the Council's policy on open space and also that even disposition of provision is proposed. In terms of the types of quality of open space proposed, having regard to government advice set out in PAN 76, I am also satisfied with the proposals. In particular I consider that the design considerations in relation to how open spaces relate to main pedestrian routes and the manner in which houses relate to the open spaces are particularly commendable. Taking all these considerations together, subject to the recommended planning conditions, I consider that the proposals address the masterplan requirements of bullet point 1.

*2. The provision of vehicular, cycle and pedestrian access to and from the site including any and all necessary consequential off-site works*

The applicants submitted a Transport Assessment for the proposals, which sets out a range of transport measures (paragraph 2.10 confirms). Subject to the recommended planning conditions, and legal agreements to secure the necessary off site road works identified by Roads and Transportation Services, I consider that the proposals address the masterplan requirements of bullet point 2.

3. *Measure to maximise the use of public transport by residents of the site.*

The applicants intend subsidising a bus service to the site for a 10 year period. Subject to the recommended planning conditions, I consider that the proposals address the masterplan requirements of bullet point 3.

4. *The provision of all utility services to serve the site including any and all necessary consequential off-site works*

Scottish Water and SEPA have requirements in relation to Sustainable Urban Drainage Systems. The considerations of the Council's Building Standards Engineering Group Leader are set out in paragraph (3.1.2), the conclusion of which is that appropriate planning conditions can be attached to any planning permission to address the above matters.

Taking all these considerations together, subject to the recommended planning conditions, I consider that the proposals meet with masterplan requirement of bullet point 4.

5. *The landscape framework for the site; including provision of an acceptable entrance to Ayr from the South*

I am of the view that the proposals for the landscape treatment of the boundaries of the site have been satisfactorily addressed. These landscape treatments should be secured through the recommended planning conditions. It is considered that the Master Plan collectively provides a landscape setting for the housing development with good quality open spaces and address the masterplan requirement of bullet point 5.

6. *The location of the main distributor roads within the site*

The location of the main Core Loop Road (distributor road), is set out in the masterplan and the Transportation Assessment, and Roads and Transportation Service is satisfied with the layout. In relation to the design impacts, I am satisfied that this maximises consistency with the design principles of PAN 76 on Residential Streets (*see para. 6.3.14*) to provide for pedestrian prioritised street layouts, whilst also ensuring that it meets its functional requirements. Subject to the recommended planning conditions, I consider that the proposals address the masterplan requirement of bullet point 6.

7. *The specific treatment of the northern and western boundaries fo the site to provide both defensible boundaries and a transition to the more open countryside and sensitive coastal areas adjacent, and to ensure that there is no opportunity for further development) (recommended depth of boundary treatment along Greenan's western edge: a minimum of 25-30m; and more along the northern edge)*

I am satisfied that the proposed landscape treatment for these boundaries meet with the masterplan requirement of bullet point 7, subject to conditions.

8. *Any necessary consequential requirements for augmenting the provision of primary and secondary education*

Considerations on this matter are set out in paragraph 3.1.3 Subject to appropriate developer contributions being secured by Legal Agreement, then I am satisfied that the proposal meets with the requirement of bullet point 8.

9. *The provision of affordable rented housing on site*

Considerations on this matter are set out in paragraph 6.2.16. Subject to appropriate developer contributions being secured by Legal Agreement, then I am satisfied that the proposal meets with the requirement of bullet point 9.

10. *The provision of any required community facilities either by on site provision and/or upgrading/extending existing off site facilities.*

Considerations on this matter are set out in paragraph 3.1.3. Subject to appropriate developer contributions being secured by Legal Agreement, then I am satisfied that the proposal meets with the requirement of bullet point 10.

11. *The overall building design concept for the site*

Considerations on this matter are set out through this report, but mainly in paragraphs 6.3.13 – 6.3.14. I am satisfied that the Masterplan and the conditions set out meet with the requirements of bullet point 11.

12. *Measures to co-ordinate the work of the development partners and to ensure the smooth delivery of all aspects of the proposal within the required timescale*

I am satisfied that the Masterplan, and the process involved in preparing that document, meet the requirements of bullet point 12.

Residential development of 35 hectares of land at Greenan, Ayr, subject to conformity with master plans, is confirmed in the adopted local plan. The reasons behind this land use allocation in the plan were fully considered at the Public Local Inquiry. Taking all these considerations together, I consider that the proposal satisfies all of the requirements that a masterplan for the site must meet in order to accord with policy H3B of the SALP, subject to appropriate conditions and legal agreements on matters of detail. Indeed, collectively the proposals are highly commendable. I consider that the proposal will provide a high quality, accessible and inclusive residential environment. I consider all appropriate infrastructure implications arising will be suitably mitigated through planning conditions and planning agreements.

- 6.2.16 Policy H13 seeks the provision of affordable housing from housing developments exceeding 15 units in capacity, or a site size equal to or exceeding 0.6 hectares. Greenan therefore meets the criteria for affordable housing provision. The Local Plan policy seeks a target contribution of 25% of the total number of housing units to be developed. In this instance the applicants are proposing a partnership in agreement with a Registered Social Landlord, and are also proposing shared equity housing units. I consider that the delivery of affordable housing can be the subject of an appropriate legal agreement so as to meet with of the adopted South Ayrshire Local Plan, and the Council's associated Supplementary Planning Guidance „New Housing Developments and Affordable Housing“. In this way the Council has certainty that affordable housing proposals that emerge are consistent with their own policy on this matter.
- 6.2.17 Policy SERV4 of the Local Plan requires the Council to review the transport network with the relevant controlling authorities, to identify and implement, or encourage implementation of appropriate solutions to any problems on the transport network which may arise. The applicants submitted a Transport Assessment in support of their planning application and the Council's Roads and Transportation Services consider possible improvements are required to the local road network. The implications for the road network arising from the development at Greenan can be appropriately dealt by way of legal agreement and by conditions attached to any grant of planning permission in principle.
- 6.2.18 Policy SERV5 states that the Council will seek to ensure that land uses generating high density travel demands are supported by green transport plans and are located where frequent and convenient public transport services are available or will be made available. The applicants have identified within the Masterplan a new bus link. The applicants also intend subsidising a bus service to the site for a ten year period and this is to be secured through a legal agreement. In these circumstances, it is considered that the provisions of policy SERV5 have been met.
- 6.2.19 Strategic Policy STRAT5 of the SALP states that in seeking to ensure a high quality environment, the Council will expect, that all development, *inter alia*, is appropriate in terms of layout, scale, massing, design and materials used in relation to its surroundings; is appropriate in terms of its siting and setting and is not visually intrusive; safeguards the amenity of nearby dwellings, workplaces or communities; and is appropriate to its locality in terms of road safety, by reason of type or volume of traffic generated by, or as a consequence of that development.

6.2.20 SALP Policy H6 is also of relevance and this provides further criteria to ensure a suitable residential environment. These are similar to those in policy STRAT5, however it also requires that the privacy and amenity of existing and proposed properties are not compromised; that the site does not form an area of maintained open space; and that an acceptable residential environment/amenity is proposed.

6.2.21 In respect of SALP Policies STRAT 5 and H6, it is considered that the residential development is acceptable. The site does not form an area of maintained open space. The public and private open space provision within the application site meets the Council's expected provision of public and private amenity space, and on-site play equipment can be provided in association with further applications. I consider that the proposed development will not incur an unacceptable loss of residential amenity to the existing surrounding area, in terms of unacceptable loss of daylight, window-to-window privacy loss, or overlooking of any private ground associated with any dwelling. The roads and footpath arrangement is acceptable and promotes vehicle and pedestrian connectivity between adjacent roads, paths and residential areas. The masterplan also includes details of scale, design and materials and I am satisfied with the design principles of the masterplan. I consider that the principle of residential development at this site and the quality of the proposed residential environment is accord with the terms of SALP Policies STRAT 5, HB, H4 and H6.

### 6.3 Government Guidance and other Planning Policy Considerations

6.3.1 There are a number of Scottish Planning Policy and Planning Advice Notes that are relevant to the consideration of this application. All of the relevant provisions have been considered in the assessment of this planning application, as indeed many were in the local plan process that culminated in the identification of this site in the adopted South Ayrshire Local Plan. In the interests of brevity, a full assessment against these provisions has not been set out in this report. However, considerations relating to the most directly relevant provisions, is summarised as follows:

6.3.2 The Scottish Planning Policy (SPP) and National Planning Policy Guidance (NPPG) series are presently being consolidated into one document by the Scottish Government. The subject policies, currently set out in SPPs and NPPGs, will remain in force until replaced by the consolidated SPP later in 2009. When published in its final form, the new SPP will have three parts: Part One - The purpose of planning and core principles for the system's operation, Part Two - The objectives for development planning, development management and enforcement, and Part Three - Subject policies.

6.3.3 Parts One and Two were published as Scottish Planning Policy (SPP) on 28 October 2008, superseding SPP1 The Planning System (2002). The remaining sections of the consolidated SPP were published on 1 April 2009; the consultation period for which ended on 24 June 2009.

6.3.4 *Scottish Planning Policy* (SPP) sets out the purpose of the planning system and its core principles; and sets the scene for planning policy within Scotland. The Council is confident that all of these issues have been considered in the assessment of this application.

6.3.5 SPP3: *Planning for Housing* is relevant. This document provides the general principles which should be applied when seeking to provide quality residential developments, guiding new housing developments to the right places and delivering housing land. Each of these issues is important when considered in the context of the proposed development. The selection of the site at Greenan for longer term housing land release has been the subject of scrutiny through the adoption of the South Ayrshire Local Plan and was confirmed by the recent approval of the Ayrshire Joint Structure Plan. The applicants have engaged with key stakeholders in bringing forward a Masterplan for the site, with the objective of creating a sustainable residential development. SPP3 also requires Planning Authorities to maintain a five year land supply. The grant of planning permission for this development will make a significant and essential contribution to ensuring that South Ayrshire continues to have a five year land supply to meet demands.

6.3.6 SPP23: *Planning and the Historic Environment* requires consideration. The applicants have submitted an Archaeological Survey and the West of Scotland Archaeology Service has been consulted on this application and their comments are as noted above. SPP 23 states that it is Government policy to protect and preserve non-designated, other historic environment interests in situ, wherever feasible and, as such, they are material considerations in the planning process. Where, in the case of archaeological sites, this proves impossible, planning authorities should

ensure that procedures are in place in order that appropriate excavation, recording, analysis, publication and archiving is undertaken before and/or during development. On the advice of the West of Scotland Archaeology Service, an investigation into potential archaeological remains will therefore require to be undertaken by the developers prior to the commencement of any work and this will be ensured through a planning condition.

- 6.3.7 Given the scale of the proposed development, it is necessary to consider the issue of flooding. This is covered at national level by SPP7: *Planning and Flooding*. Scottish Water, SEPA and the Council's Building Standards Engineer have all been consulted on this application and their comments are summarised above. In summary, the above stakeholders offer no objections on flood risk grounds and consider that a sustainable urban drainage system should be employed in this instance.
- 6.3.8 The proposed development will comprise of a number of areas of open space. SPP11: *Open Space and Physical Activity* sets out a number of objectives in relation to open space. In the context of this application, SPP11 provides guidance on the quality and accessibility of open space within new developments. The network of open space also provides for quality, connected open space to meet with the objectives of SPP11 relating to ecological, landscaping and health benefits. It should be noted that the Council, as Planning Authority, is satisfied that the applicants have met the Council's minimum open space requirements for the proposed development, as detailed in Planning Policy Note No.4 "The Provision of Private and Public Open Space and Play Areas within New Residential Areas". A planning condition can be attached to any planning permission in principle to require the applicants to maintain open space and landscaped areas.
- 6.3.9 NPPG14: *Natural Heritage* provides guidance in relation to the protection and enhancement of features of the natural environment. The applicants have submitted an Ecological Assessment and Scottish Natural Heritage and Scottish Wildlife Trust have been consulted on this application and their comments have been summarised, within this report. Through consultation with SNH and SWT, I am satisfied that no significant features of natural heritage value have been identified and appropriate measures can be taken to ensure the protection of wildlife and natural interests through planning conditions.
- 6.3.10 SPP17: *Planning for Transport* provides guidance on transportation issues. The applicants have submitted a Transportation Assessment, which has been fully considered by the Council's Roads and Transportation Service. Furthermore, Transport Scotland has been consulted regarding the potential impact of the proposed development on the road network. These consultation responses are summarised above and issues arising from those consultations can be addressed either by conditions or by legal agreements.
- 6.3.11 SPP20: sets out the role of Architecture and Design Scotland (A+DS) in the planning application process. Whereas the applicants presented the proposal to the A+DS design review panel, A+DS have chosen not to submit comment on the planning application.
- 6.3.12 There are a number of Planning Advice Notes (PAN's), which have been considered in assessing this application. There are, however, three PAN's in particular which are considered to be of particular relevance to the assessment of the proposed development.
- 6.3.13 PAN67: Housing Quality states that successful residential places are achieved where an area is distinctive, safe, pleasant, easy to get around and move around. I am satisfied that the applicant's Masterplan successfully addresses these concerns. I am further satisfied that the Masterplan submitted has taken cognisance of local landscape and topography.
- 6.3.14 PAN76: *New Residential Streets* provides advice on the design of better quality residential streets. It focuses on some of the key factors, which are considered to create successful street design. I am satisfied that many of the principles highlighted within PAN 76 regarding place making have been included within the Masterplan and the design principles contained therein. These principles will also be established within the proposed development through planning conditions that seek the creation of a sense of place, distinctiveness and ensuring that the development is accessible.

6.3.15 PAN61: *Planning and Sustainable Urban Drainage Systems* provides advice in relation to Sustainable Urban Drainage Systems (SUDS) within new developments. The applicants have indicated that the site will be drained utilising a Sustainable Urban Drainage Systems. Scottish Water, SEPA and the Council's Building Standards Engineer have been consulted with regarding SUDS and their comments have been summarised in this report.

#### 6.4 Objector Concerns

6.4.1. I note the comments contained within the letters of representation (including those submitted on-line). I have summarised the objections above and would comment as follows:

- I have summarised the development plan policies above, and I am satisfied that the site is identified for housing purposes in the development plan, and that subject to conditions and to other matters specified in the legal agreements to be entered into, the proposals are not contrary to the provisions of the development plan.
- Anti-social behaviour and vandalism are not considered to be significant to the planning assessment of the proposals. I am further satisfied that satisfactory arrangements can be made for the collection of litter.
- It is recognised that arrangements will require to be put in place regarding school capacity and community facilities. I am satisfied that this can be achieved via proposed legal agreements. There are also transport requirements as a result of this proposal and arrangements to improve the local road network and to fund a new bus service can be covered by conditions and by legal agreements.
- I am satisfied that there will not be a significant adverse impact as a result of noise or light pollution and in this regard I note that the Council's Environmental Health Service offers no objections.
- This is an application in principle and details of the proposed care home will require to be submitted with a further application.
- The Local Plan does not designate the application site as Greenbelt. The site is identified for housing purposes in the development plan.
- This application is in principle and while flats may be proposed, their scale and visual impact will be assessed when full details are submitted with any further applications. In addition the masterplan has considered height control issues and I am satisfied with the design principles of the masterplan.
- The Council's Local Plan and associated Supplementary Planning Guidance requires the provision of affordable housing units in developments of this scale. I further note that the Scottish Government Housing Investment Division supports the provision of affordable housing on this site.
- With regard increased traffic, and road safety issues, I note that the Council's Traffic and Transportation Service offers no objections on these grounds and I am satisfied that the proposals are not significantly detrimental in terms of road safety.
- The application is in principle and full details of houses etc. proposed will require to be submitted at a later stage.
- I am satisfied that the footpath links proposed will aid connectivity and will not be significantly detrimental to residential amenity.
- I am satisfied that there will not be a significant detrimental impact on flora and fauna of the locality. I note the comments of Scottish Natural Heritage and the Scottish Wildlife Trust, neither of whom objects to the proposals. I am satisfied that the wildlife interest of the site is low and that such interests can be protected by conditions attached to any permission.

- I am satisfied that the masterplan layout allows for extensive areas of open space and which will maintain significant views, including of Greenan Castle and Ayr bay.
- The application site is not within a Scenic Area as defined by the adopted South Ayrshire Local Plan.
- I am satisfied that there is not a statutory requirement to submit a formal Environmental Impact Assessment. I further note that the applicants sought a pre-application screening opinion of South Ayrshire Council, the response to which indicates that the submission of such an Assessment is not required in this instance.
- With regard to drainage issues, I am satisfied that satisfactory arrangements can be made for foul drainage and I note that Scottish Water offer no objections to the proposals. A scheme of sustainable urban drainage is also proposed in relation to surface water attenuation, including SUDS ponds, and this has been considered by the Council's Engineers, Scottish Water and by SEPA who raise no objections to the proposals. As the application is in principle, details of SUDS ponds will require to be submitted with further applications.
- A bus link is proposed to connect with Abbots Way, and I note that the Council's Roads & Transportations Services offer no objections to this. I am satisfied that this link will not result in significant road safety concerns.

## 6.5 Impact on the Locality

- 6.5.1 The application has been the subject of various assessments, including the submitted Masterplan and Ecology and Transport Assessments, among others. Each of these studies has made an assessment of the impact of the development on the locality and the measures required to appropriately mitigate impacts which may arise from the proposed development; both on the site, its locality and wider area.
- 6.5.2 The applicants have set out to provide for appropriate „place-making“ within the proposed development and their aspirations are set out in the Masterplan and the design principles contained therein. It is considered that this Masterplan provides an appropriate template for bringing forward detailed proposals for Greenan. Subject to the conditions, as set out below, it is considered that the development at Greenan, Ayr will deliver a sustainable and attractive environment, with impacts on the locality being identified and appropriately managed.
- 6.5.3 It is further considered that the Masterplan and design principles will ensure that quality is achieved within the Development, and that there will not be a significant adverse impact on the amenity of nearby residential areas. Indeed, the provision of extensive areas of open space and the provision landscaping, of a standard to be agreed, will enhance the setting of development and provide separation from nearby residential areas. In addition the provision of further transport/pedestrian/cycling links etc. will result in improved access to facilities.

### Section 75 Obligations and Directions made by Scottish Ministers

- 6.5.4 In reporting on a planning application the Council is required to provide details of any Section 75 legal agreements relating to the application and any Directions made by Scottish Ministers under Regulations 300 (Environmental Impact Assessment). Regulation 31 (Information on restrictions on the grant of planning permission) and Regulation 32 (Directions requiring consideration of condition) of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008.

There are Section 75 obligations as detailed in this report (see recommendation) and there are no Directions of the type specified which affect the consideration of this application.

## 7. Conclusion:

- 7.1 The application site is identified for housing purposes and the provisions of the South Ayrshire Local Plan through policies STRAT1 and H3B operate to establish the principle of development at Greenan. I consider that there are no material reasons why the provisions of the development plan should be set aside.

- 7.2 This is an application for residential and ancillary development within an area that is identified in the development plan for residential use. The key issues in the assessment of this application are whether the masterplan and layout complies with detailed development criteria in the local plan and does not adversely impact on the visual and residential amenity of the surrounding area. It is considered that the principle of residential development at this site and the details of the proposed residential development are appropriate and acceptable as set out in the above assessment.
- 7.3 This report has also referred to relevant government planning policies that require Councils to maintain a five year effective housing land supply at all times. I consider that the timely development of this site will make a significant and essential contribution to the housing land supply for South Ayrshire. The provision of sufficient housing land supply to meet the needs of South Ayrshire is a core objective of the SALP and the Council's Local Housing Strategy. Moreover, provision of land for affordable housing units represents a very significant addition to the land supply to contribute to meeting the affordable housing needs of the area.
- 7.4 In all other respects, I consider that the proposals, subject to the various planning conditions and legal agreements, if granted planning permission would provide for a high quality, accessible and inclusive residential environment. I consider that these planning conditions and planning agreement are appropriate and will suitably mitigate impacts arising from the development. Circular 12/96 sets out the limitations for the scale and type of mitigation and community benefits that can be sought through planning agreements. I have fully considered the limits of Circular 12/96 in recommending the legal agreements set out in this report.
- 7.5 Given the above assessment of the proposal, and having balanced the applicant's rights against the general interest, it is recommended that the application be approved subject to the satisfactory conclusion of matters requiring a legal agreement and subject to conditions.

## **8. Recommendation:**

- 8.1. It is recommended that delegated powers be granted to approve this application in principle, subject to the applicant first concluding appropriate legal agreements, in the terms as set out in this report.
- 8.2. The following elements will form part of any Section 56, Section 75, other legal agreement or financial contributions for this site, so as to provide:
- (a) the submission of a scheme for the provision of affordable housing to be approved and implemented, in compliance with the Council's Affordable Housing Policy and Supplementary Policy Guideline, to ensure delivery of affordable housing in 3 phases identified in the Greenan Masterplan (Fig 7.1);
  - (b) the transfer of funds to the Council's Education, Children and Community Account to ensure that satisfactory provision is made for primary and secondary educational provision, including those community facilities to be provided within those same educational establishments, as a consequence of the development;
  - (c) the making of financial contributions to the Council's Roads and Transportation Services, towards improvements to the local road network;
  - (d) the provision of a commercial bus service servicing the application site.
- 8.3. On the above agreements being satisfactorily concluded, it is recommended that planning permission be granted subject to the conditions outlined below. In this instance the Panel should note the terms of Condition 1 and which proposes to extend the duration of planning permission from 3 to 8 years. This is as a result of the scale of development proposed, and to allow for future applications to comply with the terms of the Greenan Masterplan.

Duration of Permission:

1. That formal application(s) for the Approval of Matters Specified in Conditions shall be submitted to, and approved by, the Council before commencement of development. Such application(s) shall be made not later than eight years from the date of this permission or, if later, within 6 months from when an earlier approval for the same matters was refused or dismissed on appeal. The proposed development shall commence within two years from the approval of the Requisite Matters Specified in Condition application, or in the case of approval of different matters on different dates, from the requisite approval for the last such matter being obtained.

Approval of Uses:

2. Approval is given in principle for the layout, land uses and urban form as set out within the Greenan Masterplan, Ayr and dated June 2009. The scale of development approved in this planning permission as follows:

- (i) Residential:

The total number of residential units to be developed throughout the entire site shall not exceed 500 housing units (inclusive of affordable housing units).

- (ii) Convenience Store:

The convenience store to serve the whole development shall be located in the Phase 1 of the development and shall be of a scale and footprint to be agreed with the Planning Authority prior to implementation of the development hereby approved.

A formal application for the approval of the convenience store shall include details of unit size, orientation, design treatment, parking and access arrangements, landscape proposals that meet with the design aspirations outlined in the Greenan Masterplan, Ayr and dated June 2009.

- (iii) Care Home:

The care home shall be located and provided in accordance with the Greenan Masterplan dated June 2009, with a formal application including details of its size, orientation, landscape treatment, design treatment, parking and access arrangements.

Programme of Development:

3. The first phase of development will be that shown in Fig 7.1 identified in the Greenan Masterplan, Ayr and dated June 2009, and within each phase, programming will be determined by a detailed Phasing Plan which will be submitted at the first formal application for each phase, or as otherwise agreed by the Council. The Phasing Plan will detail the exact sequences of development for each proposed land use, the provision of infrastructure, landscaping and open space, and the scale and distribution of affordable housing within three phases of the development to be agreed with South Ayrshire Council as Planning Authority.

Development Principles Applicable in Each Phase:

4. The first formal application for each phase shall be accompanied or preceded by the submission of a Development and Design brief, which shall be approved in writing by the Planning Authority. Each brief will accord with the Greenan Masterplan, Ayr and dated June 2009 unless otherwise agreed by the Planning Authority and include the following matters:
  - a) The layout of each phase including all roads, roundabouts, footways, cycleways and car and cycle parking, bus routes and stops, road layouts and alignments, and servicing areas;
  - b) The location of parks and other open places and play equipment;
  - c) The identification of individual development parcels for the agreed land uses, showing the orientation of buildings; and identifying focal buildings etc.
  - d) a plan for the Core Loop Road to provide for appropriate landscaping including clusters of trees where appropriate, existing and proposed ground levels which respect the natural topography of the site as far as possible and provisions for lowered kerbs to link with strategic routes. All elements shall integrate with each other to the satisfaction of the Planning Authority.

Formal Applications:

5. All formal applications shall be in accordance with the proposals hereby approved and shall be implemented in accordance with the Greenan Masterplan, Ayr and dated June 2009, as forming part of this permission unless a variation is required by a condition of the permission or a non-material change has been agreed in writing by the Planning Authority. The Greenan Masterplan shall be adhered to for the relevant phase unless otherwise agreed by the Planning Authority, and shall set out the means of access, Sustainable Urban Drainage System (SUDS), associated greenspace and any cut/fill within the site and other principles outlined in each Development and Design Brief at that time or before. Unless otherwise approved by the Planning Authority, all development shall generally follow the topography of the site.

All formal application(s) for the Approval of Matters Specified in Conditions or full application for this site shall have full regard to the following matters of principle:

- (a) wherever possible, houses adjacent to this Core Loop Road shall front onto this Core Loop Road. No garages shall be positioned such that they extend in front of the building line of the houses. The building line shall reflect the curves of the line of the Core Loop Road. Where houses are located on corner sites between the Core Loop Road and the vehicular access points from this Core Loop Road, these houses shall be dual fronted with windows facing both street elevations. Unless otherwise approved by the Planning Authority, the Core Loop Road shall follow the topography of the site and shall work within existing ground levels not exceeding +/- 1.5 metres to the satisfaction of the Planning Authority;
- (b) wherever possible, all houses located on corner sites of road junctions shall be dual fronted with windows facing both street elevations;
- (c) that the use of engineered traffic calming measures shall be avoided (speed humps), unless it can be established as a preference in terms of the underlying geometry for the roads. Wherever possible, any engineered traffic calming measures shall use natural landscape features e.g. trees (which shall be ball protected) and shall in all cases ensure the smooth passage of pedestrians and cyclists. Attention shall be given to the angle of visibility splays at junctions to reduce driver speed. These matters shall be to the satisfaction of the Planning and Roads Authority;
- (d) that wherever appropriate, measures shall be taken which lead to minimising street signage by the use of signage on buildings and high quality street signage to the satisfaction of the Planning and Roads Authority;
- (e) all properties located at the northern edge of the red line site will face outwards towards the coast, will not exceed 2 storeys in height and shall be in accordance with Fig 6.10 of the Greenan Masterplan and dated June 2009.

Greenspace – Ecology and the Landscape:

6. That at the stage of the first formal application for each phase, a Landscape and Habitat Management Plan shall be submitted to and approved by the Planning Authority and shall be implemented in full during the construction stage of all phases of the development and adhered to for the lifetime of the development. The Landscape and Management Plan shall define the proposed management regime for all landscaped areas within each phase. The Plan shall include details of the following:
- (a) Retention of mature trees and hedges wherever possible and planting of new indigenous trees and shrubs within the new structure landscape;
  - (b) Appropriate planting of new trees, hedges, shrubs and ground cover plants within the site;
  - (c) Mature trees which require to be felled as part of the construction works;
  - (d) Proposals for establishing whether there is evidence of roosting bats or nesting birds and proposals for ongoing bat surveys. Where trees require to be felled and appear suitable as bat roosts and openings are present, best practice methods to protect bats shall be undertaken to the satisfaction of the Planning Authority;
  - (e) That there shall be no works of disturbance to potential bird breeding habitats, during for example tree felling and hedgerow removal within the main bird feeding season (March to June inclusive) unless with the agreement of the Planning Authority;
  - (f) Details of structural landscaping for all boundary treatment and landscape areas, together with details of phasing; and

- (g) Proposals for a qualified ecologist overseeing the implementation of the plan, having particular regard to wildlife corridors.
7. That at the first formal application for each phase of the development, a scheme of landscaping indicating the siting, numbers, species and heights (at time of planting) of all trees, shrubs and hedges to be planted, and the extent and profile of any areas of earthmounding, shall be submitted for the prior written approval of the Planning Authority. The scheme as approved shall be implemented within the first planting season following the completion or occupation of the last residential unit for each land parcel in the relevant phase development. Re-planting will be undertaken for a period of two years following completion of a phase to replace trees, landscaping or shrubs that have failed to grow. A maintenance plan shall also be outlined and submitted to protect the landscape planting undertaken and to allow it to mature.
8. The open space/landscaped areas shall be retained as open space and to this approved standard. A factoring arrangement and a maintenance schedule shall be put in place for the maintenance of open spaces, grassed and parkland areas and this shall be submitted as part of an application for matters specified in conditions. Thereafter the maintenance schedule shall be adhered to at all times by the nominated factor for the site, and no changes shall be undertaken without the prior written approval of the Planning Authority.
9. That before any works start on any phase within the site, the developer shall submit a tree protection plan, in accordance with the current British standards, of all trees that may be affected by development within the relevant phase. The approved tree protection plan shall be implemented and no trees shall be felled, topped, lopped or have roots cut or damaged without the prior approval of this Planning Authority.
10. That all hard and soft landscaping treatment (including location of all hard surfaces; planting; details of play equipment; and height and materials of all fences and gates and any other means of enclosure) of all amenity open spaces and landscaped areas, shall be submitted to and approved by the Council as Planning Authority. Play equipment shall be in accordance with the Council's Planning Policy No.4 to the satisfaction of the Council as Planning Authority.

#### Water Quality and Drainage:

11. That surface water from the site shall be treated in accordance with the principles of the Sustainable Urban Drainage Systems (SUDS) Manual published by CIRIA in March 2007 and shall include retention ponds generally in locations shown in the Greenan Masterplan, Ayr dated June 2009. At the formal application stage full details of the methods to be employed, following discussions with SEPA, along with details of how these measures will be maintained in perpetuity, shall be submitted for the formal prior written approval of the Planning Authority before any work commences on site.
12. That the foul drainage arrangements for the site shall be to the satisfaction of the Planning Authority, in consultation with SEPA and Scottish Water.
13. That no part of any phase of the development shall be occupied until the Sustainable Urban Drainage System (SUDS) to which that part of the development relates has been completed in accordance with the submitted and approved plans.

#### Archaeology:

14. No development shall take place within a development phase within the development site as outlined in red on the approved plan until the developer has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted by the applicant, agreed by the West of Scotland Archaeology Service, and approved by the Planning Authority for that specific phase. Thereafter the developer shall ensure that the programme of archaeological works is fully implemented for that phase and that all recording and recovery of archaeological resources within the development site is undertaken to the satisfaction of the Planning Authority in agreement with the West of Scotland Archaeology Service.

Emission Reduction:

15. Prior to the submission of the first formal application for each phase for the development of buildings, there shall be submitted proposals for achieving a reduction in CO<sup>2</sup> emissions in accordance with Scottish Planning Policy, for the approval of the Planning Authority. The completed development shall accord with the scheme.

Affordable Housing:

16. That 25% of the total number of units within the residential development hereby approved shall be available as affordable housing to the satisfaction of the Council as planning authority; and in accordance with the Council's SPG "New Housing Developments and Affordable Housing" to ensure delivery of affordable housing in all 3 phases identified in the Greenan Masterplan(Fig.7.1) dated June 2009.

Traffic and Transportation:

17. A bus gate shall be provided as part of the development and prior to the occupation of the first residential unit, and should be installed as indicated by the Steer Davies Gleave drawing dated the 21<sup>st</sup> of February 2008 (Fig. 5.12) entitled „Proposed off site road works.“
18. Cycle links into the National Cycling Network Route 7 (NCN7) from the site shall be required in accordance with a scheme to be submitted to and approved by South Ayrshire Council prior to commencement of development on site. The cycle links shall be developed in phases as laid out in Condition 5(a).
19. That prior to the occupation to the first residential unit, a Travel Plan shall be submitted for the formal prior written approval of the Council as Planning Authority (in consultation with the Council as Roads Authority). The Travel Plan shall identify the measures to be implemented, the system of management, monitoring, review, reporting and the duration of the plan. It shall incorporate measures designed to encourage modes of travel other than private car.
20. That Stage 2 and 3 Road Safety Audits, shall be submitted to South Ayrshire Council as Roads Authority and in compliance with HD 19/03 of the Standard for Highways Design Manual for Roads and Bridges, and shall be submitted to the Roads Authority in relation to any works within public road limits. This applies to all proposed new roads and any alterations to existing roads carried out under a Section 56 Agreement.
21. That a 2 metre wide public footway shall be maintained along the site frontage on Dunure Road In accordance with the specifications in the Council's Roads Development Guide before the occupation of the development.
22. That prior to the occupation of the developments first residential unit, a roundabout is to be provided in order to serve as the sites primary access. The Steer Davies Gleave drawing entitled „Indicative Roundabout at Main Access at Browncarrick Drive“ (dated 21<sup>st</sup> of February 2008) is indicative of the required road layout. Final designs should be agreed with the Roads Authority prior to full planning permission being granted.
23. That a priority junction that serves as secondary access into the site shall be provided. Included as part of this junction will be a ghost island for those vehicles turning right into the development off of Dunure Road. Designs, location and phasing of new the site's secondary access shall be submitted for the prior approval of the Planning Authority within six months of the date of this permission.
24. That junction access visibility sightline splays of 4.5 metres by 90 metres shall be maintained in both directions at any priority junction between the developments road network and the A719. There shall be no obstacle greater than 1.05 metre in height within the visibility sightline splays.
25. That the discharge of water onto the public road carriageway shall be prevented by drainage or other means. Precise details and specifications of how this is to be achieved shall be submitted for the prior written approval of the Planning Authority before any work commences on site.

26. That an extension of the existing 30 mph zone on Dunure Road shall be promoted. The timescale for this to be agreed with South Ayrshire Council as Roads Authority, and prior to occupation of the first residential unit.

**Reasons:**

- |                     |  |
|---------------------|--|
| 2 to 5              | To clarify the terms of the permission.  |
| 6 to 10             | In the interests of protecting the natural habitat and ecology of the site and promoting an open space framework.          |
| 11 to 13            | To ensure the site is drained in an acceptably sustainable manner and the drainage infrastructure is properly maintained.  |
| 14                  | To ensure that measures are put in place to appropriately assess and record archaeology.                                   |
| 15                  | To ensure that the development reduces carbon emissions in a sustainable manner in the interests of environmental quality. |
| 16                  | To ensure that such units are provided within the site and in accordance with the provisions of the development plan.      |
| 17, 18, & 19        | For the purpose of encouraging sustainable travel.   |
| 20, 21, 24, 25 & 26 | In the interests of road safety.   |
| 22                  | For the purposes of accessibility.   |
| 23                  | For the purposes of road safety and accessibility.   |

**Reasons for Decision:**

The principle of the development hereby approved is considered to accord with the provisions of the development plan, in terms of the approved structure plan and adopted local plan. There are no reasons to warrant a refusal of planning permission. It is a legislative provision that refusal of planning permission should only be given if planning conditions or legal agreements are unable to address matters of planning concern.

**Background Papers:**

1. Application form and plans
2. Consultation replies
3. Adopted Ayrshire Joint Structure Plan
4. Approved South Ayrshire Local Plan
5. Scottish Planning Policy
6. Draft Scottish Planning Policy
7. SPP3: Land for Housing
8. SPP8: Town Centres and Retailing
9. SPP17: Planning for Transport
10. SPP11: Open Space and Physical Activity
11. SPP20: Architecture and Design Scotland
12. SPP23: Planning and the Historic Environment
13. NPPG14: Natural Heritage
14. PAN61: Planning and Sustainable Urban Drainage Systems
15. PAN76: New Residential Streets
16. South Ayrshire Council Planning Policy Note No. 4: „The Provision of Private and Public Open Space and Play Areas within New Residential Areas“
17. Supplementary Policy Guidance: „Affordable Housing in New Housing Developments“
18. Circular12/96 „Town & Country Planning (Scotland) Act 1972: Planning Agreements
19. Masterplan Report (June 2009)
20. Processing Agreement
21. EIA Screening Opinion
22. Transport Assessment
23. Tree Survey
24. Ecological Assessment
25. Community Consultation Report

**Person to Contact:**

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