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APPENDIX 1

Notice of Review



East Ayrshire
COUNCIL

NOTICE OF REVIEW

UNDER SECTION 43A(8) OF THE TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997 (AS AMENDED) IN
RESPECT OF DECISIONS ON LOCAL DEVELOPMENTS
THE TOWN AND COUNTRY PLANNING (SCHEMES OF DELEGATION AND LOCAL REVIEW PROCEDURE)
(SCOTLAND) REGULATIONS 2008
THE TOWN AND COUNTRY PLANNING (APPEALS) (SCOTLAND) REGULATIONS 2008

IMPORTANT: Please read and follow the guidance notes provided when completing this form.
Failure to supply all the relevant information could invalidate your notice of review.

Use **BLOCK CAPITALS** if completing in manuscript

Applicant(s)

Agent (if any)

Name

Name

Address

Address

Postcode

Postcode

Contact Telephone 1

Contact Telephone 1

Contact Telephone 2

Contact Telephone 2

Fax No

Fax No

E-mail*

E-mail*

Mark this box to confirm all contact should be
through this representative:

Yes No

* Do you agree to correspondence regarding your review being sent by e-mail?

Planning authority

Planning authority's application reference number

Site address

Description of proposed development

Date of application

Date of decision (if any)

Nature of application

- 1. Application for planning permission (including householder application)
- 2. Application for planning permission in principle
- 3. Further application (including development that has not yet commenced and where a time limit has been imposed; renewal of planning permission; and/or modification, variation or removal of a planning condition)
- 4. Application for approval of matters specified in conditions

Reasons for seeking review

- 1. Refusal of application by appointed officer
- 2. Failure by appointed officer to determine the application within the period allowed for determination of the application
- 3. Conditions imposed on consent by appointed officer

Review procedure

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Please indicate what procedure (or combination of procedures) you think is most appropriate for the handling of your review. You may tick more than one box if you wish the review to be conducted by a combination of procedures.

- 1. Further written submissions
- 2. One or more hearing sessions
- 3. Site inspection
- 4. Assessment of review documents only, with no further procedure

If you have marked box 1 or 2, please explain here which of the matters (as set out in your statement below) you believe ought to be subject of that procedure, and why you consider further submissions or a hearing are necessary:

A BETTER APPRECIATION OF THE ISSUES / FACTS ON THE GROUND
 WOULD BE ACHIEVED.

Site inspection

In the event that the Local Review Body decides to inspect the review site, in your opinion:

- | | Yes | No |
|--|-------------------------------------|--------------------------|
| 1. Can the site be viewed entirely from public land? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 2. Is it possible for the site to be accessed safely, and without barriers to entry? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

If there are reasons why you think the Local Review Body would be unable to undertake an unaccompanied site inspection, please explain here:

Statement

You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. Note: you may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

If the Local Review Body issues a notice requesting further information from any other person or body, you will have a period of 14 days in which to comment on any additional matter which has been raised by that person or body.

State here the reasons for your notice of review and all matters you wish to raise. If necessary, this can be continued or provided in full in a separate document. You may also submit additional documentation with this form.

PLEASE REFER ENCLOSED STATEMENT

Have you raised any matters which were not before the appointed officer at the time the determination on your application was made?

Yes No

If yes, you should explain in the box below, why you are raising new material, why it was not raised with the appointed officer before your application was determined and why you consider it should now be considered in your review.

List of documents and evidence

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review.

1 STATEMENT OF SUPPORT TOGETHER WITH APPENDICES
 2 COUNCIL OFFICER'S REPORT OF HANDLING
 * 3 AYRSHIRE JOINT STRUCTURE PLAN APPROVED NOVEMBER 2007
 * 4 EAST AYRSHIRE LOCAL PLAN ADOPTED OCTOBER 2010
 * 5 DESIGN GUIDANCE NEW RESIDENTIAL DEVELOPMENT EAST AYRSHIRE COUNCIL
 * IT IS ASSUMED THAT THE COUNCIL WILL HAVE COPIES OF THESE DOCUMENTS

Notes.

1. The planning authority will make a copy of the notice of review, the review documents and any notice of the procedure of the review available for inspection at an office of the planning authority until such time as the review is determined. It may also be available on the planning authority website.
2. Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice from that earlier consent.
3. This notice must be served on the planning authority within three months of the date of the decision notice or from the date of expiry of the period allowed for determining the application.

Checklist

Please mark the appropriate boxes to confirm you have provided all supporting documents and evidence relevant to your review:

- Full completion of all parts of this form
- Statement of your reasons for requiring a review
- All documents, materials and evidence which you intend to rely on (e.g. plans and drawings or other documents) which are now the subject of this review.

Please complete and return this form to Head of Democratic Services, East Ayrshire Council, Council Headquarters, London Road, Kilmarnock, KA3 7BU.

Declaration

I the applicant/agent [delete as appropriate] hereby serve notice on the planning authority to review the application as set out on this form and in the supporting documents.

Signed

Date

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**NOTICE OF REVIEW IN
RELATION TO THE REFUSAL
BY EAST AYRSHIRE COUNCIL
FOR PROPOSED DEVELOPMENT OF
TWO HOUSES ON LAND ADJACENT TO
BARRMILL COTTAGE, MAXWOOD ROAD/
CASTLEVIEW AVENUE, GALSTON.**

**PLANNING APPLICATION NUMBER
10/0922/PP**

STATEMENT IN SUPPORT

**Report by
Michael S Evans
B.A. (ECON); DIP. T.P.;
M.R.T.P.I.; MCIM.
Planning Consultant**

May 2011

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Appendix 1

- a) Selection of House Types in Maxwood Road, Castleview and Craig View.**

1.0 INTRODUCTION.

On 09/11/10 Ross McKay, Architect,
on behalf of Ms Doreen Lindsay, submitted a
planning application for the construction of two houses on land adjacent
to Barrmill Cottage, Maxwood Road/Castleview Avenue, Galston. The
application was validated on December 20th 2010. Consent for the
proposals was refused on 18th February 2010.

As a Local Development the application has been dealt with on a
delegated basis.

2.0 LOCATION AND SITE CHARACTERISTICS.

The location of the site is shown on drawing number 0805:01 at 1:2500
scale submitted as part of the planning application and also included with
this request for review. The site has an area of 1944 sq m. As is shown
in Fig 1 the site is on the south eastern edge of the settlement of Galston
as defined in Part 3, Settlement and Rural Development Opportunities of
the East Ayrshire Local Plan. The western portion of the site is within the
settlement while the eastern portion is within the Settlement Protection
Area. To the south of the site the settlement boundary extends
eastwards to include Barrmill Cottage. This means that the site while not
only being partly within the settlement adjoins the settlement for the
whole of the remainder of its southern boundary.

To the north the site is bounded by an unadopted road leading to Barr Mill
and to the east, open agricultural land in the ownership of the applicant.

The site is basically an isolated section of what was once the railway line
that ran from Kilmarnock to Strathaven the length of the Irvine Valley.
Long since abandoned the site has remained vacant and unused for
decades. Trees are a feature but the most significant of these are along
the northern and southern margins, rather than within the site. It is
recognised that some of these trees would have a role to play in the
future.

The land has been subject to sporadic fly tipping and occasional anti-
social behaviour.

Topographically the site is at its highest at its western end where the housing would be placed. The land to the east is lower and provides an excellent opportunity for an enclosed garden.

Otherwise the site as a whole is on land that slopes relatively gently up the side of the Irvine Valley to the south.

3.0 AUTHOR'S QUALIFICATIONS.

On behalf of the applicant Ms D Lindsay I have therefore been instructed to request a Notice of Review in respect of the Council's decision to refuse the application on February 18th.

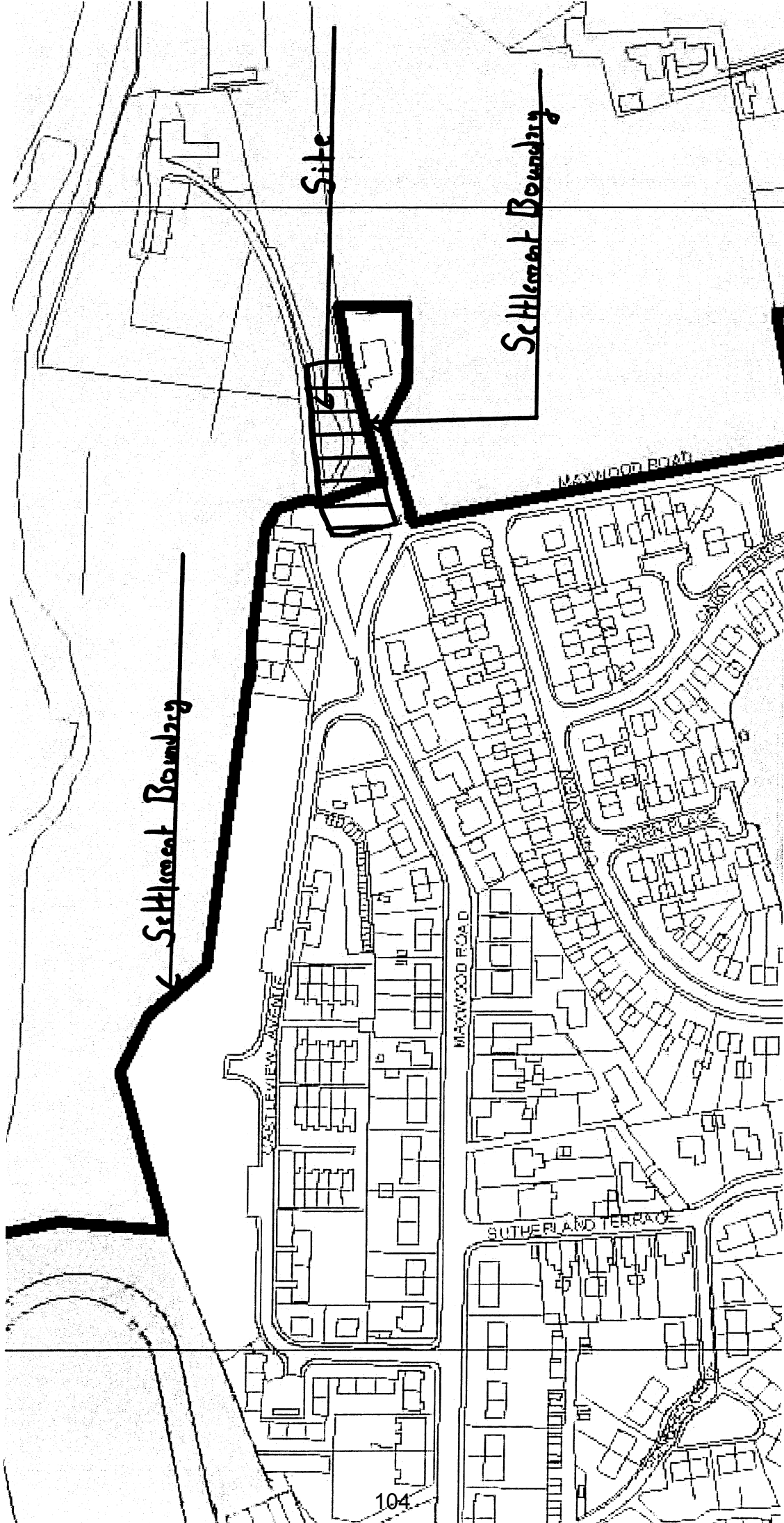
I hold an honours degree in Economics and a post graduate qualification in town and country Planning. I am a Chartered member of the Royal Town Planning Institute and the Institute of Management. I have 37 years post qualification experience in local government, the private and university sectors.

4.0 THE PROPOSAL.

The proposal comprises two two storey houses each with basement garages. The basement areas are possible by the natural topography of the site. The dwellings are domestic in scale and the two storeys reflect the height of the predominantly two-storied buildings in the immediate vicinity of the site. The plan forms are based on the concept of providing a linear circulation space dividing the building and giving access to the various apartments and rooms opening from this space. The principal rooms are grouped on the west side of the building to enjoy afternoon and evening light, while the less formal and utilitarian spaces face east and benefit from the more consistent quality of the morning light.

The approach to the houses is an adaptation of the existing unadopted roadway to form a shared surface, allowing vehicles to enter and leave the individual plots in forward gear. Residents would reach the double garage at the lower level by the shared ramp and there is sufficient area to the rear of the house to allow both turning space for cars and for additional family parking for two other cars. Visitor parking is allowed for to the west of the houses with space for up to two cars for each dwelling.

Site in Relation to Galston Settlement Boundary



Site

Settlement Boundary

Settlement Boundary

The houses themselves would have a rendered finish over a facing brick base (although this could be substituted with artificial stone to match the new material introduced in the recently completed housing in Castleview Avenue) and the roof would be finished with a concrete tile sympathetic to the existing roof finishes of the other houses around the application site.

The proposed dwellings would be accessed through a vestibule in accordance with good practice for energy conservation and into the central circulation space referred to previously. From this core, a large principal Sitting room and a Dining Room lie with a frontage to the west and the Family 'Room and Kitchen lie to the east, in turn giving access to the terrace. At the end of the Hall, there is a Shower Room and lavatory facilities. Stairs to the upper level lead to a landing that gives access to the main Bedroom, with a Shower Room *en suite*, and a guest Bedroom to the west. To the east sit two further family Bedrooms and the landing also gives access to the family Bathroom. The stairs from the Hall at the entrance level lead down to the basement where, along with the double garage, there is a utility Room giving direct access to the garden for drying washing, a further lavatory for those enjoying the garden and the space for the principal heating system pump, served by either a geothermal heat source or an air heat convertor.

5.0 THE COUNCIL'S REASONS FOR REFUSAL.

1. The proposed development would be contrary to Policy SD3 of the East Ayrshire Local Plan 2010 as the proposal partially falls outwith the settlement boundary of Galston and has presented no justified need for a countryside location.
2. The proposed development would be contrary to Policy RES3 of the East Ayrshire Local Plan 2010 as the proposed development will have:
 - A. An adverse impact on the surrounding built environment in general and on the adjacent residential properties in particular.
 - B. Adverse transportation implications as the applicant has failed to demonstrate that an adequate access to the site is achievable.
 - C. Is not compatible with the immediate surrounding house types in terms of design.
 - D Does not comply with the council's approved Design Guidance as the development does not reflect the built form of the surrounding area, the design does not reflect or respect the landform characteristics of the area nor has it been designed to minimise the extent of land shaping and land engineering operations.
3. The proposed development would be contrary to Policy ENV 9 of the Adopted East Ayrshire Local Plan 2010 as the proposed does not comply with the Council's approved Design Guidance as;
 - A The development does not reflect the built form of the surrounding area.
 - B The design does nt reflect the scale, design features or storey height of surrounding buildings.
 - C The proposal does not reflect or respect the landform characteristic of the area not has it been designed to minimise the extent of land shaping and land engineering operations.
4. The proposed development would be contrary to Policy RES5 of the Adopted East Ayrshire Local Plan 2010 as the proposal will adversely affect the amenity, character and appearance of the area and will adversely affect the amenity and privacy of the dwellings to the west of the development site.

5. The proposed development would be contrary to Policy T3 of the Adopted East Ayrshire Local Plan 2010 as the proposal does not meet with the Council's standards as roads authority as the access is unable to accommodate a refuse vehicle accessing and exiting in forward gear and part of the land required to achieve this is outwith the control of the applicant.
6. The proposed development is contrary to RES9 as the development does not constitute any of the stated types of acceptable development.
7. The proposed development is contrary to RES20 (v) as the proposed development, would constitute an inappropriate or unacceptable extension of development into the countryside from the existing settlement boundary.

6.0 REASONS FOR SEEKING A REVIEW.

The Council in refusing the application has made direct reference to Policies SD3, RES3, ENV9, RES5, T3, RES9 and RES20 of the Adopted East Ayrshire Local Plan 2010. Reference is also made to the Council's approved Design Guidance.

It is my opinion however that the proposals can be shown to be generally compatible with the requirements of these policies etc., and could be accommodated at this location without the suggested/implied implications for the local/area or the robustness/integrity of the policies of the development plan here or generally throughout the local plan area.

7.0 RESPONSE TO THE COUNCIL'S CASE.

Reason for Refusal 1.

The proposed development would be contrary to Policy SD3 of the East Ayrshire Local Plan 2010 as the site potentially falls outwith the settlement boundary of Galston and has presented no justified need for a countryside location.

Policy SD3 states that

There will be a general presumption that all new development will be located within those area settlements identified with a settlement boundary on the local plan maps, unless the development has a justified need for a countryside location. Development outwith settlement boundaries for which such a need cannot be justified will not receive the support of the council.”

(the policy accords with Structure Plan aim SP5 and Strategic aims 2 and 4 of the Local Plan)

A general presumption therefore does not totally exclude the possibility of development but this would come with “.....a justified need for a countryside location.”

The site is partly within the settlement of Galston but is entirely within the ownership of the party requesting the review. As is confirmed by Figure 1 which is an extract of Part 3 of the Local Plan the application site is also partly outwith the settlement but that part outwith the settlement is bounded by the settlement boundary along the whole of its southern and western boundaries. This is therefore not a site that is detached from a settlement.

Development here would not be sporadic and by implication a threat to the integrity and robustness of local plan policy and in particular Policy SD3. Policy SD3 is a General Strategic Policy and the proposals are small scale and would involve the use of only ? of the countryside under particular locational and environmental circumstances which significantly diminish any possible negative impact as will be confirmed later in this statement

The Local Plan states that policy SD3 accords with Structure Plan Aim SP5. It is understood however that this has now been superseded by Policy STRAT1 Sustainable Development.

Schedule `1 of the policy sets out guiding Principles for Sustainable Development. In relation to the relevant principles I would make the following comments:-

- Community Regeneration.
 - Efficient use will be made of vacant and derelict land and buildings. The site has been vacant for a considerable period.
 - Previously development land will be promoted in preference to greenfield land. This was formerly a railway and is effectively brownfield.
- Environmental Quality.
 - The quality of the natural and built heritage will be conserved and enhanced. The proposals would have no adverse implications for either. In relation to the natural environment the proposals would lead to a more effective management of the trees on site delivering a more sustainable environmental “bonus”.
 - Development will require to respect the landscape character of the area and not result in visual damage or intrusion.
As will be confirmed later in this statement the proposals would achieve these requirements.
 - Development should not lead to unacceptable damage to priority species and habitats. The proposals would not.
 - New development will be expected to take account of the impact of climate change.
 - The proposals include features that confirm that account has been taken of the enhanced requirements for energy efficiency/saving, CO2 emissions etc.
 - New development will be located where there is no unacceptable risk from flooding

- The site is not in a flood risk area.
- Development should not have an adverse effect on land, air and water quality or nuisance by way of smell, noise or light.

The proposals will result in none of these happening.

The proposals can therefore be seen to be compatible with the relevant requirements of Structure Plan Policy STRAT1. They represent a ?h intrusion into the countryside and therefore an extremely minor exception to policy. The site is flanked by the settlement boundary on two sides., will continue to be relatively heavily wooded and does not present any skylining issues.

Development here would not in the final analysis implicate the setting of Galston and by so doing significantly undermine the ability of General Strategic Policy SD3 to continue to function effectively here or elsewhere in the area covered by the local plan.

Reason for Refusal 2.

The proposed development would be contrary to policy RES3 Of the East Ayrshire Local Plan 2010.

Policy RES3 states :-

Within settlement boundaries, the Council will positively encourage the sympathetic residential development of gap, infill or other redevelopment sites not specifically safeguarded or identified for particular development purposes on the Local Plan maps. Such proposals will be particularly supported where the development:

Taking each one of the criteria of Policy RES3 in turn.

- (i) The Council’s officer concludes that the proposals have an adverse impact on the surrounding built environment in general and on the adjacent residential properties in particular. The officer however does not refer to any particular guidance on the matter of adverse impact. I deal with aspects of “general impact” in response to reason for refusal 1 above using the criteria of Structure Plan Policy STRAT 1 as guidance and I have concluded that the proposals would not have negative impact.

The houses are designed to form a visual “stop” at the end of the east/west section of Maxwood, enhancing the sense of urban enclosure at that point and completing what is in effect a “ragged” edge to the settlement here.

(ii) It is the officer’s opinion that the application has failed to demonstrate that adequate access to the site is achievable.

This matter is dealt with under Reason for Refusal 5.

(iii) It is the officers opinion that the proposed development is not compatible with the immediately surrounding house types in terms of design.

Even the most casual of observers would note that within the immediate area of the proposed site and slightly beyond there is a wide variety of house types in terms of size, scale, massing, density, materials used as the photographs in Appendix 1 confirm. This situation can be appropriately described as an eclectic mix.

In the Maxwood Road/Castleview Avenue/Craig View area as a whole there are late Victorian two storey sandstone structures, inter war four in a block, late Nineteenth Century single storey with attics, 1940’s two storey timber clad prefabs, 1960’s two storey , 1970’s 1½ storey, 1950’s two story prefabricated former council houses, gabled and hipped roofs etc etc.

The proposals are described in detail in Part 4.0 earlier and it is maintained that in terms of scale, massing, design etc., they sit comfortably within the mix that characterises the area.

(iv) it is the officer’s opinion that the proposed development does not comply with the approved Design Guidance as the development does not:

- reflect the built form of the surrounding area
- does not reflect the scale, design features of storey height of the surrounding buildings.
- nor has it been designed to minimise the extent of land shaping and land engineering operations.

Full account was taken of the relevant sections of both “Design Guidance: New Residential Development and New Residential Development in the Countryside. The bulk of the construction however is located within the settlement boundary and the focus has therefore been on the former. The document is divided into a number of sections.

1. Principles.

(a) Locality – design will be required to conform, complement and harmonise with the landscape character of the area, the design of surrounding buildings and the general appearance of the settlement in which the development is located particularly in terms of scale, form, materials and finish.

The proposals as described in part 4 above meet all of these requirements as confirmed elsewhere in this statement.

(b) Good Design – The guidance actually applies to “schemes” rather than individual dwellings but the guidance is that they shall be prepared using best architectural practice in their detailing, scale and proportions, be interesting and distinctive, exploiting and reflecting local features to advantage. The proposals are described in detail in Part 4 but in terms of using best architectural practice it is emphasised that the plan form takes inspiration from the early work of Richard Meir and Peter Eisenman amongst others. On a point of detail it is not understood however how proposals can at the same time be distinctive and reflect local features.

(c) Energy Efficiency – The Design Guide advises that advantage is taken of landscape/landforms. Possibility of solar energy was explored at the outline stage but discounted on the basis of lack of viability, the primary reason for this being the proximity of the retained mature trees and the resultant overshadowing. The principal method for heating the houses will probably be a geothermal source using a ground pump (assuming final detailed tests confirm practicality) Should this not be practical from an air source using an air pump.

2. Types of Residential Development

In relation to individual or small scale gap or infill development proposals should reflect and respect the built form of the surroundings area. (Refer above).

7. Privacy and Overshadowing. (dealt with later)

8. House Design.

(a) General – particular attention should be paid to the design and proportion of the windows and doors.

In the proposals these are based on traditional Scottish proportions and reflect comparatively recent buildings in the vicinity of the site.

(b) Roofs should be pitched with slope of at least 30 degrees. Proposed roofs are at 35 degrees at present which better reflects what is already in the vicinity.

(c) Walls and external finishes.

As confirmed in part 4 finishes reflect the locality.

In designing the proposals account was therefore taken of the guidance provided by Design Guidance New Residential Development and it is confirmed that the proposals sit comfortably with this.

In relation to the comments made about landform and the need for engineering, the latter has in fact been kept to a minimum. The proposed housing would occupy the already existing high ground on the eastern edge of the site and the proposed gardens the lower ground to the east. The proposals do not involve cutting into the hillside against the general run of the contours.

Reason for Refusal 3.

The proposed development would be contrary to Policy ENV9 As the proposals do not comply with the Council's approved Design Guidance etc.

This reason for refusal is very similar to reason for refusal 2.

Policy ENV 9 states:

The council will actively encourage and demand the highest possible standards of design from applicants in the formulation of their development proposals. All developers will be expected to comply fully with the Council's existing design guidance documents relating to, and advising on, the particular type of development proposed.

Developments which do not meet the required design standards detailed in these documents will require to be fully justified and may not be supported by the Council.

It has been confirmed elsewhere that in constructing the proposals full account was taken of the council's existing design guidance and comments and the aforementioned indicates that they do ".... Meet the required design standards detailed in these documents....."

Reason for Refusal 4.

The proposed development would be contrary to Policy RES5 of the Adopted East Ayrshire Local Plan 2010 as the proposal.

- will adversely affect the amenity, character and appearance of the area and
- will adversely affect the amenity and privacy of the buildings to the west of the development site.

Policy RES5 states:

Backland residential development (i.e. the erection of any dwelling house situated to the rear of an existing building and/or without a proper road frontage) will not be permitted where, in the opinion of the Council, this would adversely affect:-

The site is not "backland" because a "proper road frontage" is available.

In relation to the criteria of Policy RES5 however my comments are as follows:-

- (i) it has been confirmed elsewhere that the character of the housing nearest to the site and in the general area is mixed. As described in part 4 the proposals nevertheless draw upon identifiable common themes and would as a result have no negative impact on the character and appearance of the area.

Policy RES22 rather RES5 of the Local Plan deals with Residential Amenity. Criterion (vi) states:

“any development which, by reason of its size, scale, design, location or material finish would be unacceptable visually intrusive or which would adversely impact on the amenity or privacy of neighbouring properties” would not be favourably received

The proposals are of modest proportions and of a scale similar to other developments in the area. They are for example, nowhere near the proportions of the recently re-developed and greatly enlarged “cottage” immediately to the south east .

It has been stated earlier that the development would act on a “visual stop” at the end of the east/west section of Maxwood Road. Apart from the frontage, the development will be hardly visible, flanked as it will be by trees on the northern, southern and indeed eastern margins.

The nearest property being the “cottage” to the south east and houses to the north west and west.

To have any impact on residential amenity of these properties the proposals would have to impact adversely on the level of daylight and sunlight enjoyed by them. The proposals have no such impact. They present no problems with regard to overlooking and more than exceed the 18 metres distance required between habitable rooms.

To conclude therefore the proposals would not:

- be unacceptably intrusive by reasons of size, scale, design, location or material finish
- be unacceptably visually intrusive
- have an adverse impact on the amenity or privacy of neighbouring properties.

Reason for Refusal 5.

The proposed development would be contrary to Policy T3 of the Adopted East Ayrshire Local Plan as the proposal does not meet the council's standards as the access is unable to accommodate a refuse vehicle accessing and exiting in forward gear and part of the land required to achieve this is outwith the control of the applicant.

Policy T3 states:-

The council will require developers, in formulating their development proposals, to ensure that their proposals meet all of the requisite standards of the council as road authority. Developments which do not meet these standards will not be considered acceptable and will not receive Council support. In addition, developers should ensure that their proposed developments:

Drawing number 0805:06, Stretch Site Plan or Proposal submitted as part of the planning application indicates possible improvements to access.

It is understood that these proposals would be implemented on land owned by East Ayrshire council.

In actual fact, observation of the movement of refuse vehicles within the eastern end of Castleview Avenue would indicate that the bins from both of the proposed houses could be brought to a point to be dealt with simultaneously with the uplift for numbers 116 to 126 Castleview Avenue. In actual fact therefore in purely technical terms the proposed road improvement is not required to facilitate the movement of the refuse lorry and a common sense/pragmatic solution involving no change would be implementable.

Ms D Lindsay however sees that there would be obvious environmental improvements resulting from the works shown on drawing number 0805:06 being carried out. As a result she is prepared to enter into an agreement with East Ayrshire council re the financing of the construction of the improvements.

Reason for Refusal 6.

The proposed development is contrary to RES9 as the development does not constitute any of the stated types of acceptable development.

As I understand it, the primary role of the Settlement Protection Area is to protect the setting of settlements. It has already been confirmed that the site is partly within the settlement and is flanked by the settlement boundary along its western and southern boundaries.

While the development of that part of the site within the Settlement Protection Area would not accord with the criteria of Policy RES9 it would be small scale and as previously stated unobtrusive and would have much less impact on the policy area than the cottage to the south east which is within the settlement.

Neither would it create, as a result of the particular details of the proposals and of the location a precedent that might be used to undermine the effectiveness of Policy RES9 here or elsewhere.

The setting of Galston would therefore be unaffected.

It is important to note that the proposals resulted in no objections from Galston Community Council as statutory consultees or from those neighbours that, in the opinion of the officer at least, would be adversely implicated.

Reason for Refusal 7.

The proposed development is contrary to RES20 (iv) as the proposed development would constitute an inappropriate or unacceptable extension of development into the countryside from the existing settlement boundary.

It has already been shown that the site is partly within the settlement and is otherwise adjacent to it on the west and south. In the immediate area Galston is overwhelmingly residential in character and the proposals are for housing. Assessed on their individual merits as set out in the preceding sections of this statement the conclusion must be that while development of part of the site would technically constitute a departure from the Local Plan, its scale would be such as to present no threat to relevant policies.

In addition, this position, i.e. of not posing a threat to policy, is reinforced by the actual characteristics of the site and the details of the proposals themselves, as is discussed in detail in other sections of this Statement.

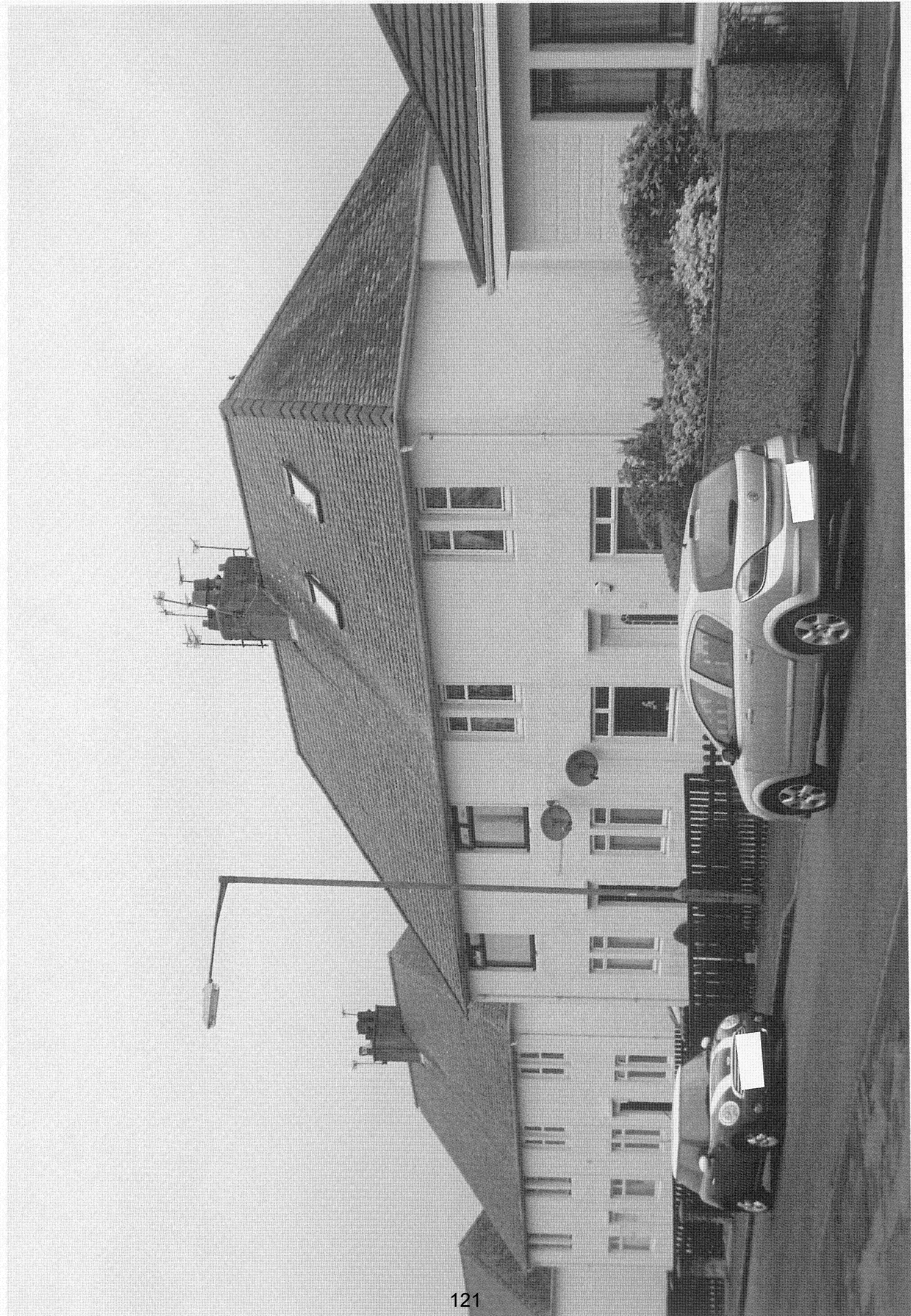
8.0 CONCLUSIONS.

In part 6.0, Reasons for Seeking a Review I stated that it could be demonstrated that the proposals were substantially in accord with the requirements of the development plan and associated supplementary guidance and where there might be a departure this would be of such a minor scale as to pose no threat to the continuing robustness/effectiveness of policy here or within the area of the East Ayrshire Local Plan as a whole. I would therefore maintain that it has been possible to confirm that the proposals:

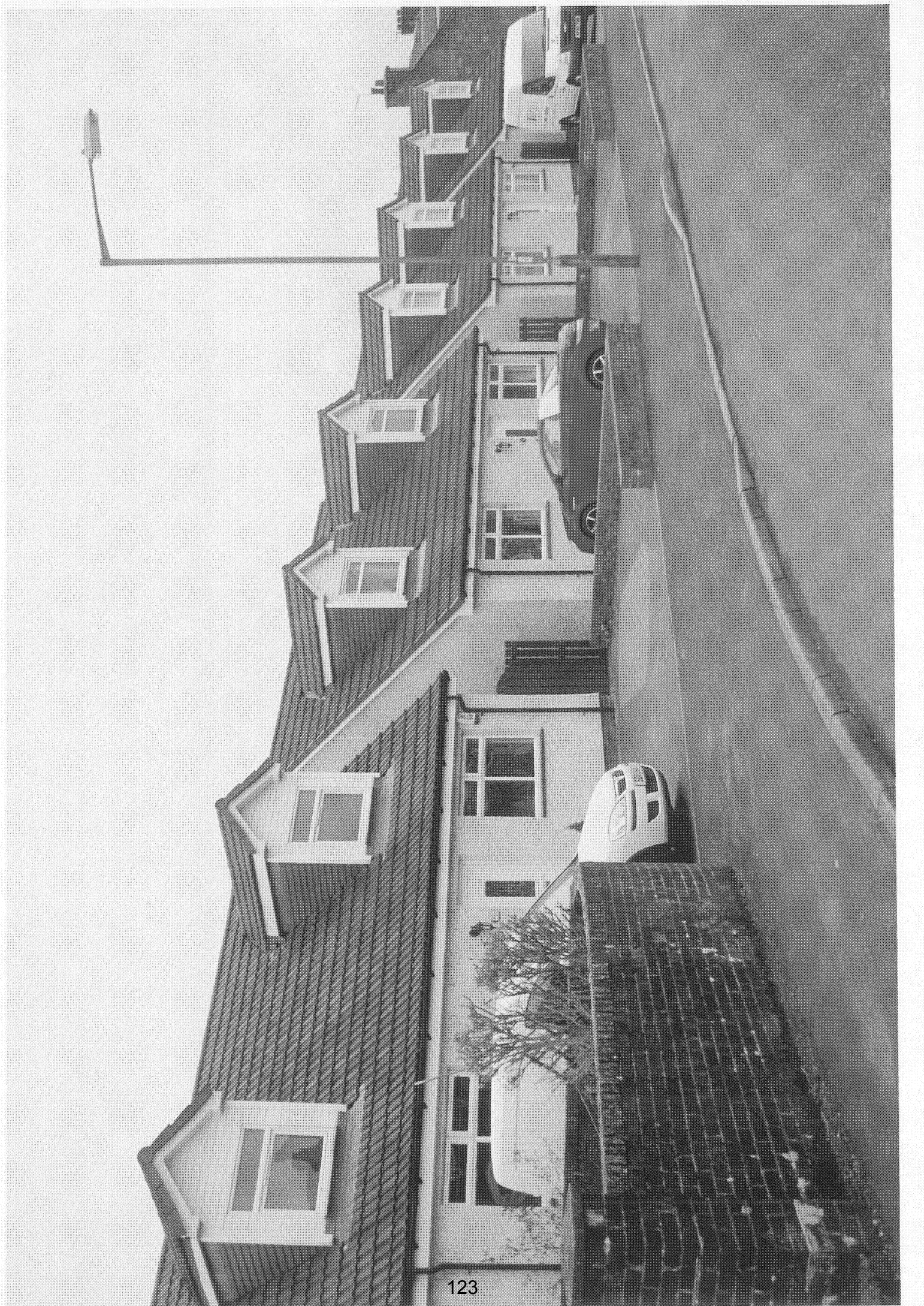
- **have been developed taking full account of the council's design guidance**
- **and as a result in terms of their scale, massing, design and use of materials are in keeping with those that are typical of the immediate area are not visually intrusive**
- **and do not adversely implicate the amenity of the area or that of neighbouring properties**
- **and can be properly served by the council's refuse vehicles**
- **and in the final analysis not been objected to either by Galston Community Council or by any householders nearest to the proposals.**

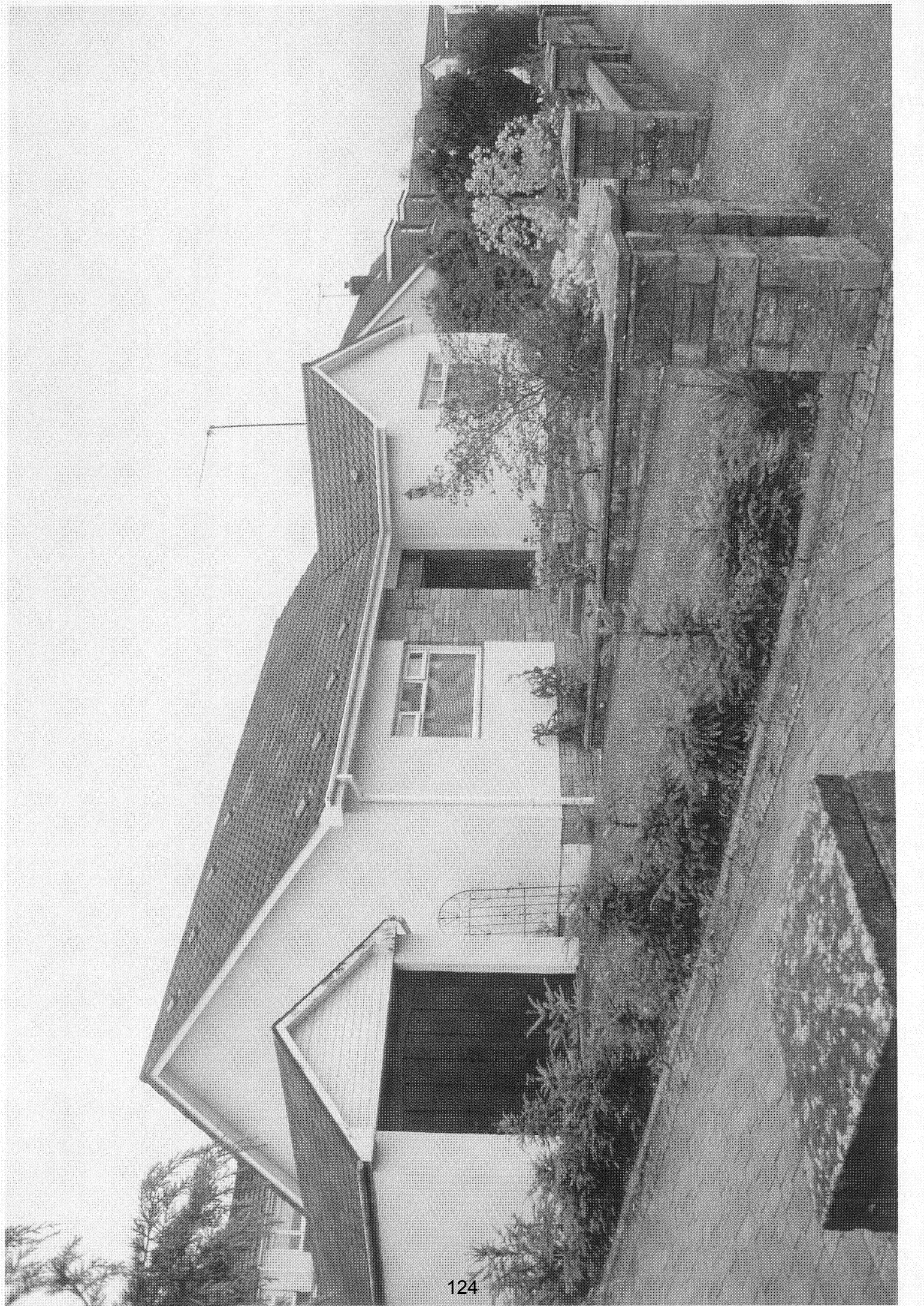
APPENDIX 1

- a) Selection of House Types in Maxwood Road, Castleview Avenue and Craig View.**

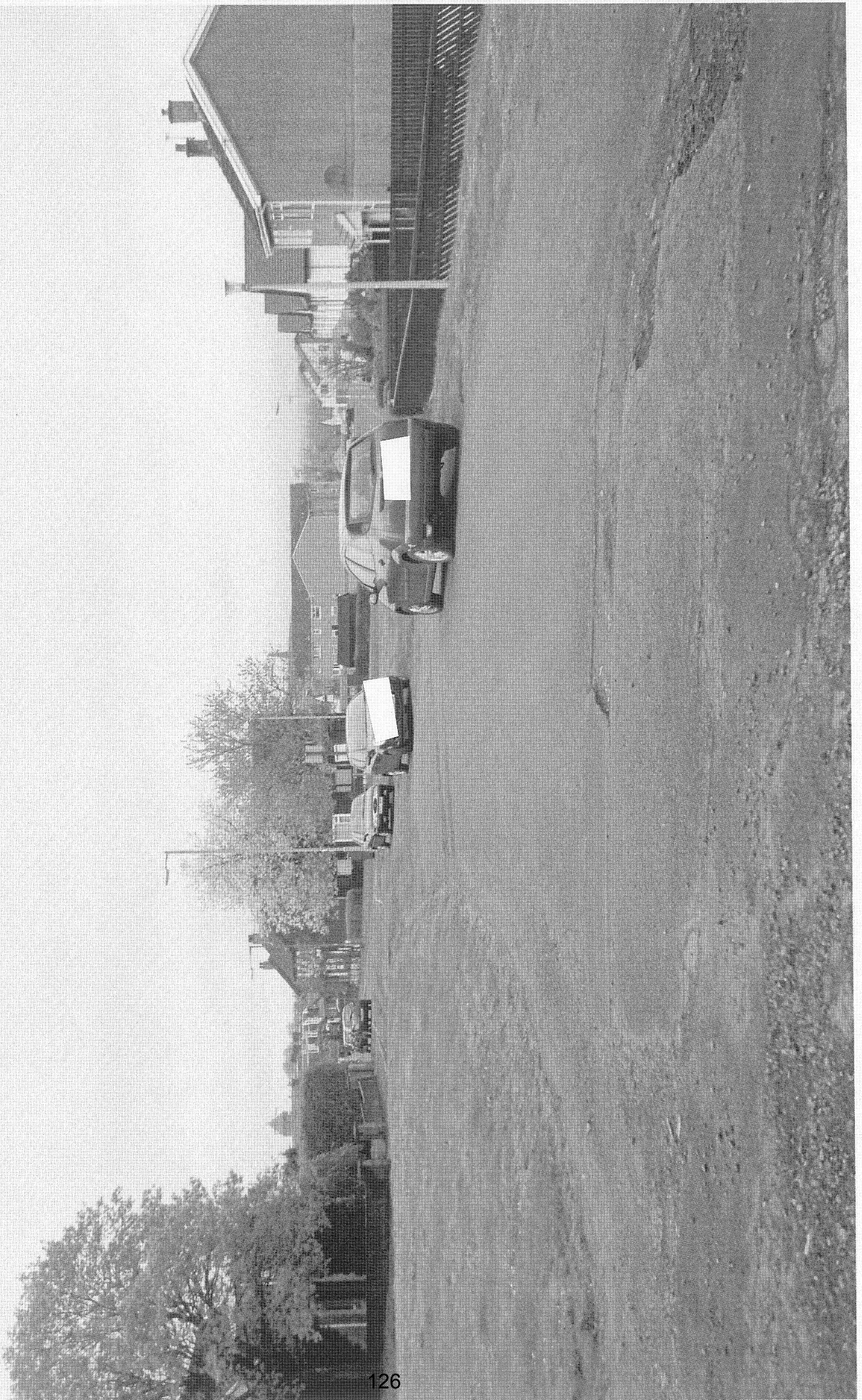


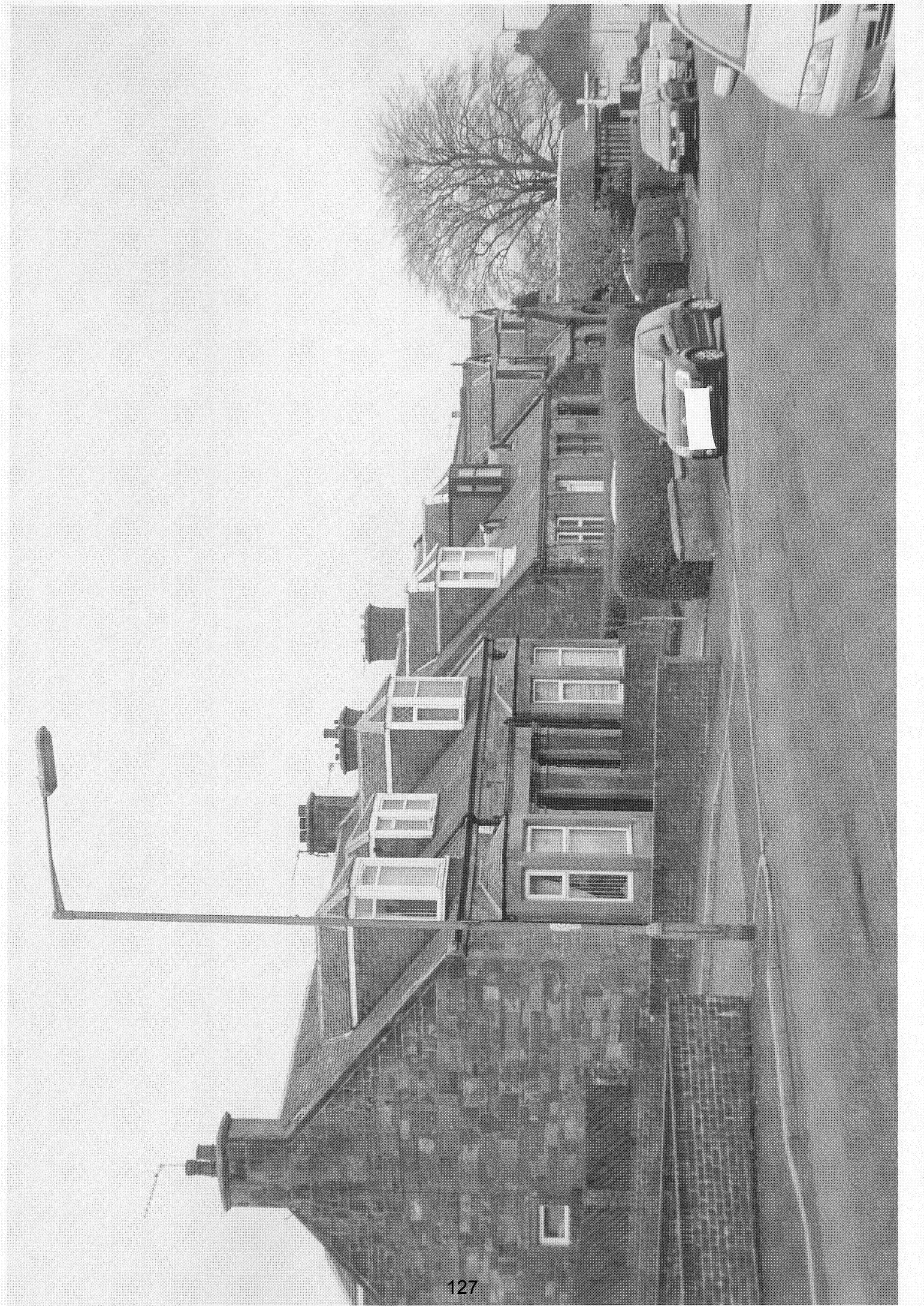




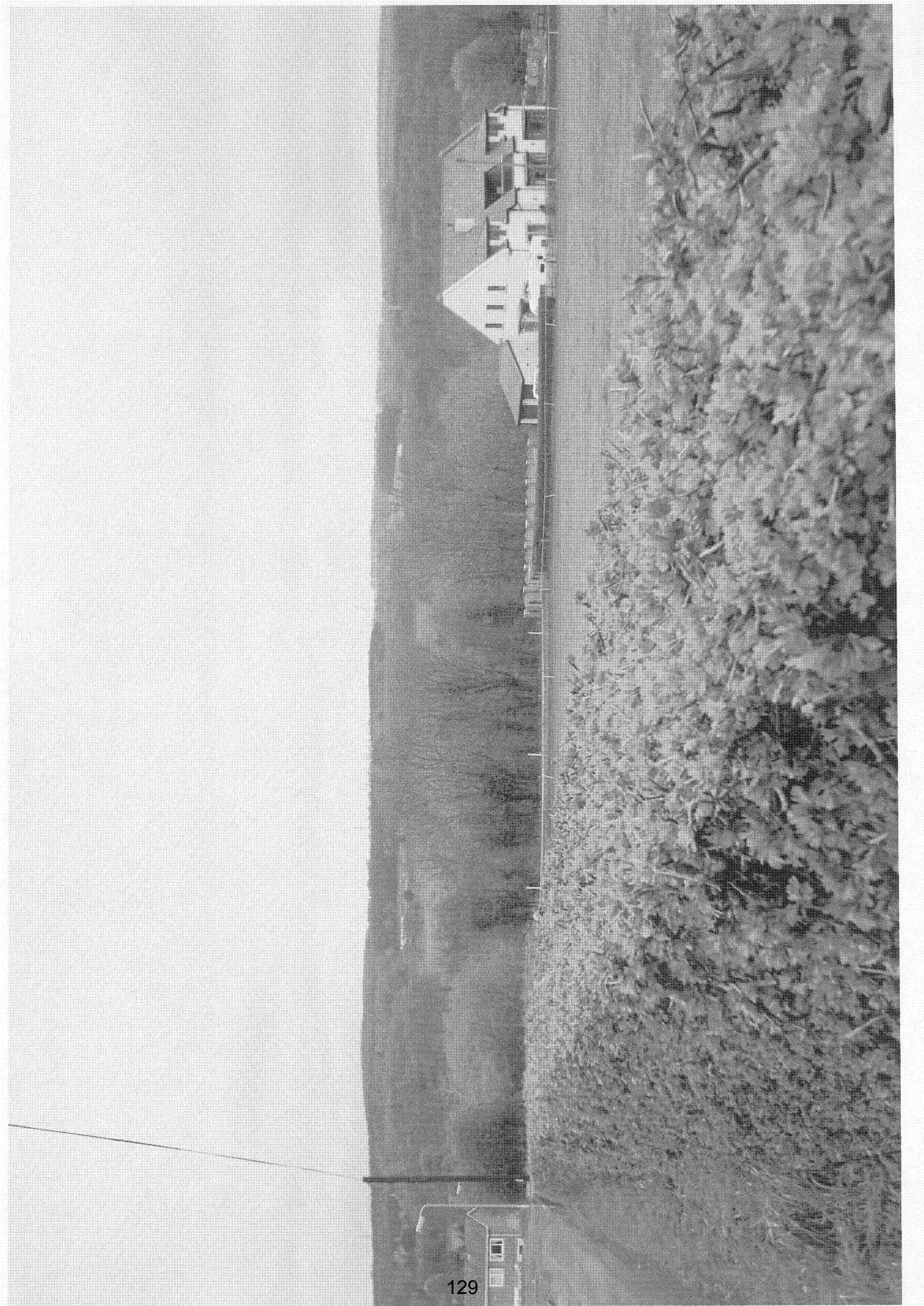




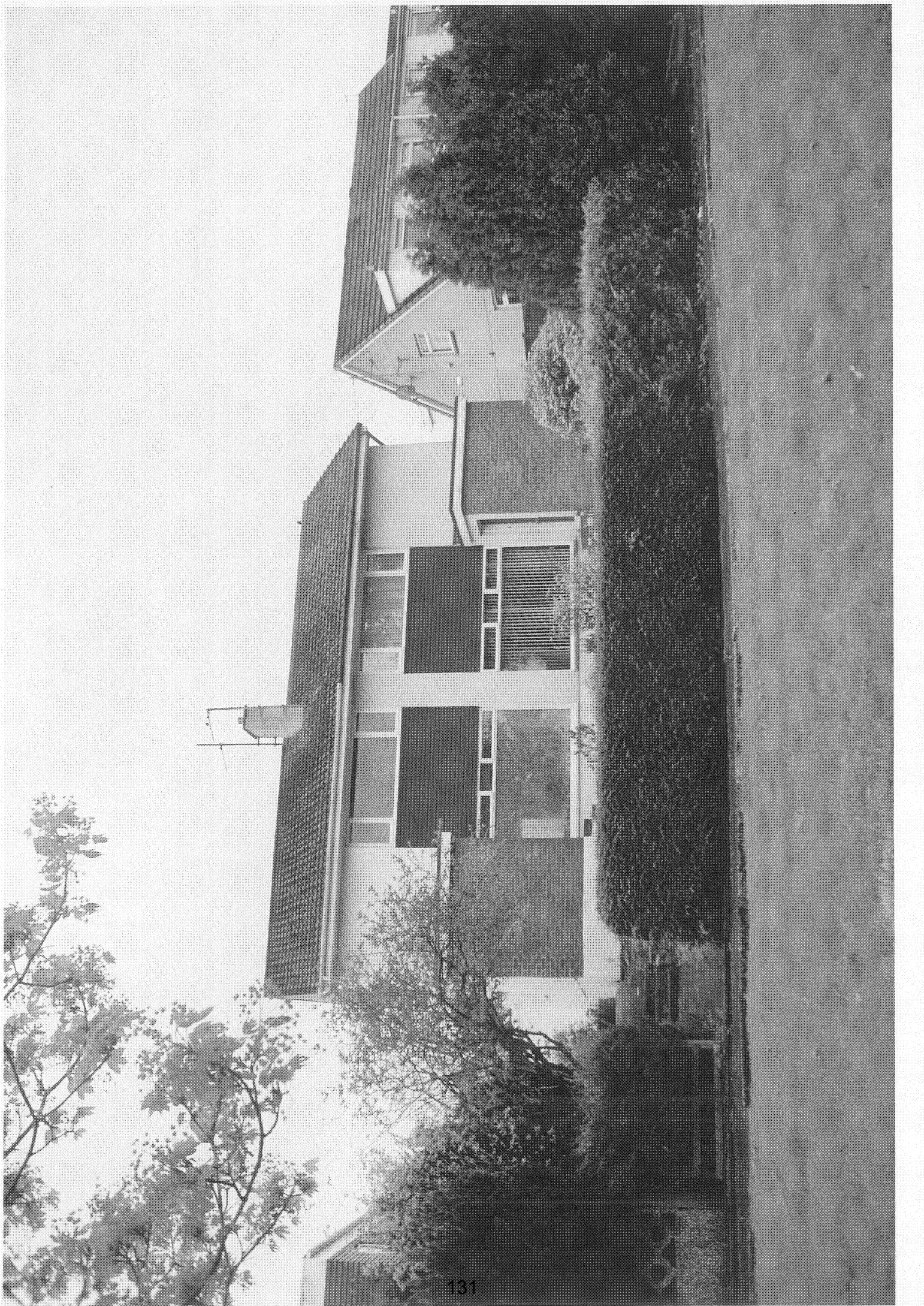


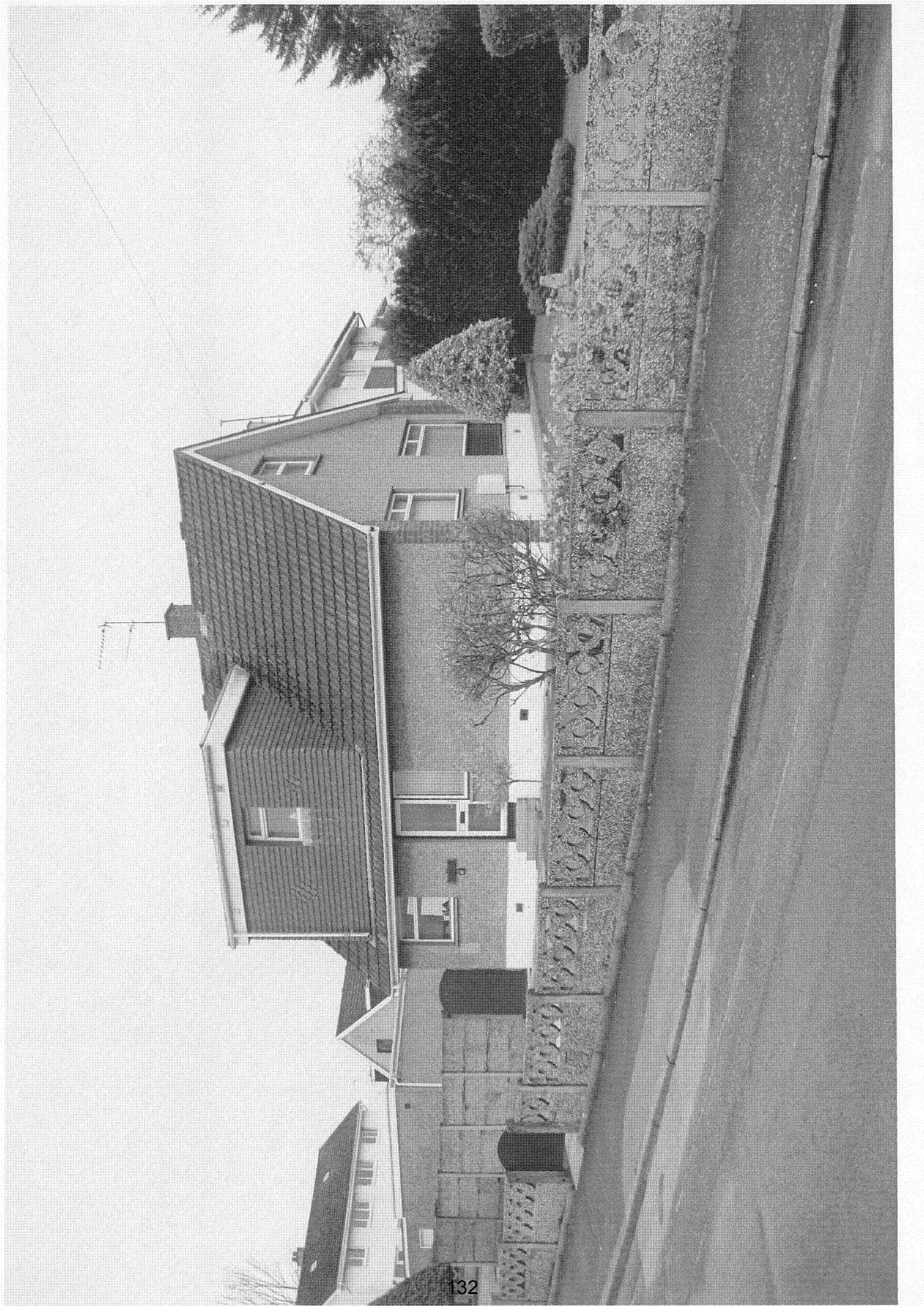


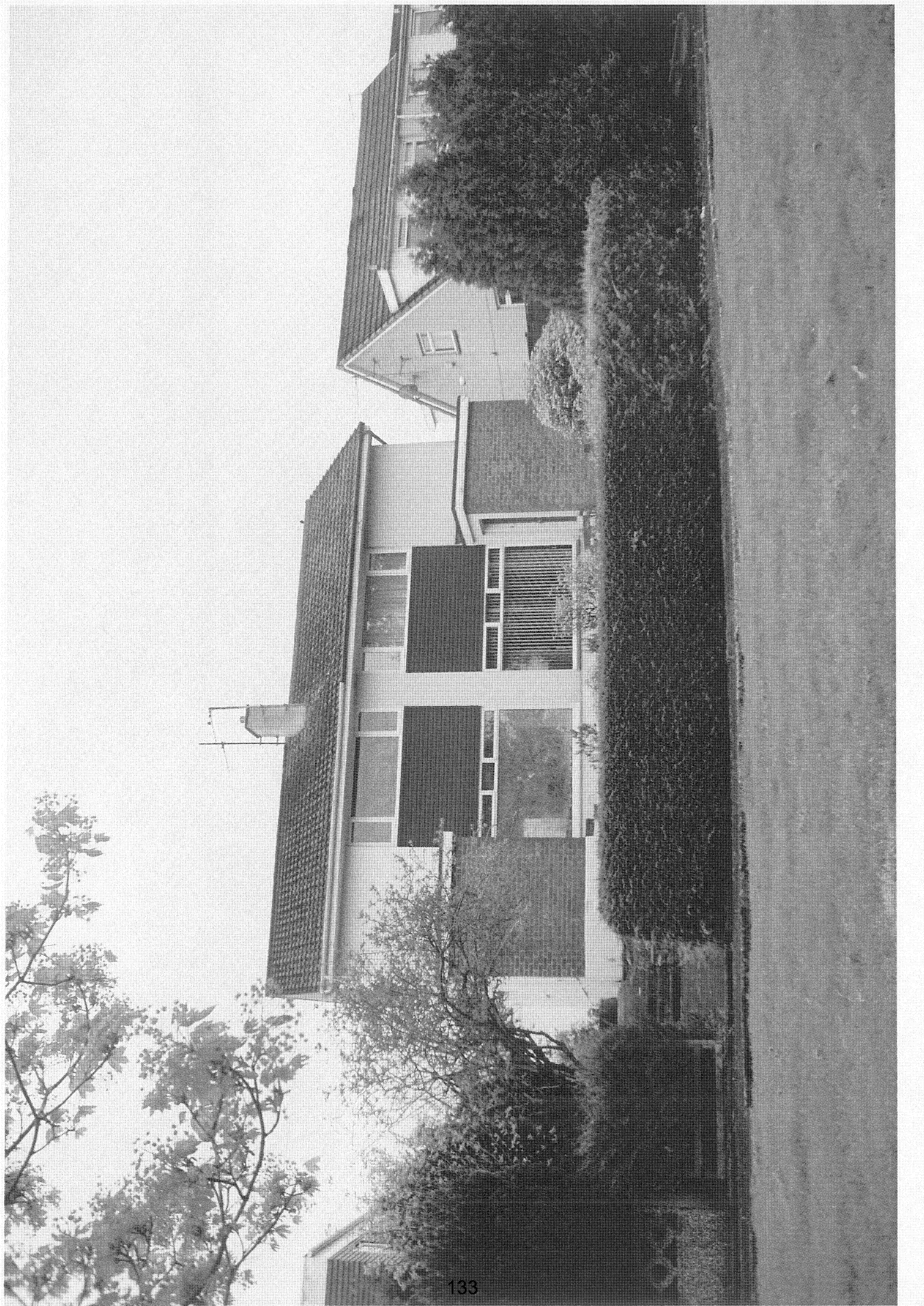


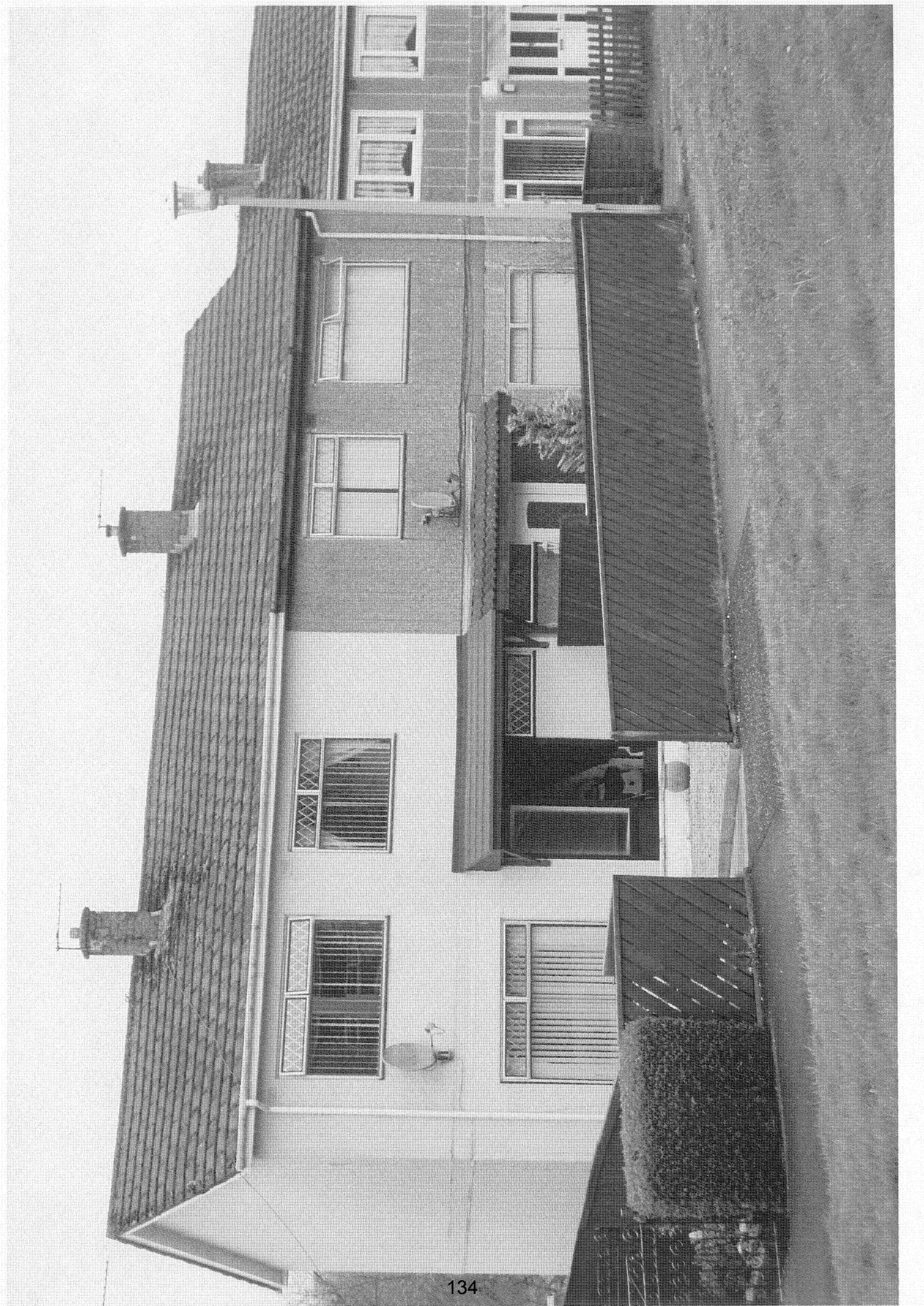












3

PLANS, DRAWINGS ETC

APPLICATION FOR PLANNING PERMISSION

FOR OFFICIAL USE ONLY

Reference No(s): 10/0922/PP

Registration Date
20/12/10

Town and Country Planning (Scotland) Act 1997
The Town and Country Planning (Development Management Procedure)(Scotland) Regulations 2008

Please refer to the accompanying Guidance Notes when completing this application

1

Applicant's Details

Title Forename Surname
Company Name Building No./Name
Address
 Postcode
Telephone (inc. STD Code) Mobile
Fax Email

2

Agent's Details

Company Name Agent Ref No.
Forename Surname
Building Number Building Name
Address
 Postcode
Telephone Extension Mobile
Fax Email

3

Postal Address or Location of the Proposed Development (please include postcode)

LAND AT CASTLEVIEW AVENUE / MAXWOOD ROAD
GALSTON

Postcode

NB. If you do not have the full postal address, you must provide a description of the land for which the development is proposed.



Department of Neighbourhood Services
Planning & Economic Development Service

11 NOV 2010

4

Type of Application

What is this application for? Please select one of the following:

- Planning Permission
- Application for Approval of Matters Specified in Conditions*
- Planning Permission in Principle
- Application for Mineral Works**
- Further Application*

NB. A 'further application' may be, e.g. development that has not yet commenced and where a time limit has been imposed; a renewal of planning permission or a modification, variation or removal of a planning condition.

* Please provide the reference number of the previous application and date when permission was granted:

Reference No: Date:

** Please note that if you are applying for planning permission for mineral works, please check with the planning authority whether they have an alternative form to be submitted or if they require additional information.

5


Description of the Proposal

Please describe the proposal including any change of use:

PROPOSED DEVELOPMENT OF TOWN HOUSES

Is this a temporary permission? Yes No

If yes, please state how long permission is required for and why:


 Department of Neighbourhood Services
 Planning & Economic Development Services
 11 NOV 2010

Have the works already been started or completed?

Yes No

If yes, please state date of completion, or if not completed, the start date:

Date: _____

If yes, please explain why work has already taken place in advance of making this application.

6

Pre-Application Discussion

Have you received advice from the planning authority in relation to this proposal?

Yes No

If yes, please provide details about the advice below:

In what format was the advice given?

Meeting Telephone call Letter Email

Have you agreed or are you discussing a Processing Agreement with the planning authority?

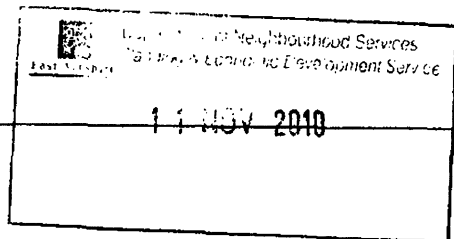
Yes No

Please provide a description of the advice you were given and who you received the advice from:

Name: _____

Reference Number: _____

Date: _____



7

Site Area

Please state the site area in either hectares or square metres:

Hectares (ha)

[Empty box for hectares]

Square Metres (sq. m.)

1944

8

Existing Use

Please describe the current or most recent use:

DISUSED FORMER RAILWAY LINE

9

Access and Parking

Are you proposing a new altered vehicle access to or from a public road? Yes No

If yes, please show in your drawings the position of any existing, altered or new access and explain the changes you propose to make. You should also show existing footpaths and note if there will be any impact on these.

Are you proposing any changes to public paths, public rights of way or affecting any public rights of access? Yes No

If yes, please show on your drawings the position of any affected areas and explain the changes you propose to make, including arrangements for continuing or alternative public access.


How many vehicle parking spaces (garaging and open parking) currently exist on the application site?

NONE

How many vehicle parking spaces (garaging and open parking) do you propose on the site? (i.e. the total of existing and any new spaces or a reduced number of spaces)

EIGHT

Please show on your drawings the position of existing and proposed parking spaces and identify if these are for the use of particular types of vehicles (e.g. parking for disabled people, coaches, HGV vehicles, etc.)


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 Planning & Economic Development Service
 11 NOV 2010

10

Water Supply and Drainage Arrangements

Will your proposals require new or altered water supply or drainage arrangements? Yes No

Are you proposing to connect to the public drainage network (e.g. to an existing sewer?)

Yes, connecting to public drainage network

No, proposing to make private drainage arrangements

Not Applicable - only arrangement for water supply required

What private arrangements are you proposing for the new/altered septic tank?

Discharge to land via soakaway

Discharge to watercourse(s) (including partial soakaway)

Discharge to coastal waters

Please show more details on your plans and supporting information

What private arrangements are you proposing?

Treatment/Additional treatment (relates to package sewer treatment plants, or passive sewage treatment such as a reed bed)

Other private drainage arrangement (such as chemical toilets or composting toilets)

Please show more details on your plans and supporting information.

Do your proposals make provision for sustainable drainage of surface water? Yes No
(e.g. SUDS arrangements)

Note:- Please include details of SUDS arrangements on your plans

Are you proposing to connect to the public water supply network?

Yes No, using a private water supply

If no, using a private water supply, please show on plans the supply and all works needed to provide it (on or off site).

11

Assessment of Flood Risk

Is the site within an area of known risk of flooding? Yes No Don't know

If the site is within an area of known risk of flooding you may need to submit a Flood Risk Assessment before your application can be determined. You may wish to contact your planning authority or SEPA for advice on what information may be required.

Do you think your proposal may increase the flood risk elsewhere? Yes No Don't Know

If yes, briefly describe how the risk of flooding might be increased elsewhere.

12

Trees

Are there any trees on or adjacent to the application site? Yes No

If yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal and indicate if any are to be cut back or felled.


13

Waste Storage and Collection

Do the plans incorporate areas to store and aid the collection of waste? (including recycling) Yes No

If yes, please provide details and illustrate on plans.

If no, please provide details as to why no provision for refuse/recycling storage is being made:

 Department of Neighbourhood Services
Planning & Economic Development Service
Last 31/10/2010

11 NOV 2010

14

Residential Units Including Conversion

Does your proposal include new or additional houses and/or flats? Yes No

If yes, how many units do you propose in total?

TWO

Please provide full details of the number and types of units on the plans. Additional information may be provided in a supporting statement.

15

For all types of non housing development - new floorspace proposed

Does your proposal alter or create non-residential floorspace? Yes No

If yes, please provide non residential details below:

Use type:

Gross (proposed) floorspace (sq. m.):

Number of new (additional) rooms:

Size of existing building/structure in total:

Please give details of internal floorspace:

Net trading space:

Non-trading space:

Total:

Department of Neighbourhood Services
Planning & Economic Development Service
11 NOV 2010

16

Schedule 3 Development

Does the proposal involve a class of development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008? Yes No Don't know

If yes, your proposal will additionally have to be advertised in a newspaper circulating in your area. Your planning authority will do this on your behalf but will charge you a fee. Please contact your planning authority for advice on planning fees.

17

Planning Service Employee/Elected Member Interest

Are you or is the applicant, or the applicant's spouse/partner, a member of staff within the planning service or an elected member of the planning authority?

Or, are you/the applicant/the applicant's spouse or partner a close relative of a member of staff in the planning service or elected member of the planning authority? Yes No

If you have answered yes please provide details:

[Empty box for providing details]

DECLARATION

I, the applicant/agent certify that this is an application for planning permission. The accompanying plans/drawings and additional information are provided as part of this application.

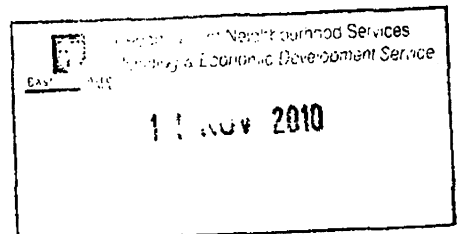
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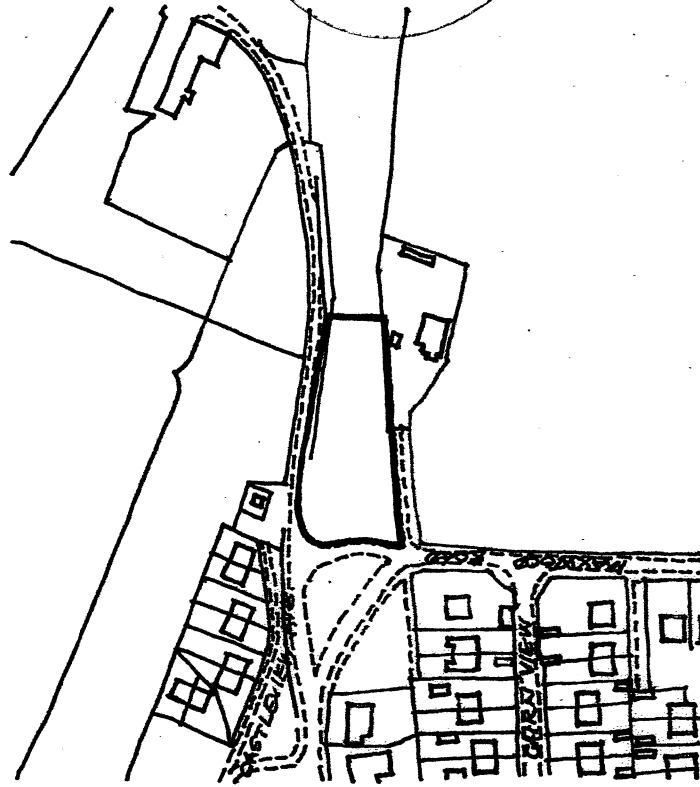
Name:

ROSS MCKAY ARCHITECT

Date:

9 November 2010





OF

THIS IS THE PLAN REFERRED TO IN REFUSAL OF APPLICATION NO: 10/0922/PP

Date: 18 FEB 2010 Dated of Even Date

Signed: *[Signature]*
 Head of Planning & Economic Development

East Ayrshire Council
 Department of Neighbourhood Planning & Economic Development Services

D Lindsay

LOCATION PLAN 1:2500
 APPLICATION SITE OUTLINED IN RED.
 OTHER LANDS IN THE CONTROL OF THE APPLICANT HATCHED IN BLUE.

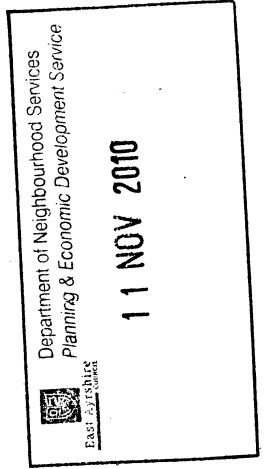
10/0922/PP

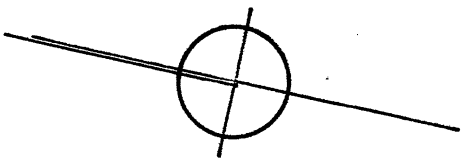
**Proposed Development of Two Houses
 Castleview Avenue/Maxwood Road Galston**

Location Plan
 1:2500

8 November 2010

0805:01

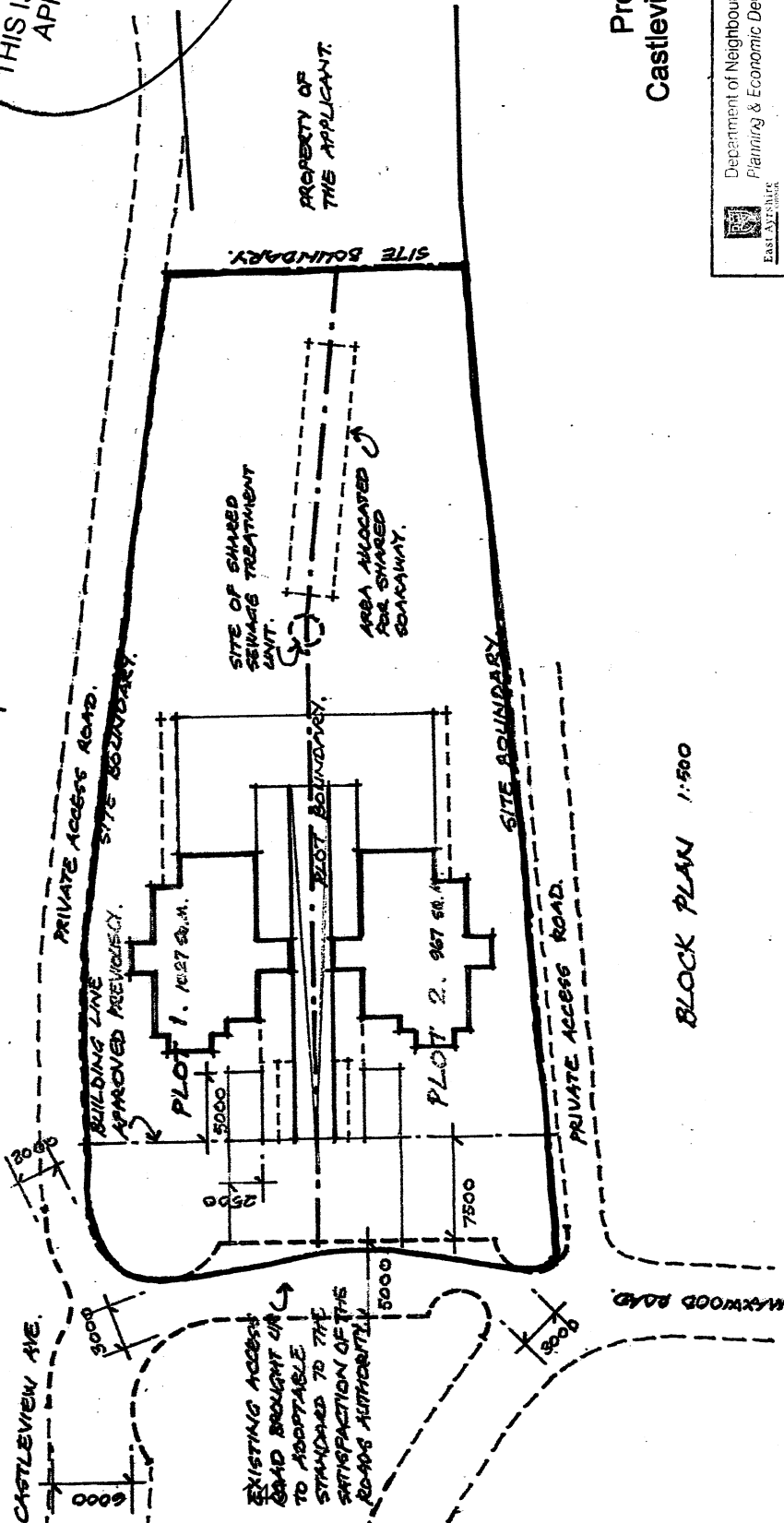




East Ayrshire Council
 Department of Neighbourhood
 Planning & Economic Development Services

THIS IS THE PLAN REFERRED TO IN REFUSAL APPLICATION NO. 10/0922/PP

Date: **18 FEB 2011** Dated of Even De
 Signed: _____
 Head of Planning & Economic Development



D Lindsay

Proposed Development of Two Houses
Castleview Avenue/Maxwood Road Galston

Block Plan
 1:500

8 November 2010

0805:02

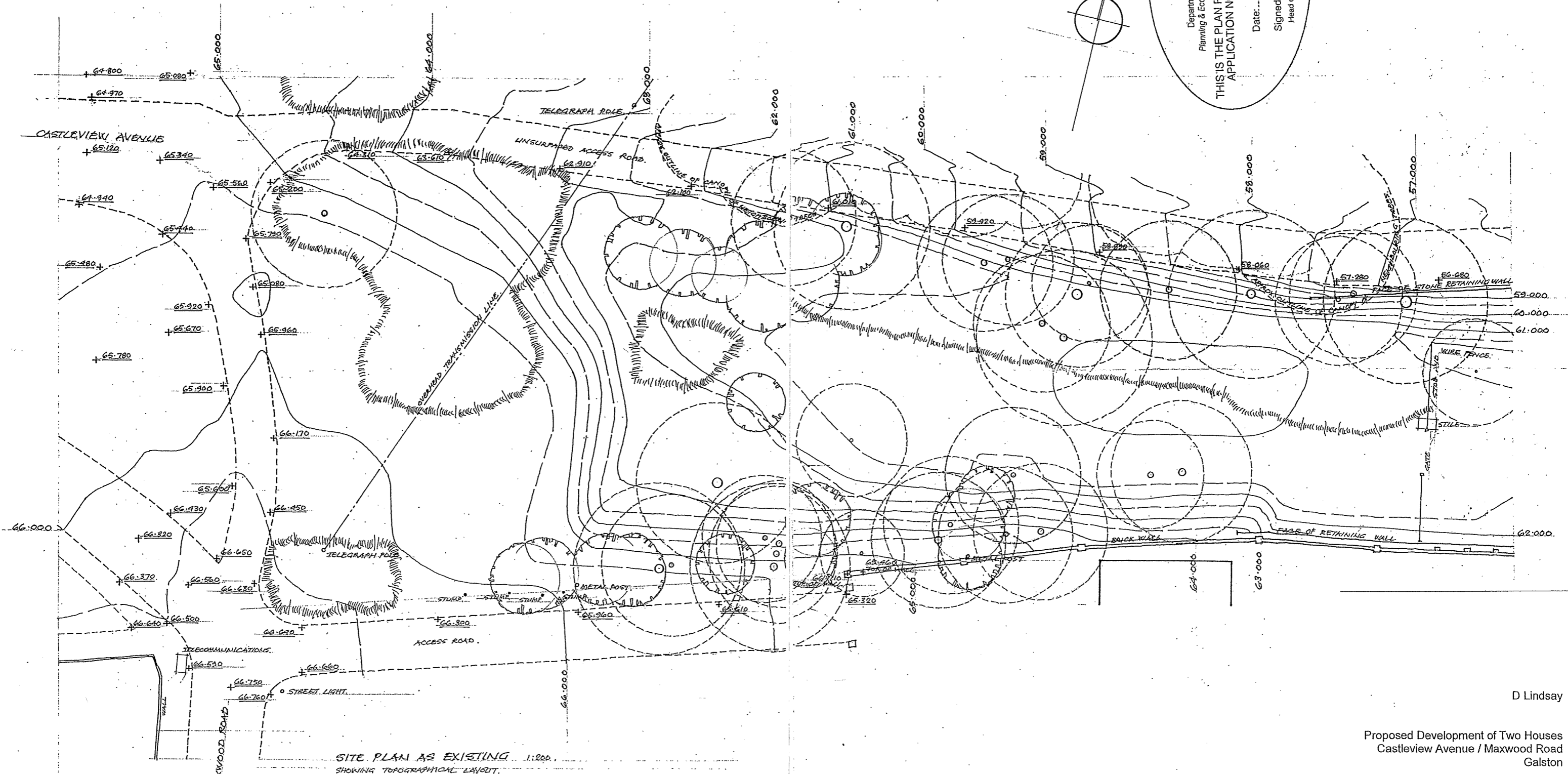
East Ayrshire Council
 Department of Neighbourhood Services
 Planning & Economic Development Service

11 NOV 2010

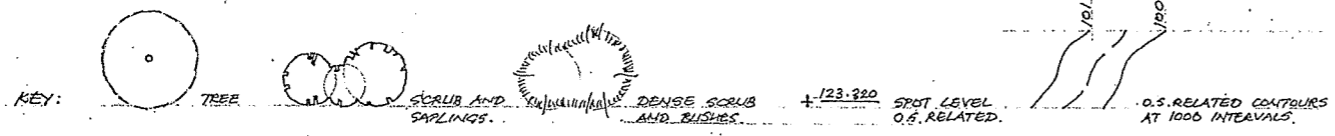
10/0922/PP

While believed to be correct, the accuracy of the information on this drawing cannot be guaranteed. Annotated dimensions and levels only must be used.

THIS IS THE PLAN REFERRED TO IN REFUSAL OF APPLICATION NO. 150924
 Date of Refusal: 18 FEB 2011
 Date of Even Date: 18 FEB 2011
 Signed: [Signature]
 Head of Planning & Economic Development



SITE PLAN AS EXISTING 1:200
 SHOWING TOPOGRAPHICAL LAYOUT.



D Lindsay

Proposed Development of Two Houses
 Castleview Avenue / Maxwood Road
 Galston

Site Plan as Existing

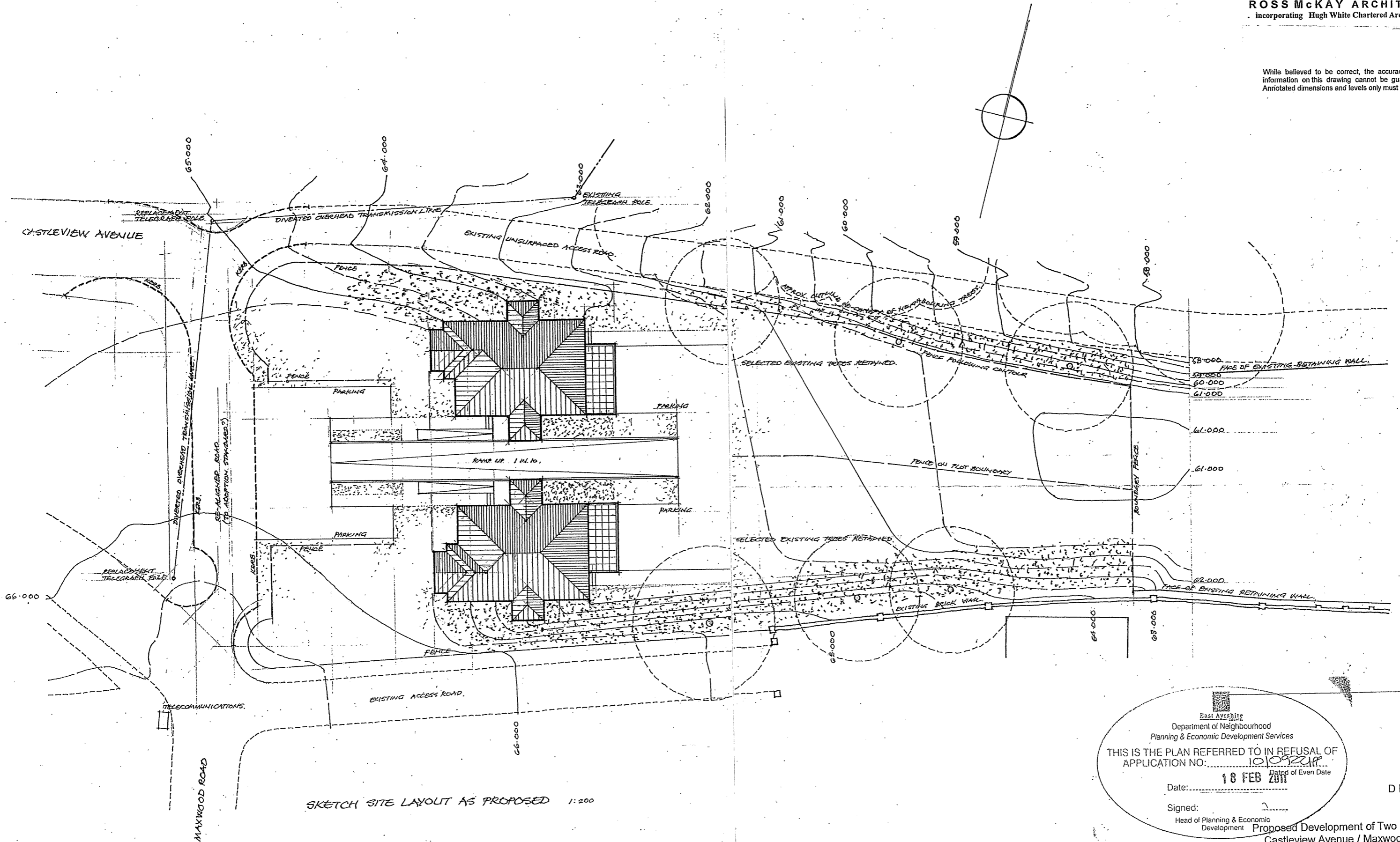
Department of Neighbourhood Services
 Planning & Economic Development Service
 11 NOV 2010

30 June 2010

0805:05

integrated

While believed to be correct, the accuracy of the information on this drawing cannot be guaranteed. Annotated dimensions and levels only must be used.



SKETCH SITE LAYOUT AS PROPOSED 1:200

East Ayrshire Council
Department of Neighbourhood
Planning & Economic Development Services
THIS IS THE PLAN REFERRED TO IN REFUSAL OF
APPLICATION NO: 10/0922/P
Date: 18 FEB 2011
Signed: [Signature]
Head of Planning & Economic
Development

D Lindsay

Proposed Development of Two Houses
Castleview Avenue / Maxwood Road
Galston

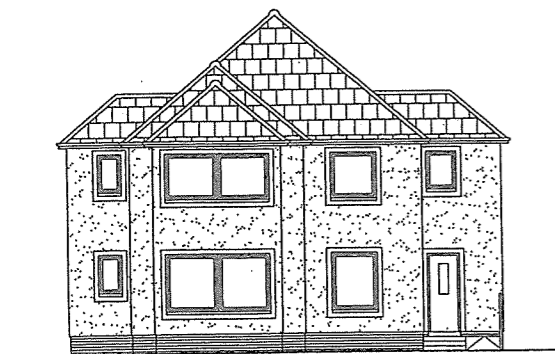
Sketch Site Plan as Proposed

Department of Neighbourhood Services
Planning & Economic Development Service
11 NOV 2010

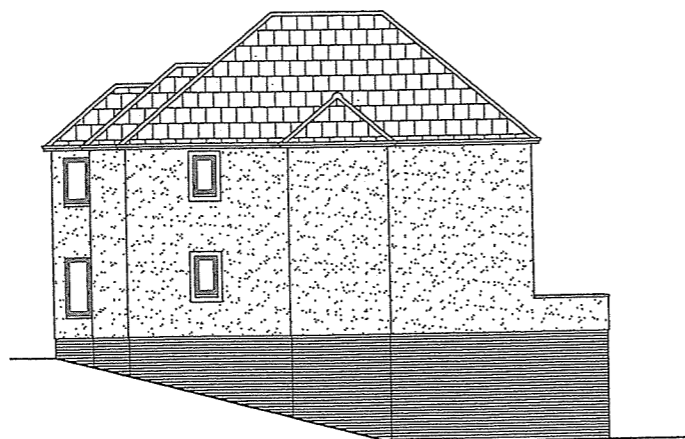
2 July 2010

0805:06

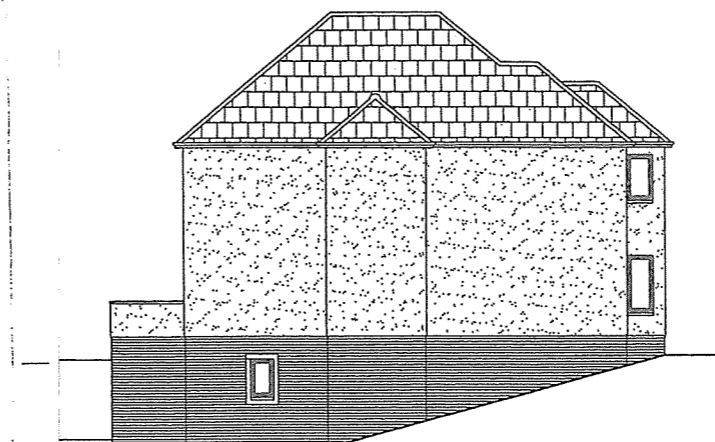
10/0922/PP



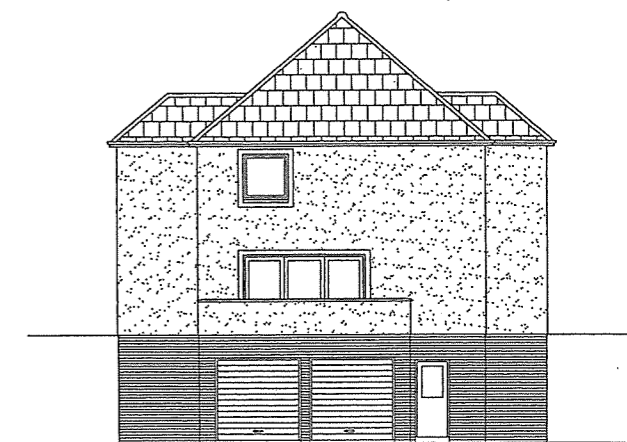
WEST ELEVATION



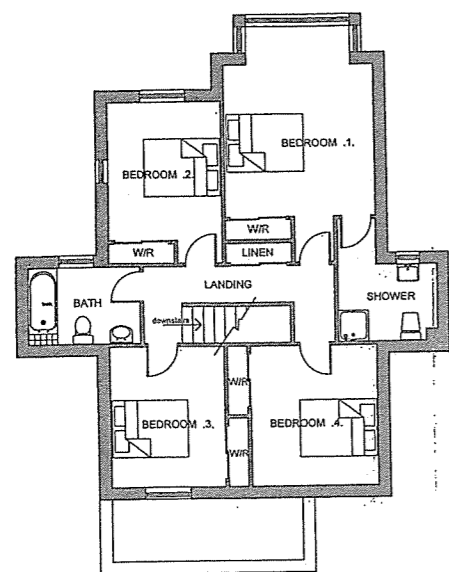
SOUTH ELEVATION



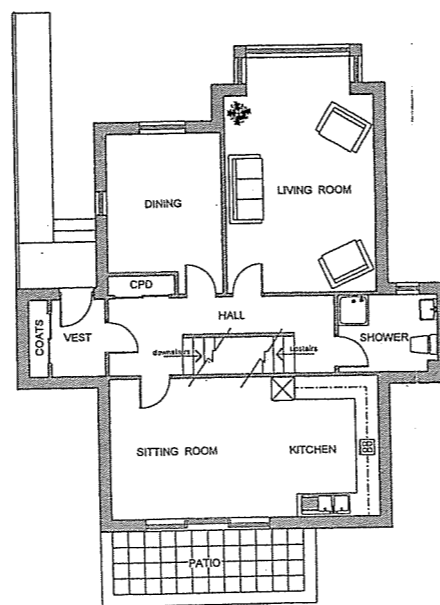
NORTH ELEVATION



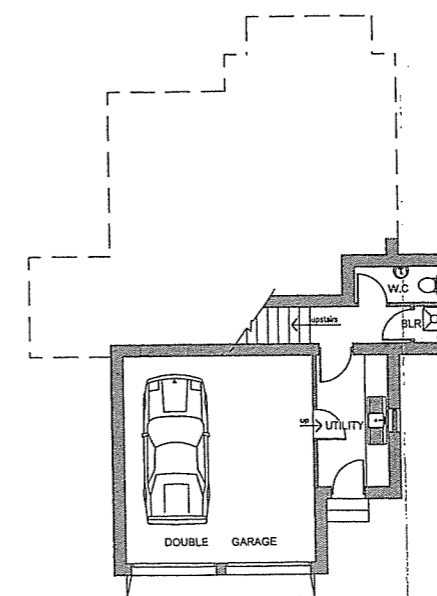
EAST ELEVATION



FIRST FLOOR PLAN



GROUND FLOOR PLAN



BASEMENT FLOOR PLAN

East Ayrshire
 Department of Neighbourhood
 Planning & Economic Development Services
 THIS IS THE PLAN REFERRED TO IN REFUSAL OF
 APPLICATION NO: 10/0922/09
 Date: 18 FEB 2011
 Signed: ...
 Head of Planning & Economic
 Development

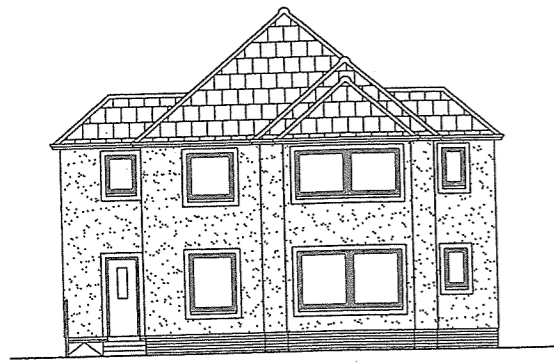
Department of Neighbourhood Services
 Planning & Economic Development Services
 11 NOV 2010

ROSS McKAY ARCHITECT
 incorporating Hugh White Chartered Architect

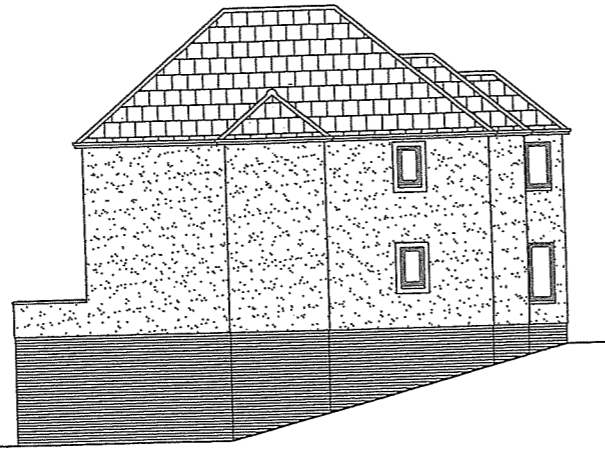
PROPOSED NEW HOUSE PLOT 1.
 AT : MAXWOOD, GALSTON
 FOR : D. Lindsay

SCALE: 1/100
 SKETCH DESIGN DRAWING
 0805 : 07

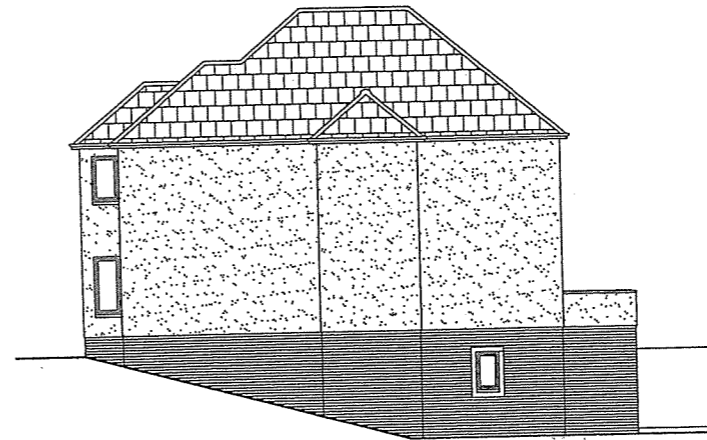
10/0922/09



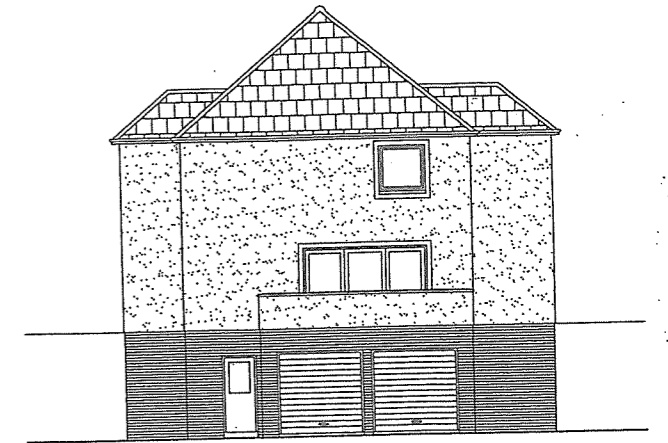
WEST ELEVATION



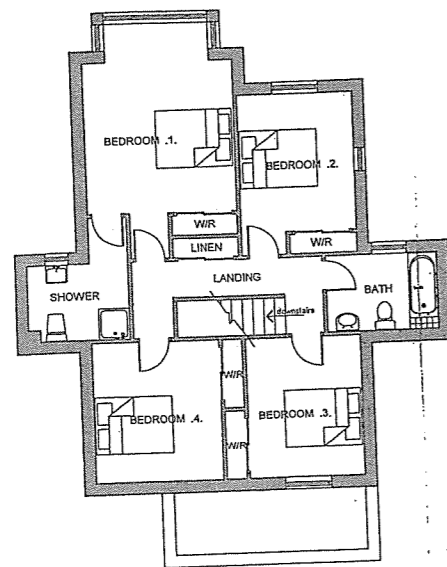
SOUTH ELEVATION



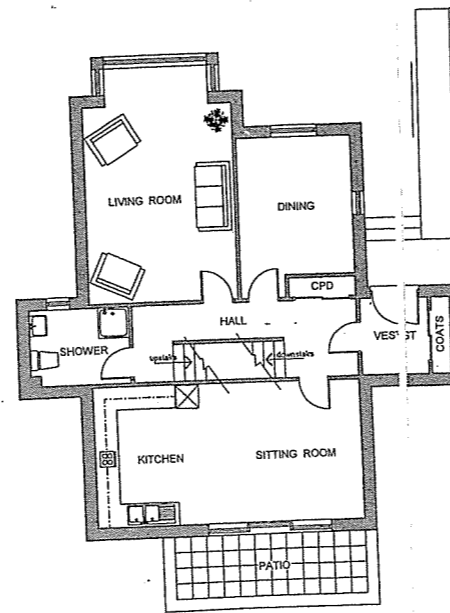
NORTH ELEVATION



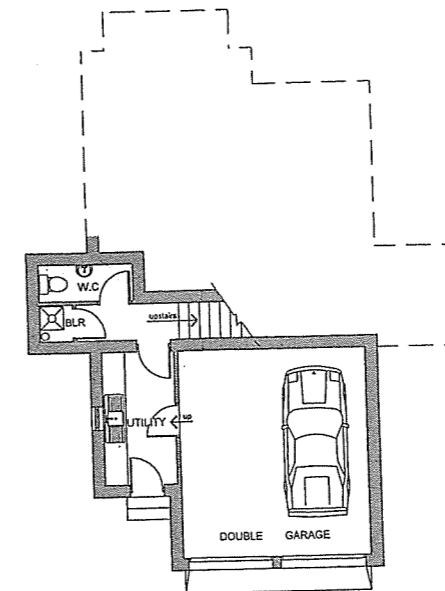
EAST ELEVATION



FIRST FLOOR PLAN



GROUND FLOOR PLAN



BASEMENT FLOOR PLAN


 Edel Arkitekt
 Department of Neighbourhood
 Planning & Economic Development Services
 THIS IS THE PLAN REFERRED TO IN REFUSAL OF
 APPLICATION NO: 10/0922/PP
 Date: 18 FEB 2010 (Date of Even Date)
 Signed: _____
 Head of Planning & Economic
 Development

Department of Neighbourhood
 Planning & Economic Development Services
 11 NOV 2010

ROSS McKAY ARCHITECT
 incorporating Hugh White Chartered Architect
 PROPOSED NEW HOUSE PLOT .2.
 AT : MAXWOOD, GALSTON
 FOR : D. Lindsay

SCALE: 1/100
 SKETCH DESIGN DRAWING
 0805:08

10/0922/PP

4

DN3 - PP(Local Development)(Refusal)

Department of Neighbourhood Services
Head of Planning and Economic Development Service
Alan Neish Dip TP



Postal address: EAC Planning & Economic Development, PO Box 26191,
KILMARNOCK, KA1 9DX
E-mail address: submittoPlanning@east-ayrshire.gov.uk

Office locations: Kilmarnock 6 Croft Street, Kilmarnock, KA1 1JB
(if calling in person) Phone 01563 576790 Fax 01563 576774
Lugar Council Offices, Lugar, Cumnock KA18 3JQ
Phone 01563 555320 Fax 01563 555270

**TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997
(as amended by The Planning etc. (Scotland) Act 2006)**

**Town and Country Planning (Development Management Procedure)
(Scotland) Regulations 2008**

Application Reference Number: 10/0922/PP

TO: D Lindsay
per
Ross McKay Architect

REFUSAL OF PLANNING PERMISSION

With reference to your application validated on **20th December 2010** for planning permission under the above-mentioned Act and Regulations for the following development:

Proposed development of two houses as indicated in the plans:

Plan Type	Reference	Version No	Received Date
Location Plan	0805:01		11.11.2010
Block Plan	0805:02		11.11.2010
Elevations	0805:07		11.11.2010
Elevations	0805:08		11.11.2010
Site Plan Existing	0805:05		11.11.2010
Site Plan Proposed	0805:06		11.11.2010

AT

Land Adj Barrmill Cottage, Maxwood Road/Castleview Avenue, Galston, East Ayrshire

East Ayrshire Council in exercise of their powers under the above mentioned Act hereby **REFUSE** planning permission for the said development. The reasons for the Council's decision are:-

1. The proposed development would be contrary to Policy SD3 of the East Ayrshire Local Plan 2010 as the proposal partially falls outwith the settlement boundary of Galston and has presented no justified need for a countryside location.
2. The proposed development would be contrary to Policy RES 3 of the East Ayrshire Local Plan 2010 as the

Elizabeth Morton, Depute Chief Executive/Executive Director of Neighbourhood Services

proposed development will have;A. An adverse impact on the surrounding built environment in general and on the adjacent residential properties in particular;B. Adverse transportation implications as the applicant has failed to demonstrate that an adequate access to the site is achievable.C. Is not compatible with the immediate surrounding house types in terms of design.D. Does not comply with the Councils approved Design Guidance as the development does not reflect the built form of the surrounding area, the design does not reflect the scale, design features or storey height of surrounding buildings and the proposal does not reflect or respect the landform characteristics of the area nor has it been designed to minimise the extent of land shaping and land engineering operations.

3. The proposed development would be contrary to Policy ENV 9 of the Adopted East Ayrshire Local Plan 2010 as the proposal does not comply with the Councils approved Design Guidance as; A. The development does not reflect the built form of the surrounding area.B. The design does not reflect the scale, design features or storey height of surrounding buildings C. The proposal does not reflect or respect the landform characteristics of the area nor has it been designed to minimise the extent of land shaping and land engineering operations.
4. The proposed development would be contrary to Policy RES 5 of the Adopted East Ayrshire Local Plan 2010 as the proposal will adversely affect the amenity, character and appearance of the area and will adversely affect the amenity and privacy of the dwellings to the west of the development site.
5. The proposed development would be contrary to Policy T3 of the Adopted East Ayrshire Local Plan 2010 as the proposal does not meet with the Councils standards as roads authority as the access is unable to accommodate a refuse vehicle accessing and exiting in forward gear and part of the land required to achieve this is outwith the control of the applicant.
6. The proposed development is contrary to RES 9 as the development does not constitute any of the stated types of acceptable development.
7. The proposed development is contrary to RES 20 (iv) as the proposed development, would constitute an inappropriate or unacceptable extension of development into the countryside from the existing settlement boundary.

Dated this 18th February 2011

Signed.....

Alan Neish 

Head of Planning and Economic Development

Notes to Applicant

1. If the applicant is aggrieved by the decision of the Planning Authority to refuse permission for or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may require the Planning Authority to review the case under section 43A of the Town and Country Planning (Scotland) Act 1997 **within three months from the date of this notice**. A Notice of Review form for this purpose is available for download from the Councils website (<http://www.east-ayrshire.gov.uk/devser/planandbuild/online.asp>) or on request by contacting the offices listed above. The completed Notice of Review form should be sent to the **Head of Democratic Services, East Ayrshire Council, Council Headquarters, London Road, Kilmarnock, KA3 7BU**.
2. If permission to develop land is refused or granted subject to conditions, whether by the planning authority or by the Scottish Ministers, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.

Elizabeth Morton, Depute Chief Executive/Executive Director of Neighbourhood Services

5

EAST AYRSHIRE COUNCIL

REPORT OF HANDLING

Application Number : 10/0922/PP
Applicant Name: D Lindsay
Development : Proposed development of two houses
Location : Land Adj Barrmill Cottage
Maxwood Road/Castleview Avenue
Galston
East Ayrshire
Type : Planning Permission

1. Development Description

Proposed development of two houses

2. Site Description

The application site comprises land to the east of Maxwood Road, Galston. The site is located on grassed land and part of the site is outwith the settlement boundary.

3. Representations Summary

None.

4. Consultations Summary

SEPA - No objections

Galston Community Council - No objection.

Contaminated Land FAO Chris Johnson - No objection subject to a condition requiring contamination report.

Roads And Transportation have commended that the proposed layout as shown on drawing 0805:02 does not meet the requirements of the this department and does not recommend refusal of the application, it does note that the applicant may require to purchase land which has not been included within the redlined site. On this basis the applicant cannot demonstrate an ability to have an appropriate access capable of accommodating a refuse vehicle and as such the access is not acceptable.

The Coal Authority - No response.

Scottish Water - No objection.

5. Development Plan Summary

A significant area of land lies outwith the settlement boundary this is considered to be at least half of the site. It is noted that a previous consent for 2 dwellinghouses was granted for part of the site and which lies within the settlement boundary. The current proposal is for two dwellinghouses and the land outwith the settlement boundary comprises the garden ground of the two proposed houses.

This extension of development outwith the settlement boundary is contrary to the provisions of policy SD 3 as there is no justified need for this incursion into the countryside. It is also contrary to policies SD 5 and RES 9 as the development does not constitute any of the stated types of acceptable development.

RES 3 – advises that the Council will encourage the sympathetic residential development of gap or infill sites etc subject to certain criteria including:

- (i) has no adverse impact on the surrounding natural and built environment and adjacent uses;
- (ii) has no unacceptable transportation and infrastructure implications;
- (iii) is compatible with surrounding densities and housing types; and
- (iv) is in full compliance with the Council's approved Design Guidance.

Developments that do not meet all of these criteria will not receive Council support.

The position of the proposed 2 dwellinghouses is considered to have an adverse impact on the adjacent dwellinghouses to the west of the site. The proposal is also considered to have an adverse impact on the surrounding built environment. The surrounding residential area is typified by varying house types. Given the house design incorporates a three storey; it will detract from the setting of the immediate properties adjacent to the site as well as the wider estate.

Whilst the Roads Division has no objections to the development, they do note that access as proposed does not meet current requirements and to ensure adequate access would involve land that is not in the applicants control or within the control of the Roads Division. On the basis that the applicant has not shown a clear ability to access the site, it is considered to be contrary to this policy.

In terms of policy RES 20 (iv), it is further considered that this proposal would constitute an inappropriate extension of development into the countryside from the existing settlement boundary.

The proposal is also contrary to Policy T3 as the proposed access does not meet Roads requirements.

On this basis the proposal is not compliant with the development plan.

6. Material Considerations

Planning History

05/0199/OL Proposed Outline Residential Development Forming Two Building Plots Withdrawn on 14/09/2005.

06/1023/OL Residential Development Forming 2 Building Plots Approved with Conditions on 12/03/2007

Consultation responses – Roads Division have commented that the current access road layout does not meet current requirements and it is considered that the proposed development would be contrary to Policy T3.

Letters of Objection – None received.

Impact on amenity – Given the nature of the development, the design will involve fairly

substantial engineering works. This leads to the southern and eastern elevation of the dwellinghouses being a three storey which is out of character with the way houses have been built facing Maxwood Road and Castleview Avenue and is considered to have an adverse visual impact on the surrounding area.

7. Financial and Legal Implications

None.

8. Application Assessment

Sections 25 and 37 (2) of the Town and Country Planning (Scotland) Act 1997 require that planning applications be determined in accordance with the development plan unless material considerations indicate otherwise. For the purposes of this application the development plan comprises the Adopted East Ayrshire Local Plan (2010).

As noted at section 5 above, the development is considered to be contrary to the key policies of the development plan. This includes a section of the site outwith the settlement boundary and that to achieve required access to the site is on land outwith the redline site. However, the house design makes the characteristics of the building on the south elevation into a three storey and will have an adverse impact on the dwellings immediately adjacent on Maxwood Road and Castleview Avenue or when viewed from the east due to the houses bulk, visual impact, the houses do not conform with the building size or layout in the immediate residential area.

The other material considerations also do not indicate that the application should be approved. The Roads Division have not recommended refusal but have indicated that the access does not conform to current guidelines. The applicant has not shown that he can achieve an access to the site. Furthermore, the impact on the amenity of the area is considered to be adverse and unacceptable. The prominent location and overbearing characteristics of the dwelling create an unacceptable visual impact and also adversely effect residential amenity.

9. Recommendation

Refused

10. Reasons for the Decision

The application is considered to be contrary to the development plan and the material considerations do not indicate that the application should be approved.

Case Officer :

Robert Beaton

Signature:

Date:

18/2/11

Principal Planner:

Signature:



Date:

12/2/11

**Development Management
Manager :**

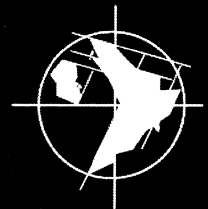
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Date:



AYRSHIRE
Joint Structure Plan
Growing a Sustainable Ayrshire

The Approved Plan

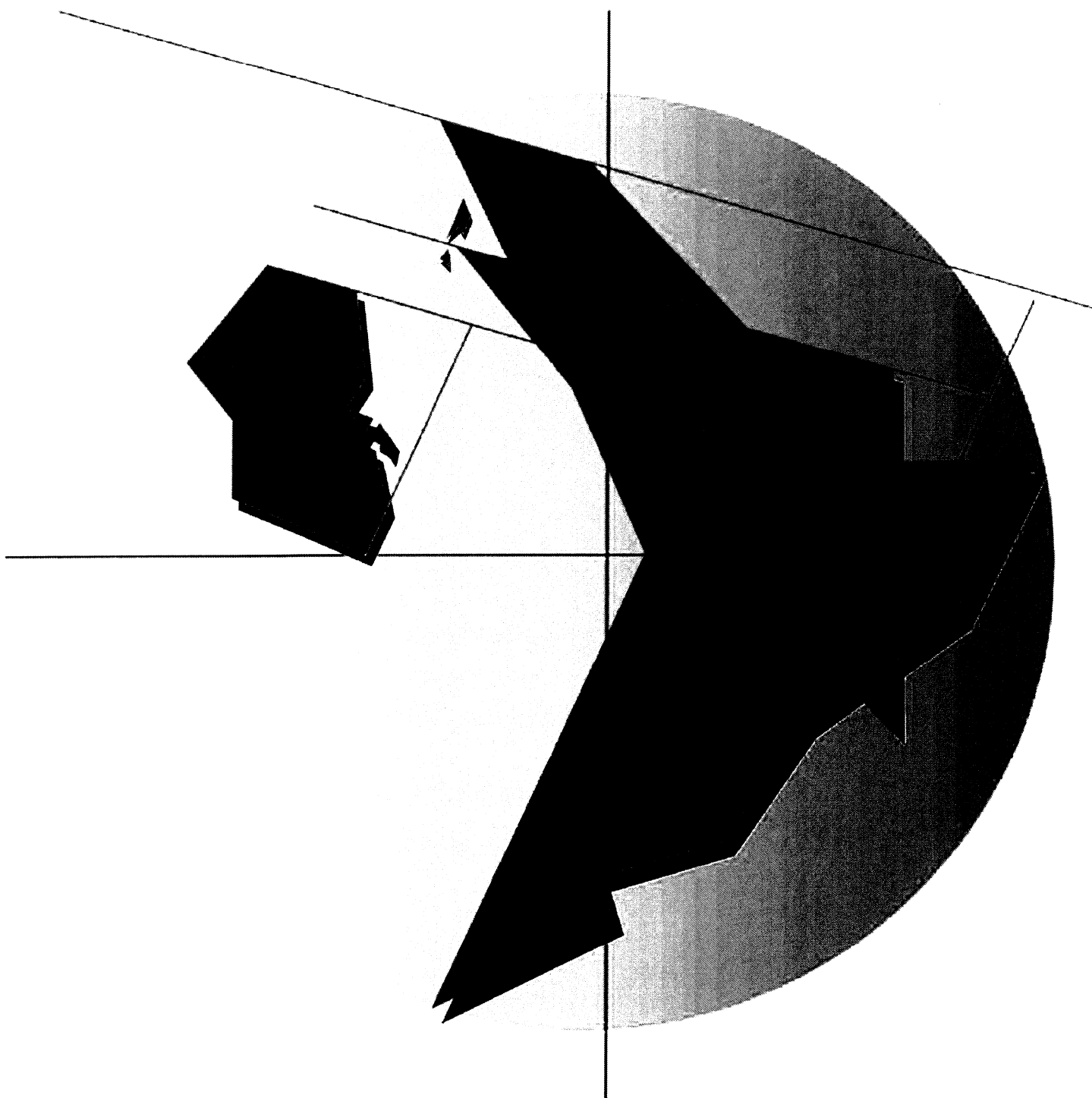




AYRSHIRE

Ayrshire Joint Structure Plan

Growing a Sustainable Ayrshire



Ayrshire Joint Structure Plan
approved by Scottish Ministers
22 November 2007

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Foreword

We have great pleasure in presenting this foreword to the second Ayrshire Joint Structure Plan.

Reflecting on the challenges to be faced in the future, we recognise that sustainable economic growth must continue to be the driving force of the second Ayrshire Joint Structure Plan, as it was the first. However, circumstances have changed. The Government has launched a number of key initiatives in the social, economic and environmental fields that should bring increased prosperity to Scotland.

We wholeheartedly support these initiatives, and have sought to engage positively with national policy agendas as they relate to improvement of economic competitiveness and sustainable levels of population. Our shared view is that Ayrshire has significant human and natural resources that can create the conditions on which economic growth can be built and which, importantly, can also benefit both the West of Scotland and the broader Scottish economy. We recognise the importance of looking outward to embrace the challenges and opportunities of globalisation.

The Joint Structure Plan therefore seeks to support and develop land use elements that are important to the economy, removing constraints and filling gaps in what Ayrshire has to offer, as well as seeking to strengthen and modernise infrastructure. It is recognised that this must be achieved in ways that provide existing communities, and particularly those considered to have economic disadvantage, with improved accessibility both within, and to opportunities outside Ayrshire whilst also ensuring that the natural and built environment on which future economic investment will most certainly depend is protected and enhanced.



Cllr Douglas Reid
Leader
East Ayrshire Council

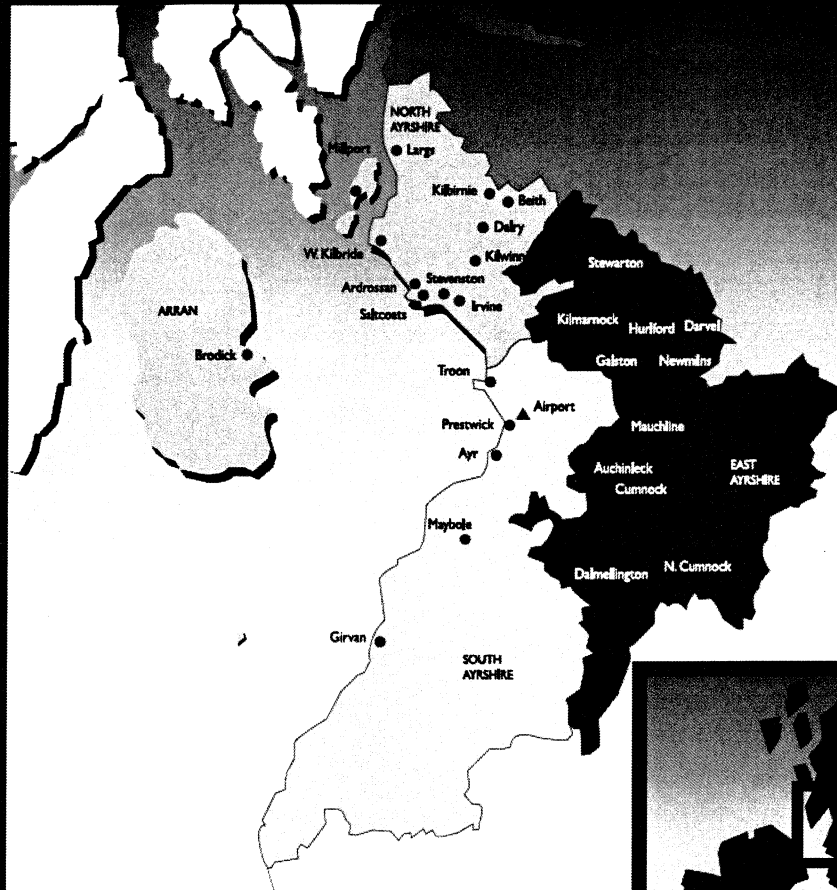


Cllr David O'Neill
Leader
North Ayrshire Council



Cllr Hugh Hunter
Leader
South Ayrshire Council

Ayrshire



AYRSHIRE JOINT STRUCTURE PLAN

Growing a Sustainable Ayrshire

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Introduction

1. The Ayrshire Joint Structure Plan “*Growing A Sustainable Ayrshire*” establishes a framework that brings together the aspirations of communities with those of business and industry, and the area’s many supporting agencies and organisations, to provide a strategic land use context to the year 2025. The plan identifies where priorities lie and seeks to co-ordinate delivery through specifically agreed action and investment. To guide this process the plan sets a shared vision for progress to 2025 and seeks to achieve strong and vibrant communities, a sustainable and growing economy, a good quality of life and a healthy environment which together will make a positive contribution to the well being of Ayrshire, the wider Glasgow City Region and Scotland as a whole.

2. This plan supersedes the approved Ayrshire Joint Structure Plan “*A Framework for the 21st Century*” approved by Scottish Ministers on the 24th January 2000 and builds on subsequent Monitoring Statements prepared in 2002 and 2004. It seeks to develop ideas and concepts that have emerged in a number of key Ayrshire documents since 2000 and links to the community planning process emerging in all Councils. In addition, the preparation of the Structure Plan has provided the opportunity to integrate the planning process with the many European, National and Regional policy frameworks and directives that have emerged since January 2000. This is particularly the case with the National Planning Framework published in 2004 by the Scottish Executive that provides the national context for change.

3. Included as an appendix is an Action Plan that is seen as fundamental to the implementation of the policies in the plan. Whilst not part of the statutory process, the Action Plan will be reviewed on a biennial basis to ensure both currency and appropriate policy development. A Sustainability Appraisal of the plan has also been carried out by an external working group and is also published with the Structure Plan. This appraisal assesses the strategic policy approach advocated in the plan and provides a set of criteria by which the plan will be monitored, again on a biennial basis. Through the Action Plan and a refocused biennial Monitoring Report starting in 2006, the policies should continue to remain relevant well beyond the approval date of the plan. It is intended that the plan itself should be reviewed within five years of its approval.

Challenges

Ayrshire has a population of 368,000 people, a coastline of 240km and covers some 3,500sq km. It is an area of great social, economic and environmental diversity. Although best known nationally and internationally for tourism, particularly through its association with Robert Burns and golf, Ayrshire continues to play a significant part in the broader aspects of Scotland's economy and there are strong cultural and economic linkages to the Glasgow City Region.

Nevertheless the area faces considerable future challenges.

Supporting Scotland's Cities as Growth Centres

Considerable economic change, founded on the growth of the knowledge economy and an expanding service sector, is being experienced throughout Scotland. Ayrshire, together with the wider Glasgow City Region, will be competitively disadvantaged if it fails to attract and retain those individuals, households and businesses, key to future growth in those sectors. In the longer term this will be of detriment to the wider Scottish economy. The challenge is to create places that are aspirational and competitive.

Sustainable Growth and Diversification of the Economy

In common with much of the United Kingdom, changes in technology and increasing global competition have impacted adversely on many local economies and communities. In Ayrshire, despite strenuous efforts and some notable success there remain persistent and unacceptable problems of a falling population, unemployment and social disadvantage. The challenge is to maintain population at or about existing levels to support services and to provide access to further job opportunities by creating competitive business environments and locations.

Strengthening Internal and External Links

Many key development opportunities are hampered by poor accessibility to the national motorway network. Persistent constraint problems are experienced in relation to the Glasgow to Ayr electrified rail service, to the Glasgow to Dumfries line via Kilmarnock and to the efficient running of freight services. The challenge is to improve connectivity so that Ayrshire can compete effectively with the rest of Scotland.

Community Regeneration

Ayrshire has been identified in the Scottish Executive's 2006 regeneration policy statement as one of 2 regional priorities for regeneration. It is supporting the Irvine Bay Regeneration Company and will work with local partners to pursue regeneration opportunities with a regional impact. All three Councils have identified specific regeneration priorities through their own Community Planning processes, and have sought to provide co-ordinated funding and action. The challenge for the joint structure plan is to give further support to community regeneration by providing both the economic and development context within which this regeneration can take place.

Environmental Stewardship

A unique blend of geology, habitats and human activity has shaped the landscape character of Ayrshire. The area contains national and internationally protected assets, which bring with them responsibilities for guardianship, but also environmental concerns resulting from development pressure and dereliction. The landscape is also seen as a considerable economic asset and positive protective and enhancement policies must be established to safeguard, protect and enhance landscape and cultural assets.

Climate Change

In recent years the rate of climate change has been significant and constitutes a perceived threat to the way we will live in the future and to the economy and the environment. New attitudes towards development must start to mitigate the effects of climate change.

Infrastructure

Past under-investment in water supply and service infrastructure has created widespread problems leading to significant development constraint.



Moving Forward

4. The Councils have identified six elements to be addressed in the new Structure Plan and these have been the subject of an initial consultation exercise with key stakeholders and the communities to confirm their validity.

Economic Prosperity: how the planning system should respond to the requirements of future economic development.

A Future for Communities: what is the future role for communities and how will they respond to changing lifestyles.

Housing Land Investment: where further allocations of housing land should be made and what type of housing should be built.

Transport and Public Service Infrastructure Support: how to improve accessibility and develop the capacity of current water and sewerage systems.

A Green Future: what practical steps can be taken to develop the principles of sustainable development and to improve the quality of life.

Rural Ayrshire: how can the profound changes affecting the countryside best be addressed.

5. There is a broad measure of agreement that the six elements represent the foundations on which any replacement joint structure plan should be based. However, there is a need to see these elements as part of a coherent and integrated package of measures to be addressed in the plan rather than as separate, unrelated items.

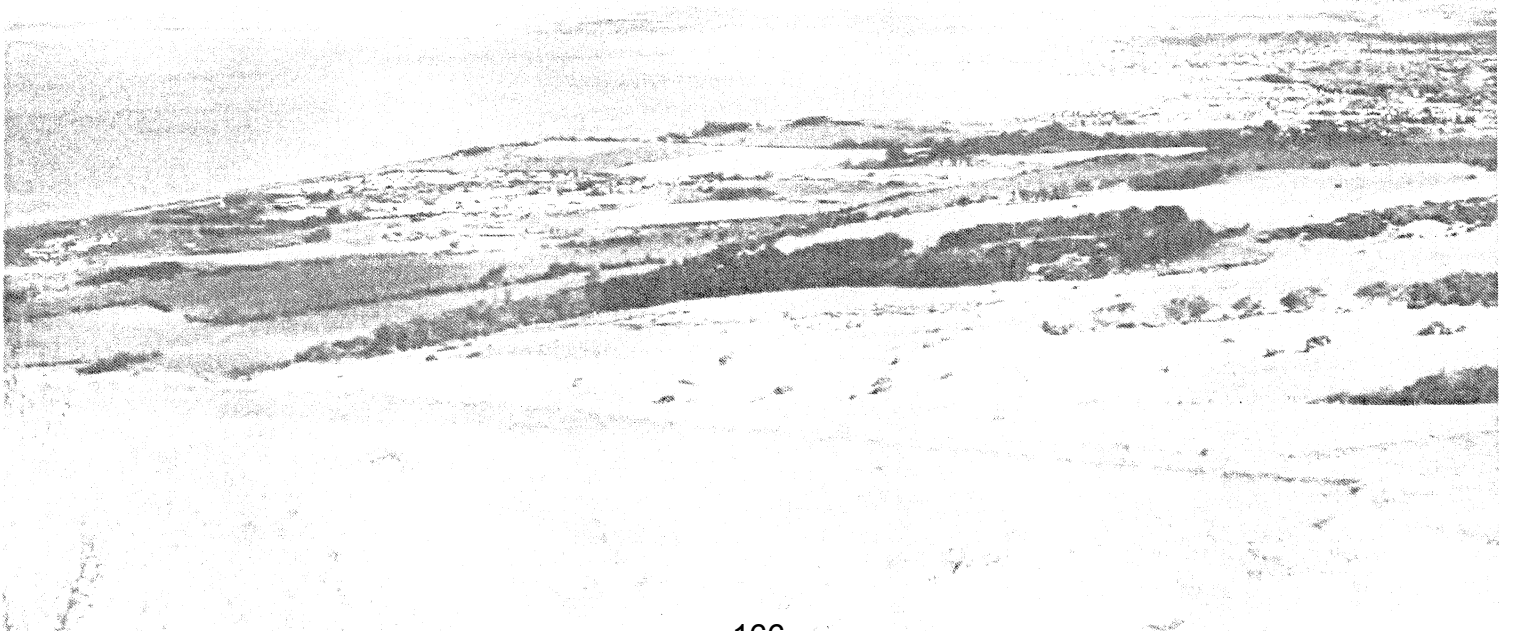
FIVE KEY OBJECTIVES OF THE PLAN ARE IDENTIFIED

- To stabilise the population in 2025 at current levels.**
- To support measures that encourage economic development underpinned by a sustainable population.**
- To seek improved accessibility both within, and to opportunities outside, Ayrshire.**
- To develop strong and vibrant communities by realising their potential for regeneration and growth and through the promotion of appropriate development for rural areas.**
- To safeguard and enhance the quality of the environment.**



A Vision for Ayrshire in 2025

Ayrshire will be a competitive place contributing to a thriving Scotland, that is receptive to change, open and welcoming to new people, new ideas, new activities and new ways of living: with strong vibrant communities: a well-connected, growing, diversified and sustainable economy: an excellent quality of life and healthy environment: with all people enjoying the highest levels of prosperity, choice and accessibility in partnership with the wider West of Scotland.



Delivering the Vision

6. Ayrshire has great assets, having a skilled labour force, successful businesses, a high quality environment, natural resources, and a good quality of life - all of which offer tremendous potential for development. Being strategically positioned on the western edge of Lowland Scotland's major population and market centres provides key locational potential that can be promoted for economic benefit.

7. To realise this potential and to contribute fully to sustainable growth a plan is proposed which protects, enhances and capitalises on human and natural assets, regenerates communities, sets out a proactive economic agenda to grow and diversify the local economy and seeks to achieve closer integration with the Glasgow City Region.

8. For Scotland's economy to perform at its best requires Ayrshire to maximise its contribution and perform to its potential. The plan therefore seeks to maintain a sustainable level of population and create economic prosperity by:

- utilising the potential of the environment and human resources to stimulate change and growth;
- supporting closer integration with the Glasgow City Region and the role of Glasgow as a driver of the future economy;
- creating opportunities to invest, live, work in and visit Ayrshire;
- improving accessibility, both nationally and internationally through major transport and port investment, offering new housing and employment opportunities;
- delivering the environmental economy through emerging green technologies and more efficient resource use; together with jobs and investment based on the quality of the environment.

Delivery will be through the promotion of sustainable development and the establishment of an overall development framework for communities together with a discreet set of topic initiatives designed to help promote and stimulate the broader economy.

Promoting Sustainable Development

9. Sustainable development is enshrined in international and national policy. It touches all aspects of policy and action. On a global scale it embraces issues such as climate change and the exploitation of non-renewable resources. At an Ayrshire level the concept of sustainable development requires the promotion of development that meets the needs of today, respects the limits of ecology and safeguards options for future generations. It is not just a concept about the environment but about economic growth, social development - about the type of society in which we wish to live.

10. Sustainable development requires co-ordinated action, combining economic competitiveness and social justice with environmental quality, design and integrated transport. The plan promotes the integration of these objectives and directs development and policy initiatives in a sustainable way encompassing the health and integrity of the natural environment, the precautionary principle, concern for the well being of future generations, social inclusion, participation and economic opportunity within the planning process at all levels.

11. Accordingly, the principles established in STRAT 1 and SCHEDULE 1 will be prime considerations in framing planning policy and the preparation of future local plans. The principles established should also be applied in site selection and the safeguarding of resources. In addition to providing this framework, additional mechanisms to support sustainable forms of development can be introduced through supplementary guidance.



SCHEDULE 1 GUIDING PRINCIPLES FOR SUSTAINABLE DEVELOPMENT

ECONOMIC RESOURCES

Strategic locations for economic development will be safeguarded and enhanced.

An effective supply of land for economic development to meet future investment needs will be identified.

Existing business and industrial land allocations considered surplus to requirements will be reviewed and reallocated to alternative uses.

COMMUNITY REGENERATION

Efficient use will be made of vacant and derelict land and buildings.

Previously developed land will be promoted in preference to greenfield land.

Recreational and amenity open space will be safeguarded and enhanced.

Sites for local community needs will be identified and promoted.

Developments will require to be of good quality design and reflect where appropriate local character and materials.

ENVIRONMENTAL QUALITY

The quality of the natural and built heritage will be conserved and enhanced.

Important cultural heritage resources will be safeguarded.

Development will require to respect the landscape character of the area and not result in visual damage or intrusion.

Development should not lead to unacceptable damage to priority species and habitats.

New development will be expected to take account of the impact of climate change.

New development will be located where there is no unacceptable risk from flooding, tidal inundation, coastal erosion or ground instability.

Development proposals should not have an adverse effect on land, air and water quality or nuisance by way of smell, noise or light.

New development should not intrude into Health and Safety Executive safeguard zones if this would lead to increased risk or hazard.

The assets and amenity of the coast and coastal waters shall be protected from harmful development.

Non renewable resources will be used prudently.

Proposals that promote the reuse and recycling of resources will be encouraged.

IMPROVING ACCESSIBILITY

Areas of economic development will require to be accessible by a range of transport modes.

Increased use of public transport will be promoted and encouraged through the development of public transport corridors.

The use of non- road based freight transport will be encouraged.

Traffic relief to communities on main routes will be promoted.

In the selection of locations for future development preference will be given to areas that are, or have the potential to be, well integrated with walking, cycling and public transport networks.

Transport Assessments/Green Travel Plans will be required for all significant trip generating land uses.

DEVELOPMENT OBLIGATIONS

Developers will be expected to mitigate the significant adverse impacts of their developments and to ensure the costs involved are not borne locally.

New investment should maximise the use of existing service infrastructure.

Where new developments are proposed, developers will be expected to contribute towards overcoming any existing infrastructure constraints.

Developers will be encouraged to apply the principles of energy efficiency and to utilise renewable energy sources within the layout and design of proposals.

Developers should consult with Architecture & Design Scotland and all appropriate amenity bodies on any significant development proposals.

Development Framework

12. The Development Framework sets the long term strategic land use framework for the next twenty years and recognises that in order to maximise potential all parts of Ayrshire have a vital contribution to make to the area's future prosperity and quality of life. The framework comprises three inter-related elements:

- Developing and strengthening an identified strategic **Core Investment Area** and focussing future transport, population, economic activity, infrastructure and service proposals in the major towns of Ayr, Irvine and Kilmarnock.
- Promoting future development within a series of **Investment Corridors** along main transport routes and consolidating and strengthening the strategic economic and service role of key towns in these corridors as **Service Centres**.
- Realising the potential of **Local Communities** both within and outside the Core Investment Area and Investment Corridors, and communities within **Rural Areas**, to meet local needs.

13. The Development Framework seeks a balance between capitalising on the established potential for growth in the Core Investment Area and spreading growth and economic development opportunities at a more local level throughout the Investment Corridors, Local Communities and Rural Areas. Maximising the potential of all parts of Ayrshire in this way will increase the area's competitive position, its prosperity and quality of life and contribute more fully to Scotland's growth. A community hierarchy is proposed to inform levels of development that can be expected.

14. A further four topic sections of the plan show how specific actions relating to the economy, communities, environment and transport will support the principles enshrined in the Development Framework. The topic sections detail policy but will be monitored on a regular basis to ensure they remain relevant, that future supplies of land remain adequate for future needs and that an appropriate framework for development remains in place. In particular the distribution of investment, particularly housing, in the 57 communities listed in Schedule 3 as within the Core Investment Area and the 7 Investment Corridors will require careful monitoring. The results will inform the early preparation of a more focussed strategy for the Local Development Plans which will be prepared under the Planning etc (Scotland) Act 2006.

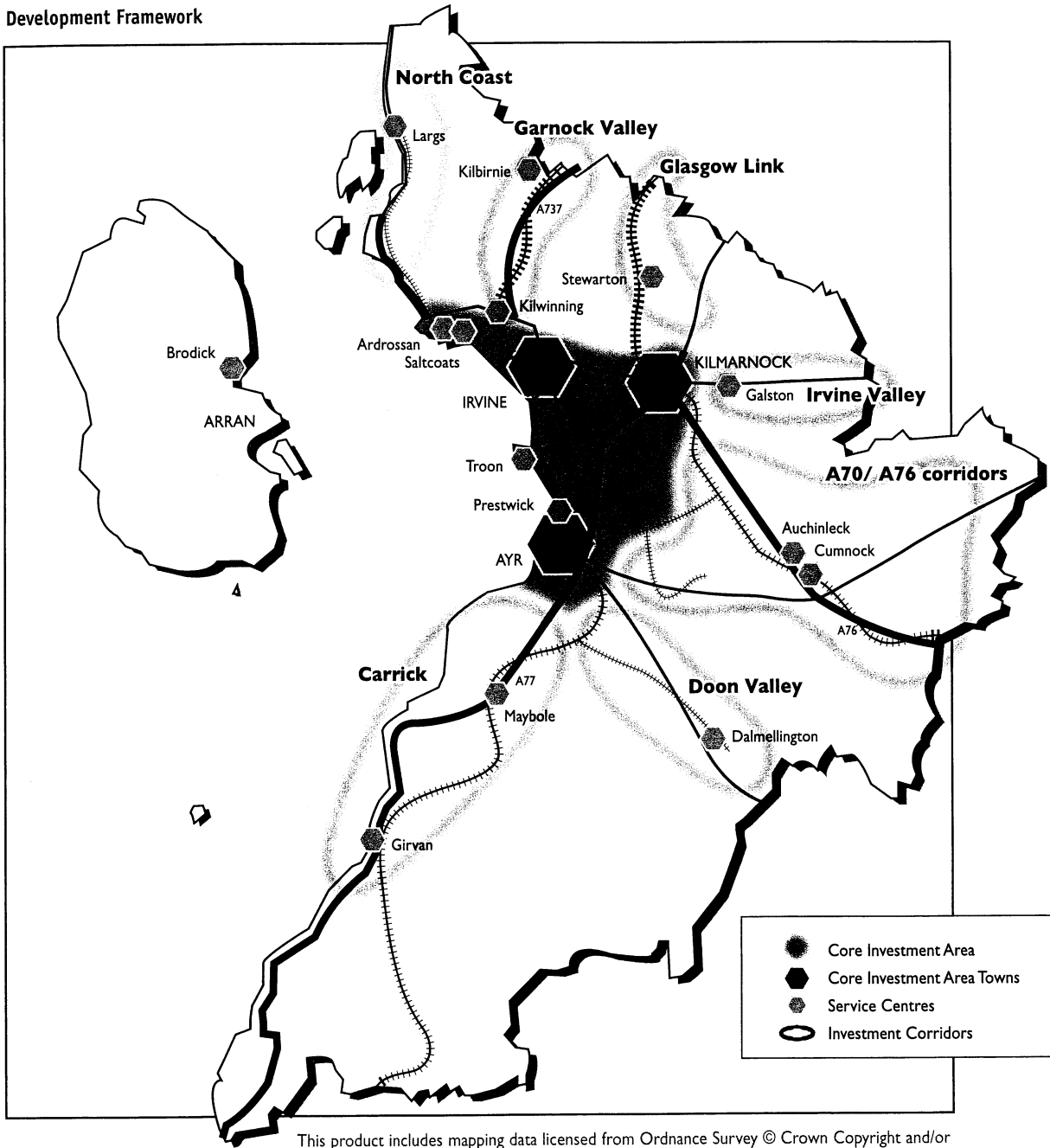
Core Investment Area

15. The towns of Ayr, Kilmarnock and Irvine and their associated communities form a closely inter-related urban network at the very heart of Ayrshire. This grouping contains the majority of the area's population, economic activity and services, and, as the focus of the transport network, has clear accessibility, scale and commercial advantages. The surrounding land and seascape setting is both distinctive and attractive. Together these three towns comprise the key communities within the Core Investment Area but, having no one single dominant centre, this creates a lack of focus, scale and mass, resulting in less economic, business, civic and cultural assets than a single urban area of similar population and size would possess.

16. The three towns act as key focal points attracting the largest proportion of new development and have the greatest potential for attracting new investment in the future. Government policy recognises this and identifies a Central Ayrshire Economic Development Zone as a priority in the National Planning Framework. The Core Investment Area is based on this Development Zone and within this area the plan promotes the inter-dependence of good transport links, modern infrastructure with residential and business opportunities and an upgraded landscape setting. This establishes a new vision for the towns in the context of their immediate area and, in this regard, there will be clear competitive advantage to be had from their collective integration and interdependence. Importantly the plan recognises that it does not imply a physical coalescence of individual communities within the area but allows each town a distinct identity and complementary role.

17. Co-ordinated activity can be achieved in a number of ways, from landscape management, green network and regeneration initiatives to improved public transport and road links, through the concentration of service infrastructure and complementary measures which increase housing choice, leisure facilities and business development opportunities. Identifying and recognising the collective potential of the Core Area will raise the area's profile and enhance overall performance.

Development Framework



Investment Corridors

18. Investment Corridors provide the link between the Core Investment Area, the main urban centres of Scotland and beyond to national and international markets (see Schedule 2). It is generally along these main road and rail corridors, which contain much of Ayrshire's concentrations of population, activities and services, that accessibility to both employment and to markets is best afforded. Developing economic opportunities in the Investment Corridor communities will capitalise on the accessibility advantages and existing services they offer. This will, in turn, contribute to sustainable development and improve public transport options, social and economic inclusion, quality of life and competitiveness and help stimulate infrastructure investment.

19. However, Investment Corridors are more than just platforms for the promotion of business and housing development. In pursuing economic growth recognition is increasingly being given to the need to provide a clean, safe, healthy and attractive living environment. Attractive areas of open and green space both within and around small towns can help facilitate economic development. Where corridors of green space link parts of towns, or where they link different communities, they can also provide opportunities for encouraging travel by means other than the car. New development also benefits from well-managed structural landscape proposed as part of an overall framework.

SCHEDULE 2 INVESTMENT CORRIDORS

Investment Corridors

Corridor	Rail Links	Road Links
Glasgow Link	Kilmarnock-Glasgow	A735/M77
Garnock Valley	Ayr/Irvine-Glasgow	A737
North Coast	Kilwinning - Ardrossan/Largs	A78/ferry
Carrick	Ayr-Stranraer	A77 (south)
A70/A76 Corridors	Kilmarnock-Dumfries/Carlisle	A70/A76
Doon Valley		A713
Irvine Valley		A71

The opportunity therefore exists within the Investment Corridors to link investment in housing and business development to improvements in accessibility, community upgrading and renewal and to the creation of habitat networks and green-space in a co-ordinated way. It is proposed this can be achieved by the development of detailed improvement programmes for the corridors concerned through the next round of local plans/local development plans.

Service Centres

Within the Investment Corridors there are a number of key towns that serve more localised communities and act as a focus for development. All of these towns, except Brodick, have a secondary school serving a broad catchment area, and provide a mixed range of commercial and small-scale business interests. These Service Centres are of fundamental importance to the economy of Ayrshire and lie on easily accessible transport routes. By anchoring development opportunities in these Service Centres their potential for long term stability will be improved and development within the Investment Corridors can be stimulated by their growth.

Whilst it would be appropriate to accommodate additional development provision in these communities, the scale of provision has to take account of their individual circumstances and characteristics. In terms of the plan however, a degree of positive encouragement for development is appropriate to maintain and broaden the economic base. In this regard, these communities will provide additional choice options and support the Core Investment Area as locations for economic investment and more limited housing expansion.

Local Communities

In addition to the Service Centres there is a wide range of Local Communities, which, whilst not providing the facilities of Service Centres, still have the capacity to accommodate certain levels of development. It is important that any future development activity within these communities should be based on their ability to provide the level of services required to support development whilst at the same time recognising a range of possible development constraints related to their historic importance and landscape setting. Two distinct types of Local Communities are identified to give local plans an early indication of the levels of development expected and are identified in SCHEDULE 3.

- Local Communities with Significant Development Opportunities.
- Local Communities with Small-Scale Development Opportunities.

It is important to note that the communities listed are those within the Core Investment Area and Investment Corridors and the schedule seeks to identify the scale of development opportunity within those areas. It is not the intention to exclude opportunities for appropriate development occurring in other communities outside the main development areas, but any development is likely to be very limited in nature in a twenty year period. For the avoidance of doubt, opportunities referred to are for all forms of development and do not solely refer to housing.

Rural Communities

25. Ayrshire has an extensive and diverse rural area that encompasses island, agricultural, industrial and service communities. The landscape is equally varied and much is of a high quality. Accessibility to jobs and services and a high quality of environment have ensured that some rural communities have experienced sustained demand for development. In other instances, however, the decline of agriculture, extractive and manufacturing industries, compounded by isolation has also resulted in social and environmental decline. Profound changes in agriculture and funding under the Common Agricultural Policy reforms have also encouraged diversification of farming activities.

26. The plan recognises that special needs exist within rural communities and that integrated action is necessary to diversify the economy, address social issues, provide adequate levels of housing and tackle environmental dereliction. Many of these actions will be taken forward through the community planning process, local planning and the actions of other agencies. Nevertheless, it is important that the Development Framework is supportive of proposals that consolidate services in existing communities, accommodate the needs of local business, promote new business and leisure opportunities and improve accessibility.

STRAT 2 Development Framework

The three Ayrshire Councils, working in conjunction with public and private sector agencies, will seek to increase the attraction of Ayrshire as a place to live, work, visit and invest by:

- A) Providing for integrated and complementary development within the Core Investment Area and promoting the area as the primary focus for all major development;
- B) Supporting an appropriate scale of residential, business and environmental action in the Investment Corridors;
- C) Supporting the Service Centres as the primary focus for development in the Investment Corridors;
- D) Providing for an appropriate level of development commensurate with capacity to accommodate growth in Local Communities; and
- E) Supporting Rural Areas through measures that seek to diversify the rural economy and facilitate appropriate new rural business and industry.

SCHEDULE 3 COMMUNITY HIERARCHY

Major Towns

Irvine	Kilmarnock	Ayr
--------	------------	-----

Service Centres

Largs	Stewarton	Girvan
Kilwinning	Auchinleck	Prestwick
Kilbirnie	Galston	Troon
Ardrossan	Dalmellington	Maybole
Saltcoats	Cumnock	
Brodick		

Local Communities with significant development opportunities

Dalry	Kilmaurs	Coylton
Dreghorn	Drongan	Monkton
Beith	Crosshouse	Tarbolton
West Kilbride	Patna	Mossblown
Springside	Mauchline	Dundonald
Stevenston	Catrine	Symington
Glengarnock/	Dalrymple	
Longbar	Hurlford/Crookedholm	

Local Communities with small-scale development opportunities

Skelmorlie	Dunlop	Annbank
Lamlash	Muirkirk	Crosshill
Fairlie	Fenwick	Dailly
Millport	Sorn	Maidens
Drybridge	New Cumnock	
Barrmill	Ochiltree	
Gateside	Newmilns	
	Darvel	
	Knockentiber	

Economy

20 Growing and diversifying the economy in Ayrshire, as well as developing closer integration with a reinvigorated Glasgow City Region economy, will be fundamental to enhancing access to opportunity, to underpinning regeneration and to creating sustainable prosperity. Ayrshire offers an attractive environment for business with a wide range of opportunities, locations and sites to meet the changing needs of existing and new business, inward investors and public sector relocations. More competitive business environments in the form of efficient, high quality, attractive locations and premises will underpin future economic performance.

21 To strengthen the Core Investment Area and promote further investment in Investment Corridors, a portfolio of economic opportunities for future servicing, implementation and promotion are identified and safeguarded. The plan seeks to focus major employment generating development on a limited number of key Gateway locations and strategic business locations with good accessibility and market appeal. In order to broaden the economic base and to seek to open the opportunity for new initiatives, the development of a range of industries associated with the environmental economy is proposed.

Gateway Locations

22 Pivotal to the success of Ayrshire's economy are a number of key Gateway Locations. These Gateway Locations offer key international connectivity and competitive advantage for industrial and business development, and have the potential to be of considerable benefit to Scotland and the United Kingdom as a whole. Support for these gateways is a key feature of the plan and it is recognised that further transport infrastructure enhancements to improve access to the Gateways should be addressed as a priority. The Gateway Locations are identified as Glasgow Prestwick Airport, Hunterston, the ports of Ayr and Troon and Ardrossan Harbour.

30. Hunterston combines the opportunity for a globally significant deep-water terminal capable of taking the very largest marine freighters with a major rail connected site. With its landward connections to United Kingdom and European markets and proximity to the air-freight facilities at Glasgow Prestwick and Glasgow Airports, Hunterston is uniquely placed to act as a deep water transshipment hub on a truly international scale and requires both road and rail improvements if it is to be developed successfully. In the longer term there is an opportunity to develop further business and industrial growth. Within the plan period it is expected additional surface access links will be required to support the operation and growth of Hunterston and these should be safeguarded from future development.

31. The UK Government's 2003 Aviation White Paper has formally confirmed Glasgow Prestwick Airport as West Central Scotland's "second runway" and requires the preparation of an airport master plan. By 2030 the three airports of Glasgow Prestwick, Glasgow and Edinburgh are projected to handle in excess of 41 million passengers each year, with Glasgow Prestwick expected to account for at least 6 million passengers per year. Only Glasgow Prestwick has substantial existing spare runway capacity and together with its specialisms in freight, and maintenance and repair operations has the potential to remain one of Ayrshire's main sources of growth. In these circumstances areas likely to support further expansion of the airport should be identified.

32. The scale of potential development at Glasgow Prestwick Airport is such that an Action Plan is required to link both on and off airport development. This would need to show how the proposals relate to overall development within the area and the timing of infrastructure investment. It is recognised that for Glasgow Prestwick Airport there may be considerable opportunities to be had by seeking to extend and rationalise land in the wider Monkton area in conjunction with proposals for airport development.

33. The ports of Ayr and Troon and Ardrossan Harbour are major national and international entry and exit points to the transport network and thus the wider economy of Ayrshire and beyond. With their location on the United Kingdom's western marine seaway and their road and rail connections they are a potential key resource for coastal and short sea shipping giving competitive advantage and potential for future economic development together with the growth of passenger and freight movement. All three locations currently have poor or limited local access from the trunk road system. Measures to improve access should be investigated as a priority in conjunction with improvement to the local environment and the safeguarding of future potential development opportunities.

ECON I Gateway Locations

The three Ayrshire Councils shall, in conjunction with other agencies, support the Gateway locations as key drivers of the economy through proposals which:

- A) promote the development of an international transshipment hub requiring deep water for sea freight movement at Hunterston and safeguard existing rail and road access in the vicinity against adverse development;**
- B) promote the expansion of airport and runway facilities for Glasgow Prestwick Airport, provided that adequate measures are taken to limit any harmful environmental consequences of the airport's operation; and**
- C) promote the development of the ports of Ayr and Troon and Ardrossan Harbour including the safeguarding of land for port-related activities, the development of related opportunities and enhanced surface access links**

South Ayrshire Council in conjunction with public and private sector agencies shall prepare an Action Plan for Glasgow Prestwick Airport and the surrounding area taking full account of the Airport Master Plan.

Strategic Business Locations

3.1.1 Strategic Business Sites

The approved joint structure plan contains a list of six strategic industrial and business development sites and for the current plan these have been reviewed. It is now proposed that the existing strategic industrial sites at Rowallan and Kilmarnock Mosside, Riverside/Irvine and Prestwick Aerospace Park will continue to be supported as Strategic Business Sites capable of accommodating major development proposals, with the Kilmarnock Mosside and Irvine sites offering potential for large scale single user and long term expansion potential. As part of the review of surplus industrial land, Glengarnock, Cockhill and Ardeer are deleted from the current list of strategic industrial sites and should be examined for options related to more mixed-use development which may include more limited or specific business opportunities. At Ardeer the options for the site (identified in policy IND 2 of the North Ayrshire Local Plan) will have full regard to the safeguarding provisions on the Ardeer peninsula under the terms of the consultation arrangements. Supporting infrastructure for the Strategic Business Sites, including improved public transport access, should continue to be developed and expanded.

Business Sites in Core Investment Area Town Centres and Service Centres

There is an emerging shortage of certain types of modern industrial and business floorspace associated with many of the main towns in Ayrshire. New accessible business locations in the town centres of Ayr, Irvine and Kilmarnock and the Service Centres identified in Schedule 3 require to be brought forward to encourage new business formation, indigenous business growth and inward investment. These locations should primarily be well related to the main public transport network, particularly the main rail stations, and opportunities should be taken to utilise brownfield sites, particularly in town centres for service sector, commercial leisure and office-based activities. Recent developments adjacent to Saltcoats and Kilwinning town centres are examples of what can be achieved.

Sites for service sector, commercial leisure and office based activities within and immediately adjacent to the three town centres of Ayr, Kilmarnock and Irvine and the Service Centres should be identified within local plans. However, major development proposals shall continue to be focused on the three main towns in order to maintain and enhance their function with opportunities for consolidation and expansion in the Service Centres limited to a scale commensurate with their role and capacity.

3.1.2 Strategic Business Sites in Close Proximity to Town Centres

In addition to emphasising major business opportunities within or in close proximity to town centres, it is also recognised that there is a shortage of suitable available sites in some other locations. Sites already identified at Moorfield, Kilmarnock, Tournament Park, Irvine and Corton, Ayr should be confirmed. The site at Corton, Ayr should be integrated with a future rail station in this area. The existing strategic business site at Prestwick Aerospace Park has a planning consent limiting its use to those associated with the airport, but the general area is a key strategic location in Ayrshire. Opportunities for further business use in the Monkton area, therefore, should be identified as part of an integrated rationalisation of land in this area accompanying any long term proposals for the development of the Glasgow Prestwick Airport.

3.1.3 Freight Locations

A number of locations combine good rail accessibility with large scale material handling potential. Currently, coal and timber are the main bulk freight commodities offering processing potential for Ayrshire. Timber, in particular, is already well established and, in order to maximise the potential for the existing forestry industries to expand and to attract additional industrial processes, a number of wood processing locations with good rail access have been identified. Whilst it is recognised that these locations may be suitable for further developments associated with the timber industry, other types of development, including renewable energy generation and waste recycling, which can take advantage of the bulk transportation and processing potential provided by these locations will be encouraged.

ECON 2 Strategic Business Locations

The three Ayrshire Councils shall safeguard, enhance and promote the following locations for major industrial and business development:

Existing Strategic Business Sites:

Irvine Riverside
Kilmarnock Mosside and Rowallan
Prestwick Aerospace Park

Business Sites in Core Investment Area Towns Centres and Service Centres:

Kilmarnock Town Centre
Irvine Town Centre
Ayr Town Centre
Service Centres identified in Schedule 3

Business sites elsewhere in Core Investment Area

Irvine Tournament Park
Kilmarnock Moorfield
Ayr Corton
Monkton

Bulk Freight Locations

Ardeer
Hunterston
Irvine: Meadowhead
Auchinleck: Barony
Girvan: Grangestone
Barrhill

39 In addition to the strategic locations for business and industrial development, there is likely to be a need for additional opportunities both to meet local business requirements and any unforeseen demands that may emerge. Local Plans should therefore seek to maintain an adequate supply of attractive business sites to meet local needs within communities and to allow for diversification in rural areas. Any surplus land should be reviewed for other uses. New employment opportunities which may arise from time to time and which cannot be accommodated by the supply in the strategic business locations will be assessed against the Guiding Principles of Sustainable Development detailed in Schedule 1.

ECON 3

Local and Other Business Opportunities

The three Ayrshire Councils shall make provision for an adequate supply of land for office, business and industrial use throughout their areas to cater for locally based services and other business development opportunities providing the development is small in scale and in keeping with the character of the surrounding area.

Reallocation of Surplus Industrial Land

40 Existing sites and floor-space, which are surplus to requirements and have qualitative issues related to location, obsolescence, marketability, environment, accessibility or infrastructure require to be reviewed with a view to possible release and re-allocation to other land use. This will have the benefit of not only removing the negative market impact of an ineffective oversupply but of creating new opportunities and potential for housing, business and mixed use development.

ECON 4

Reallocation of Surplus Industrial Land

The three Ayrshire Councils shall identify and review all surplus industrial land at the earliest opportunity for reallocation to other uses.

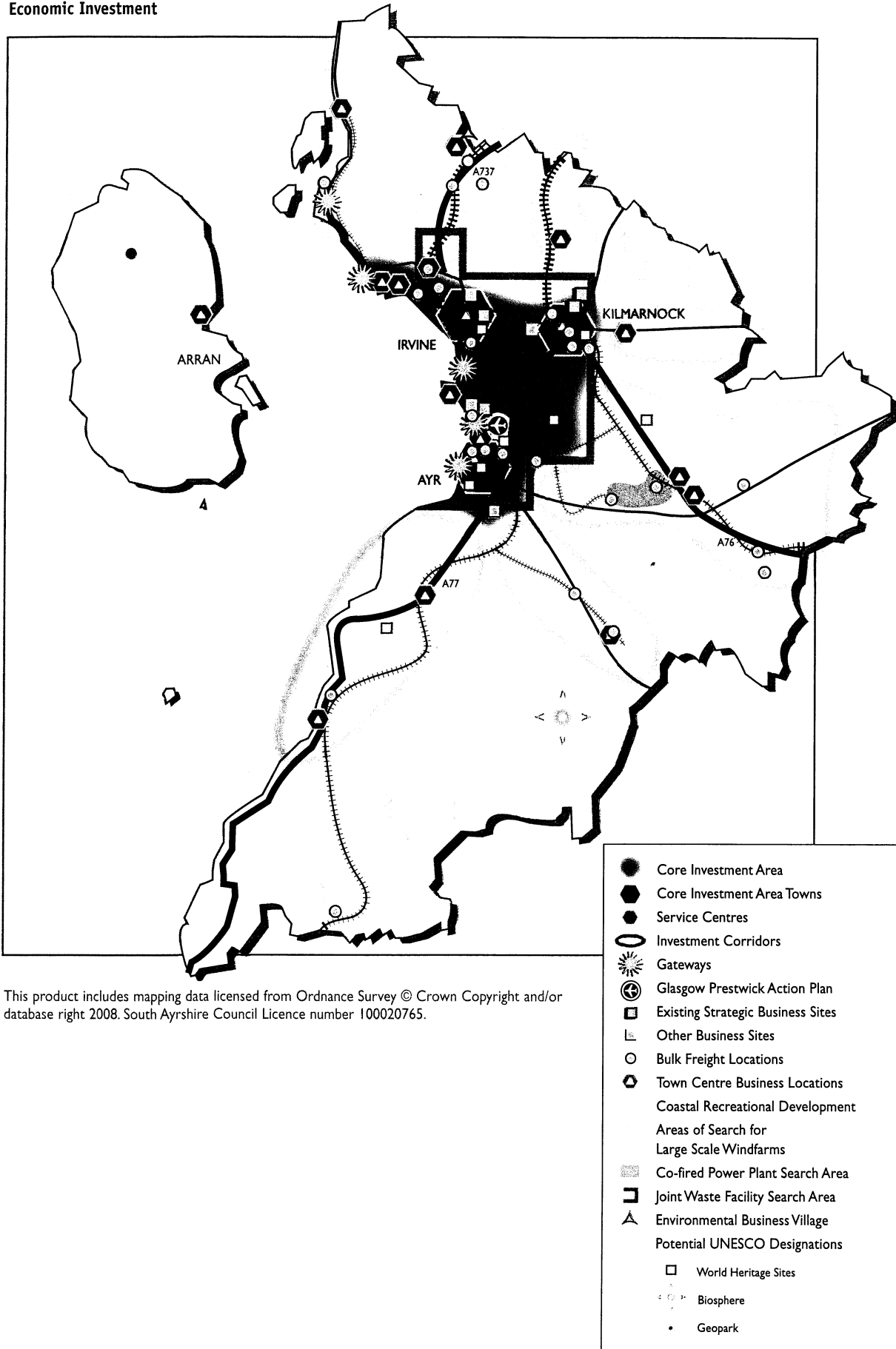
Ayrshire must be in a position to take advantage of the increasing rewards to be had from advances in the knowledge economy. Innovation and the education and skills that support it are critical to development enabling people to access the opportunities it provides. Higher education and research facilities have key roles as drivers of the knowledge economy within a strong city-region dimension. Universities in particular are global institutions, offering access to the knowledge economy and increased flows of ideas, technology and people. At a West of Scotland level this needs more explicit recognition. As well as its local facilities, Ayrshire must take advantage of its accessibility to the universities in the Conurbation. In addition as a long term aim Councils should work together to identify an appropriate university campus development opportunity in the Core Investment Area.

ECON 5 Knowledge Economy

The three Ayrshire Councils shall

- A) Support proposals which expand or consolidate existing higher educational facilities, including associated research and development facilities and/or which enhance closer integration with the universities in the Conurbation; and
- B) Work together to identify a suitable location for a potential future university campus for Ayrshire within the Core Investment Area.

Economic Investment



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Promoting the Environmental Economy

10 Given Ayrshire's extensive environmental assets the environmental economy offers considerable potential for economic growth, diversification and support for regeneration. The employment opportunities and business potential offered by renewable energy, waste recycling and resource efficiency that is now accessible via new and emerging technologies, together with jobs and investment based on the quality of the environment itself, will create significant opportunities for the area. Key sectors that emerge are the development of a more broadly based renewable energy industry, the promotion of new and alternative technologies, an improved tourism product and a revitalised rural economy.

Renewable Energy

13 Ayrshire has significant renewable energy resources and is well placed to exploit its generation and use. A portfolio of different technologies and solutions will have a significant local role to play in meeting the global challenge of climate change with potentially greater contributions to national capacity from a diverse range of renewable energy proposals, energy efficiency and clean fuel technology. The plan, therefore, seeks to facilitate the development of renewable energy and energy saving within communities and act as an economic and sustainable driver of local economies for the future. This can be achieved through the introduction of innovative forms of technology, design and construction methods and in ways and at scales that will allow it to play a major role in the regeneration of communities.

44 Integration of small scale and micro renewable energy generation into existing and new developments will be supported and in particular encouragement should be given to community owned wind turbine, hydro-power, combined heat and power plants and space heating developments which could help spread the benefits of this activity and potentially reduce energy costs.

ECON 6 Renewable Energy

Proposals for the generation and utilisation of renewable energy should be promoted and will conform to the plan both in stand alone locations and as integral parts of new and existing developments where it can be demonstrated there will be no significant adverse impact, including adverse cumulative impact or infrastructure constraints, and where the design of the development is sensitive to landscape character, biodiversity and cultural heritage.

Wind Energy

45 Ayrshire has above average mean wind speeds and as such is attractive for wind energy generation and, in particular, as a location for wind farm development. The Government has set targets for Scotland of 18% of electricity demand from renewable energy by 2010 and 40% by 2020. To achieve these targets at a local level a significant expansion in the number of wind turbines may be required.

46 Given the Government's targets, there is an onus to find wind farm locations that would contribute to the overall national supply, and take environmental impacts into account. It is also recognised, however, that local benefits arising from wind farms can be important to the future economic regeneration of rural communities. To guide wind farm development in a manner that maintains landscape and biodiversity value and safeguards the operational needs of Glasgow and Glasgow Prestwick Airports, two areas of search for large-scale wind farm development have therefore been identified. Outside these two areas wind energy proposals will be judged against the criteria established in Policy ECON 7. An Environmental Impact Assessment is a requirement for proposals likely to have significant environmental effects.

ECON 7 Wind Farms

- A) In the Areas of Search proposals for large and small scale wind farm development will be supported subject to specific proposals satisfactorily addressing all other material considerations.
- B) Areas designated for their national or international natural heritage value, and green belts, will be afforded significant protection from large scale wind farms;
- C) The integrity of national and international designations should not be compromised.
- D) Cumulative impact will be assessed in all relevant cases, taking into account existing wind farms, those which have permission and those that are the subject of valid but undetermined applications. The weight to be accorded to undetermined applications will reflect their position in the application process. Where the limit of acceptable cumulative impact has been reached the area will be afforded significant protection.
- E) Outside the Areas of Search: all wind farm proposals will be assessed against the following constraints, any positive or adverse effects on them and how the latter can be overcome or minimised:
 - 1) Historic environment;
 - 2) Areas designated for their regional and local natural heritage value;
 - 3) Tourism and recreational interests;
 - 4) Communities;
 - 5) Buffer zones;
 - 6) Aviation and defence interests;
 - 7) Broadcasting installations.
- F) Proposals affecting Sensitive Landscape Character Areas shall satisfactorily address any impacts on the particular interest that the designation is intended to protect but the designation shall not unreasonably restrict the overall ability of the plan area to contribute to national targets.
- G) In all cases, applications for windfarms should be assessed in relation to criteria including, as appropriate, grid capacity, impacts on the landscape and historic environment, ecology (including birds), biodiversity and nature conservation, the water environment, communities, aviation, telecommunications, noise and, shadow flicker.

In the drive to achieve the national targets for renewable energy, types of energy generation other than wind power may also contribute to meeting renewable energy targets. Of the alternative energy sources most likely to contribute to meeting those targets in the near future, the generation of electricity and heat from biomass is the most significant.

In Ayrshire, there is a significant resource of co-products from timber harvesting and processing and large areas of degraded former industrial land are available for growing energy crops. As a result, power plants related to the use of biomass and timber co-products should be located as close to the source of their raw material as possible to reduce impact on infrastructure.

Development can be at scales suited both to demand and available resources with small scale, medium or large biomass plants designed to fit their immediate environment. Moreover with supplies of coal in the vicinity there is an opportunity to develop co-firing of any associated power plant based on clean coal technology. The coalfield area of East Ayrshire is recognised as having particular opportunities for this type of energy production.

ECON 8 Biomass

Biomass power generation, including co-fired power plants and combined heat and power plants shall conform to the plan where it can be demonstrated that:

- A) fuel sources, processing, bulk freight facilities and energy generating plant can be co-located;
- B) generating plant can be co-located with a significant energy user to meet on site requirements or where the users of surplus heat or power are in close proximity; and
- C) there are no unacceptable, significant adverse impacts on communities, landscape character and visual amenity, natural environment, and the built and cultural heritage.

A search area for a co-fired power plant is identified on the Key Diagram.

50 Effective waste management is a significant element in contributing to a more sustainable future and is being promoted at national level through the National Waste Strategy. Current policies for municipal waste, already developed through the Area Waste Plan are already leading to a reduction in the volume of waste disposed to landfill. However in order to achieve the government target figures for diversion increasingly less reliance will be placed on landfill options and significantly more emphasis placed on re-use, recovery and treatment. This could, potentially, have significant additional economic benefits through the establishment of downstream industrial and renewable energy opportunities.

51 Further work on potential waste streams has been carried out since the publication of the Area Waste Plan. In the short term it is likely that current working arrangements will allow compliance with existing standards of waste treatment and fall within government guidelines. In the short/medium term analysis indicates a need for additional facilities at individual Council level. Even with a further recycling initiative to remove all valuable resources from the waste stream, however, a joint remedial waste treatment facility serving all three Councils at one location will be required in the medium/long term. This is most likely to be in the form of a thermal treatment or combined heat and power plant. An assessment has been made on the optimum location and the plan identifies a search area for such a facility.

52 However, not all waste streams are dealt with by Councils. In some parts of Ayrshire the private sector has taken the opportunity to set up a variety of different commercial waste operations, including landfill sites, some working under contract for the Councils themselves. This has already created a series of linked additional job opportunities based on the treatment of waste that helps to support the local economy and aid diversification. Nevertheless, with the government drive to reduce landfill and increasingly to treat waste as close as possible to source, the onus must increasingly be to limit further landfill sites, to seek locations for waste treatment plant for both the public and private sector as close as possible to the source and that can also create opportunities for developing the local economy.

ECON 9 Strategic Waste Management Facility

The three Councils shall provide an integrated network of waste management facilities to comply with government guidance and will identify through a local plan or subject plan a site for a joint waste treatment facility in the search area identified for this purpose on the Key Diagram.

ECON 10 Waste Locations

In identifying locations for new waste management facilities the three Councils shall, in the first instance, give preference to new facilities within or immediately adjacent to existing waste management sites. Where this is not possible, Councils should explore the possibility of accommodating new facilities within existing industrial sites or on other, suitably located areas of brownfield or previously contaminated land. All potential new locations will be assessed against proximity to the waste source, the Ayrshire and Dumfries and Galloway Area Waste Plan, physical and environmental constraints including the effect on community well-being, ground and surface water conditions and the capacity of transport systems.

53 The potential exists to develop dedicated locations to meet the requirements of business engaged in or seeking to exploit opportunities in the environmental economy. Many of these business opportunities will have specific locational criteria in relation to resource supplies or markets and others will be accommodated within the Strategic Business Locations. However there will be service and knowledge based environmental businesses that would benefit from common business infrastructures and services and from co-location with similar or related activities, end users and possible environmental demonstration projects. Locations which can combine these benefits with market potential and opportunities for remediation and regeneration would be well placed to meet the needs of the sector.

54 Whilst there are potentially several options for this type of development, in the immediate future Glengarnock/Lochshore offers a well located large scale brownfield regeneration opportunity with good rail access and which has established market potential for housing and as a location for environmental services. A sustainable project of neighbourhood scale could be integrated with the existing community structure developing novel residential, workplace, leisure, environmental and infrastructure opportunities.

ECON 11 Environmental Business Village

The three Ayrshire Councils shall explore the opportunities for the creation and promotion of integrated business and residential villages based on sustainable technologies and aimed at facilitating and accommodating indigenous business growth and demonstration projects in the environmental sectors of the economy - focused initially on the regeneration and remediation potential of Glengarnock in conjunction with North Ayrshire Council.

55 Tourism already makes a significant contribution to the economy. In seeking to build on this resource, development should continue to focus on the area's strengths in terms of its improved connectivity with Scotland, the rest of the UK and Europe, the quality of the environment and the promotion of its cultural, natural resources and green tourism markets and their associated attractions and accommodation. Tourist-related assets, - including golf, sailing, the coast and its communities, the landscape and natural habitats and the area's cultural heritage - linked with the potential offered to attract visitors through the Gateway Locations - offer a considerable platform and potential for growth.

56 However, as well as a general presumption in favour of tourism development, there are specific areas where development of a tourist-related nature might be encouraged. Much of the countryside is easily accessible and the general growth in recreational use has produced a wide range of social benefits from health and fitness to economic gain for communities. New legislation on access and the appointment of access officers by each Council should ensure continued recreational growth in the rural areas. Formal footpath and cycle links are currently being developed, but it is important that a less controlled but more open form of access is encouraged over broader areas, particularly in the upland areas.

57 Ayrshire contains some of the best and most accessible coastline and islands in Scotland with internationally renowned links golf and major sailing and other leisure and recreational opportunities. The coastline has excellent accessibility from the main population centres in Central Scotland and is served with excellent links to passenger ferry ports and a growing international airport. The opportunity exists, therefore, to develop a major coast-based maritime recreational area focused on the Firth of Clyde stretching out to include Arran and the other islands. There is merit in developing an integrated approach to the coast and maritime-related development as an asset of considerable economic potential both to Ayrshire and the West of Scotland.

Cultural heritage, including historical figures and their local associations, is an important and growing sector of the tourism market. Robert Burns' association with Ayrshire is particularly renowned and the value of Burns as an international icon of Scotland's creative and literary tradition already brings substantial economic benefit to Ayrshire and Scotland as a whole. Burns has associations with many communities across Ayrshire, often with a building, location or landscape linked to events in his life or his works. The 250th anniversary of Burns' birth in 2009 gives a tremendous opportunity to safeguard and enhance the sites, promote locations associated with his life and work to a wider audience and to explore their potential as a World Heritage Site under the auspices of ICOMOS (International Council on Monuments and Sites) and UNESCO.

The natural environment also presents major opportunities for the development of green tourism and increasing interest is being shown at both national and international level for developing these opportunities. The Government is actively pursuing marine spatial planning and marine national parks that may well provide further opportunities for tourism based on the natural environment of the Firth of Clyde. UNESCO is developing two further initiatives at an international scale; Biosphere Reserves to promote the principles of sustainable management of land and Geoparks to recognise areas of world importance for earth sciences. Early indications suggest there are opportunities to develop a Biosphere Reserve in southern Ayrshire linked with Dumfries and Galloway and a Geopark on Arran, though much work still needs to be done. Evidence from other countries suggests considerable social and economic benefit can be derived from their establishment.

ECON 12 The Tourism Resource

The three Ayrshire Councils shall, in conjunction with other agencies, promote the development of tourism to increase the range, geographic spread and quality of accommodation, facilities, attractions and supporting infrastructure where it contributes to environmental quality, extends the visitor season, provides further job opportunities, supports communities and encourages rural diversity.

ECON 13 Tourism Opportunities

The three Ayrshire Councils shall, in conjunction with other agencies:

- A) Support the development of outdoor access tourism, together with associated accommodation and infrastructure;
- B) Support proposals that would contribute to the development of a major integrated coast based tourist, leisure and recreational area focused on the Firth of Clyde and the Islands of Arran, the Cumbraes and Ailsa Craig in the context of ENV 10;
- C) Safeguard and promote the locations, landscapes and buildings associated with Robert Burns and seek designation of these locations as a possible World Heritage Site; and
- D) Explore the potential offered by the natural environment in developing marine-based tourism opportunities in the Firth of Clyde, a Biosphere Reserve in southern Ayrshire and a Geopark on Arran.

Rural Diversification

60 Ayrshire's rural areas offer great potential to sustain and encourage rural business development and diversification without compromising the environmental quality of the countryside itself. As the rural economic base and particularly agriculture are undergoing a period of considerable change it is essential that rural areas increase their capacity to adjust to and accommodate this change while protecting and enhancing environmental quality. This will be particularly necessary if local benefits such as new and higher quality jobs are to be created and rural communities regenerated.

61 Policies throughout the plan are aimed at protecting and enhancing the essential rural character of Ayrshire at a time of increasing change. Environmental quality is itself a key economic driver that increasingly underpins the future of the countryside and must be protected and enhanced. While change must be anticipated and accommodated this must be in the form of a managed evolution and not at the expense of the environment. This does not mean that the appearance of rural areas will remain exactly as they are today.

62 While many traditional rural activities in agriculture and forestry will continue to develop and diversify, many new business opportunities will either be in the service sector or have a high service and knowledge content. These activities tend to be much less visibly intrusive and may, therefore, be accommodated with less obvious impact. Many of these activities can be located within the service centres and other local communities where accessibility is at its highest and, provided this meets operational and market requirements, should be supported by the provision of suitable accommodation.

ECON 14 Rural Diversification

The three Ayrshire Councils shall

- A) Support the principle of rural diversification, particularly through proposals for small scale renewable energy; forest-based products and industries; leisure, recreation and tourism; non-food crops and local quality food initiatives; appropriate rural housing and small business development; and
- B) Identify appropriate criteria for the assessment of proposals related to the diversification and growth of existing rural businesses and for the establishment of appropriate new business development in rural areas.

Communities

Regeneration and Urban Renewal

63 A prime objective of the plan is to ensure that Ayrshire is an attractive place in which to live, work, visit and invest. All areas have to maintain and improve their assets if they are to continue to be attractive, produce valuable outputs in the form of quality of life and be able to attract investment on a continuing sustainable basis. Without continued public and private sector investment urban areas become degraded and less able to provide a good quality of life and attract the required level of investment for sustainability.

64 Many areas in Ayrshire are attractive to people, activities and new investment. There are however a few areas where the market has been failing to bring forward sufficient investment to regenerate and renew itself and where under investment may be gathering pace and cumulative. All three Councils have, through the community planning process, developed initiatives to tackle the many complex issues involved in regeneration. Regeneration Outcome Agreements have recently been published and these set out in more detail local priorities and action, and, in addition Councils have been involved in physical regeneration projects. Whilst much of this regeneration activity must of necessity take place at local level in conjunction with the community, the plan can assist by providing the strategic land use context for further specific actions on the ground.

Regeneration Priorities

65 The Scottish Executive's 2006 regeneration policy statement identified Ayrshire as one of 2 regional priorities for regeneration. It is supporting Irvine Bay Urban Regeneration Company and will work with local partners to pursue regeneration opportunities with a regional impact. The Irvine Bay communities are beset by social economic and environmental problems of a considerable magnitude and which act as a deterrent to future economic investment. The resolution of these problems will require financial resources and funding over a long period, yet the regeneration of the Irvine Bay area can also offer advantage to the wider Ayrshire and Scottish economy. North Ayrshire Council is drawing up a regeneration framework for action in conjunction with community plan partners.

66 It is recognised in the National Planning Framework that small coalfield communities in southern Ayrshire area present a particular problem for regeneration. The deep mining industry on which these communities were based has long since gone and their relative isolation is such they are unable to attract new investment and do not have easy access to alternative sources of employment. There is a strong case for public sector investment to support regeneration as a priority in this area and for the adoption of flexible planning policies to stimulate investment. Action to support a significant improvement in environmental quality is also recognised.

Other Regeneration Opportunities

67 During the period of the plan further regeneration opportunities will emerge through the redevelopment of obsolete housing and industrial property or through a reassessment of the marketability of industrial land. Already a number of local regeneration priorities have been identified. These include regeneration around the harbours of Girvan, Troon and Ardrossan and the former strategic industrial site at Glengarnock/Lochshore. Town centre regeneration initiatives have also been identified for Kilmarnock, reflecting its historic core; for Ayr, including the Fort and harbour areas and for Irvine and Kilwinning also including the harbour area and the opportunities presented by surplus industrial land.

COMM 1 Regeneration

The three Ayrshire Councils shall

- A) give priority to proposals that regenerate existing communities including the Coalfield Communities Initiative Area and Kilmarnock Town Centre;
- B) keep under review the opportunities that urban renewal and regeneration sites can make towards meeting future land requirements; and
- C) promote Irvine Bay as part of the national regeneration initiative.

Delivering Housing Investment

Future Housing Demand

65 As economic change increases, Ayrshire cannot be competitively disadvantaged by inadequate housing resources and living environments which fail to attract and retain those individuals, households and businesses, key to the development of the economy. The plan therefore, needs to anticipate and facilitate those key housing aspirations associated with the development of a modern economy.

69 Fundamental to this, housing and residential environments are required which are competitive and respond to changing needs and aspirations. Transport improvements are improving accessibility between Ayrshire and the Conurbation. By building on location and environmental assets, and by extending lifestyle choices through enhanced housing opportunity, Ayrshire can increase its own capacity to accommodate these changes and can help capture niche markets essential for the modernisation of the wider area.

70 This will not only help to stabilise the population and sustain growth locally, it will create an additional dimension to the housing stock in the West of Scotland. In particular it will improve the overall attractiveness of Ayrshire as a place to live and improve its capacity to retain and attract population and investment in the face of strong national and international competition - thereby contributing to Scotland's economic growth.

71 Table 1 details the housing requirement that the stabilisation of the population at current levels, estimated currently at 368,000, would necessitate by the year 2025. In addition to the construction of an additional 29800 new houses, changes in the existing housing stock, principally due to demolition, vacancies and transfers to second homes means that some 37200 houses will be required by 2025, equivalent to the construction of 1850 new houses each year against a current rate of 1250. These requirements have been allocated to each Council area for 2017 and as a target for 2025 and this is illustrated in Table 2.

Table 1 - Ayrshire Housing Requirement 2005 - 2025*

	2005	2025	Net Change
Projected Households	161500	191300	29800
Allowance for Vacancies and Second and Holiday Homes	6000	7100	1100
Allowance for Demolition		2900	2900
Flexibility (10%)		3400	
Total Assessed Housing Requirement 2005-2025			37200

*Figures rounded

Table 2 - Housing Requirement by Council Area 2005 - 2025*

	Allocations		Indicative Targets	Indicative Total
	2005 - 2012	2012 - 2017	2017 - 2025	2005 - 2025
East Ayrshire	3600	3700	4850	12150
North Ayrshire	4800	3500	5450	13750
South Ayrshire	2700	4100	4500	11300
Ayrshire	11100	11300	14800	37200

*Figures rounded and cumulative

Table 3 - Future Housing Requirements 2005 - 2025#

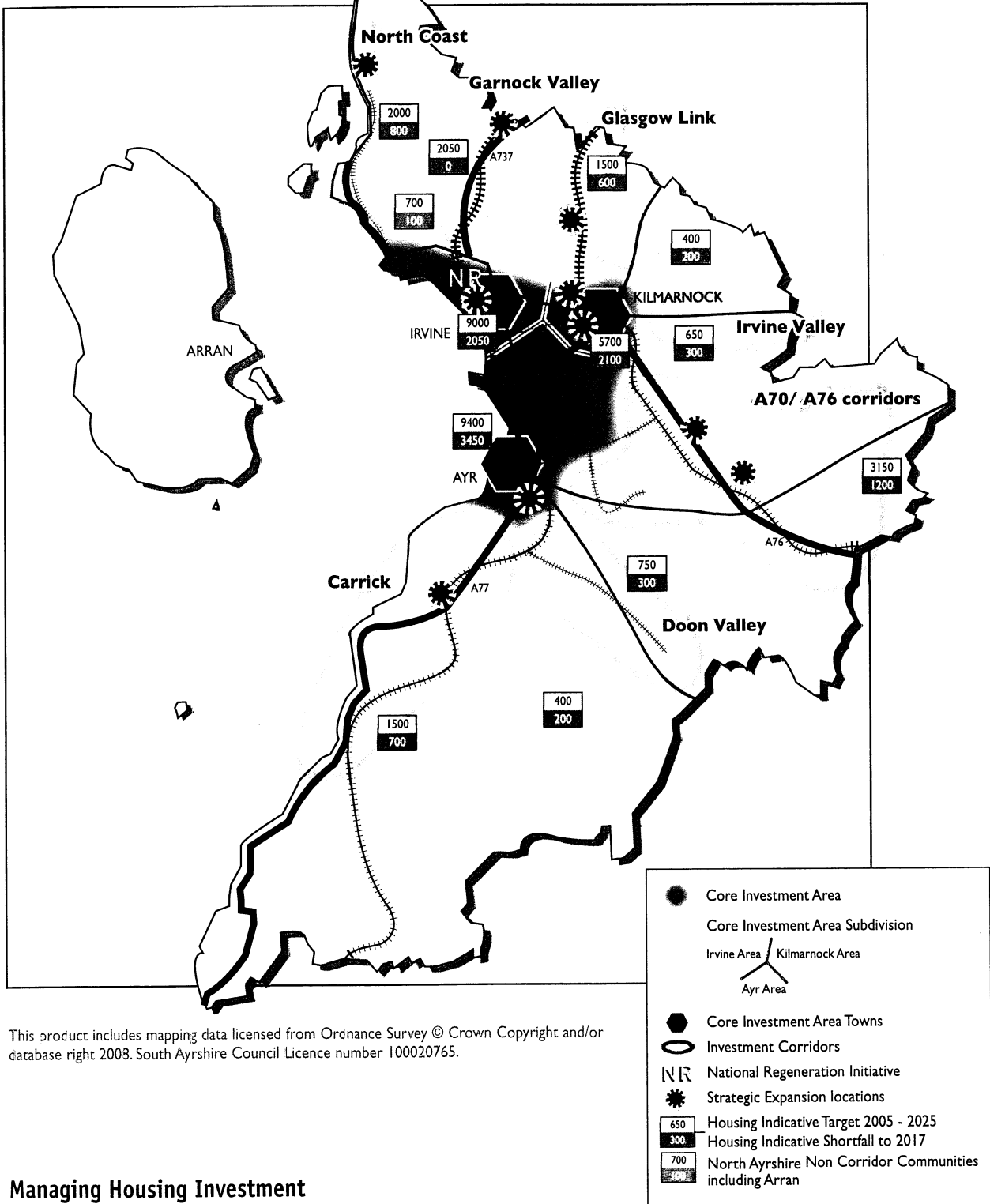
	Indicative Target 2005 - 2025	Housing Opportunities+ 2005	Indicative Shortfall* 2005 - 2017	Indicative Shortfall 2005 - 2025
Core Area				
Ayr Areas	9400	3650	3450	5750
Kilmarnock Area	5700	2250	2100	3450
Irvine Area	9000	5600	2050	3400
Total Core Areas	24100	11500	7600	12600
Corridors				
Glasgow Link	1500	450	600	1050
A70/A76 Corridors	3150	1100	1200	2050
Irvine Valley	650	200	300	450
Doon Valley	750	200	300	550
Garnock Valley	2050	2050	0	0
North Coast	2000	700	800	1300
Carrick	1500	400	700	1100
Total Corridors	11600	5100	3900	6500
Non Corridors				
East Ayrshire	400	50	200	350
North Ayrshire	700	550	100	150
South Ayrshire	400	100	200	300
Total Non-Corridor Communities	1500	700	500	800
Ayrshire	37200	17300	11900	19900

#Figures rounded and additive

* Shortfalls to be met locally.

+Scale of shortfall to be confirmed through local plan assessments and urban capacity studies

Community Investment



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Managing Housing Investment

72. The plan identifies a target housing requirement of some 37200 houses to be built in the period to 2025 on both brownfield and greenfield land. The Councils intend to meet this provision in full but recognise that identifying sufficient land for residential development will not, in itself, be sufficient and that significant support from infrastructure providers and the development industry is necessary to facilitate this scale of development and tackle regeneration

priorities. To ensure that these targets are met provisions will be monitored annually and to accord with national policy a minimum five-year effective housing supply will be maintained at all times in each Council area. The requirements for housing within each five-year cycle will be set against a background of the longer-term provision detailed in Tables 1, 2 and 3 and the periodic reviews carried out. Future allocation of housing land beyond 2017 will be subject to review.

73 It is recognised that in some cases it may be a number of years before regeneration packages and the investment necessary to deliver them is in place. It is therefore important that future greenfield release is managed and phased in ways that will maximise the development of brownfield land, but which still allows for housing growth on greenfield sites to take place to meet identified shortfalls. Whilst the balance between brownfield and greenfield land will be addressed at the local plan stage, it is recognised that, in order to achieve the target figures identified in the plan substantial greenfield release will be required. It is therefore considered beneficial in terms of future service and infrastructure provision for the plan to clearly identify preferred expansion areas to which large scale strategic residential development will be directed.

74 The preferred locations for strategic expansion are identified in Schedule 5. It is not expected that these locations will meet all of the future long term housing requirements, but they do represent those particular locations where strategic land release is considered to be best able to stimulate the overall housing market, contribute toward meeting local shortfalls and provide an opportunity for early land assembly and any potential service infrastructure upgrading. This does not preclude the identification of other strategic locations through an alteration to the plan or by inclusion in subsequent local development plans providing they accord with Table 3 and any infrastructure and other requirements are met. Local plans will be the means of delivery and shall confirm the scale and phasing of land release in these areas. These allocations are in addition to the effective land supply and some urban capacity opportunities identified in current local plans.

75 The scale of opportunity and infrastructure requirements will require clarification through the preparation of master plans and all proposals will be required to show how they comply with the policies in the plan. A number of the locations proposed will require to have agreements for significant strategic infrastructure improvements in place prior to approval; this may involve partnership agreements between developers and the relevant planning authority extending in some cases beyond the plan period. Importantly the locations have been chosen to indicate where housing development could play a part in stimulating the overall economy or could act as a driver for enhanced investment in the Core Investment Areas and the Investment Corridors.

COMM 2 Housing Investment

The three Councils shall work with public and private sector agencies to:

- A) Identify sufficient land to meet future housing land requirements for each Council area for the period 2005 to 2017 identified in Tables 2 and 3 through local plans or local plan alterations. The allocation of housing land beyond 2017 will be subject to review at no more than 5 year intervals and figures for the period to 2025 are given for strategic guidance only.
- B) Review Table 3 the Future Housing Requirements and bring forward a revised table as a structure plan alteration as required.
- C) maintain as a minimum a five year effective housing land supply at all times, with figures being reviewed annually for each Council area;
- D) facilitate the levels of development proposed within the strategic expansion locations identified in Schedule 5.

SCHEDULE 5 STRATEGIC EXPANSION LOCATIONS

	2005 - 2012	2012 - 2017	2017 - 2025
North West, West and South Kilmarnock	700	1100	1000
South East Ayr	700	750	1250
Irvine Bay	600	1200	1200
Kilbirnie/Lochshore	300	400	400
Largs	100	300	
Stewarton	100	200	100
Mauchline	100	250	450
Cumnock/Auchinleck	100	250	150
Maybole	100	250	150

COMM 3 Housing Land Release

In allocating sites the three Councils shall:

- A) manage and programme any greenfield housing land release so as not to prejudice development of brownfield land;
- B) apply the Indicative Targets identified in Table 3 without significantly departing from them and to achieve the Housing Requirements of Table 2;
- C) specify the sequence in which sites will be released for development taking into account the phasing of any future infrastructure investment;
- D) identify those sites where an appropriate mix of housing tenures and housing types, including affordable and special needs housing will be considered appropriate;
- E) give preference to the residential development of sites within those communities located on key public transport corridors, and particularly along rail lines to Glasgow; and
- F) ensure that any significant new housing land release is achieved through the preparation of an appropriate masterplan incorporating the principles of Schedule 1 and seeking financial or other contributions from developers to address appropriate shortfalls in community infrastructure and/or to mitigate against any adverse impact brought about by their development.

Affordable Housing

76 Affordable housing is broadly defined as housing that is of a reasonable quality and affordable to those on lower incomes and in recent years there has been an increasing use of the planning system to secure additional investment. It is recognised that the provision of affordable housing will be improved by the increased provision of a range of house types at different prices and tenures. However housing needs vary across Ayrshire.

77 In some areas such as Arran and South Ayrshire the demands for affordable housing exceed the supply and the availability and costs of sites is an issue. In other parts there is a surplus of public rented housing stock which manifests itself in vacant, derelict property and difficult to let areas. This, however, does not necessarily mean the provision of affordable housing in these areas is not required. Indeed new affordable housing in conjunction with private led schemes can complement the regeneration of the community and stimulate diversity of housing types.

78 Local housing strategies identify the needs within a local area for affordable housing taking into account local circumstance and appropriate mechanisms for delivery. No additional affordable housing provision is identified in the plan as provision is already identified in the overall housing allocations. However it is expected that any master plans proposed will be required to incorporate a range of housing type and tenure, including forms of affordable housing. To address deficiencies, affordable policies in local plans should be prepared, and in general all local plans should seek affordable housing contributions consistent with local housing strategies.

COMM 4 Affordable Housing

The three Councils shall prepare and implement policies through their local plans that require the provision of affordable and special needs housing where it is justified by housing needs assessment and in accordance with the Councils local housing strategy.

Housing Development in the Countryside

79 Housing represents the single most significant development that takes place within the countryside. While existing towns, villages and hamlets are the preferred locations for the majority of new housing it is recognised that, outside existing communities there is also scope to allow for further expansion of housing. This should generally comprise the re-use of existing buildings, the provision of replacement housing, infill development within existing clusters or groups of housing, the development of new small groups and possibly, in appropriate cases, the development of individual plots. Wherever possible, the development of brownfield, derelict or degraded land for such purposes is advocated in preference to the development of greenfield sites.

80 The overall appearance of the countryside is an important factor in the economic development of the area and any proposed development in the countryside will require to be considered carefully. It is not considered appropriate to allow a free-for-all approach to development in the countryside. However, there is evidence of a strong market for housing in the countryside throughout Ayrshire and an increase in provision would support the overall aim of increasing housing choice and satisfying demand for individually designed homes and second and holiday homes.

81 To meet the objectives of sustainability, the provision of new housing in the countryside would need to be integrated with accessibility, landscape protection and maintaining the role of communities. In this regard the design and energy efficiency of the development will be a significant factor in determining its acceptability. Councils will also need to assess the capacity of the rural landscape to absorb new housing development that may be proposed.

82 Planning policies that positively promote new rural housing development of high quality within appropriate areas shall be incorporated within local plans or supplementary planning guidance. In these areas of the countryside positive consideration will be given towards the provision of housing to meet the operational requirements of rural businesses and towards development that will facilitate significant environmental improvements or the establishment of new innovative businesses.

COMM 5 Housing in the Countryside

Throughout the rural areas there shall be a general presumption in favour of housing development within existing communities, the reuse and redevelopment of redundant buildings for housing, the development of infill sites within existing housing groups and clusters and the development of housing to meet the operational requirements of agriculture and other rural businesses.

The three Councils shall identify in local plans or supplementary planning guidance policies where various types of residential development in the countryside would be considered acceptable, and establish criteria against which single or small scale residential development in the countryside can be assessed.

Town Centres

83 Town centres play an important role in communities, with vibrant town centres being characterised by a range of commercial, residential and community services of which retailing is of primary importance. In contrast, out-of centre locations, whilst offering some advantages in terms of site layout and development costs, are less well positioned to serve wider community interests and do not generally incorporate the facilities found within town centre locations.

84 In order to ensure that the main centres are attractive and competitive, it will be necessary to seek the promotion of Ayr, Kilmarnock and Irvine town centres through major regeneration initiatives. At the moment all three centres are showing signs of distress and, over the plan period, it is expected they will all require substantial renewal and upgrading. Retail competition with surrounding areas is fierce and it may be that as well as introducing qualitative improvements and new commercial uses into the centres the land use base will need to be expanded to include further business development in the form of offices and new areas of housing.

85 As well as the three main towns there are a number of other smaller town and district centres that provide an important retail, business and leisure function. In these centres, small-scale additions to the current retail floorspace and further business and leisure opportunities to meet the needs of these local communities will be supported, particularly where there will be qualitative improvements in shopping facilities. Such additions shall be of a scale appropriate to the size of the local catchment served by these town centres. The Community Hierarchy is indicated in Schedule 3.

86 In the plan period retail expenditure is expected to grow largely as a result of increased expenditure on non-food items. Capacity studies undertaken for each Council area indicates there will be moderate growth in spending on convenience goods and significant growth in comparison expenditure. Schedule 6 details the emerging surpluses of expenditure over the turnover of existing floorspace and indicates the level of expenditure likely to be available to support new retail development in the medium term. There are a number of development sites either with planning permission or allocated in local plans that are likely to be available to meet some of the new demand. However, there is potential for additional sites to be identified in response to the growth in comparison expenditure, particularly with respect to bulky goods and these should be brought forward.

SCHEDULE 6 AYRSHIRE RETAIL CAPACITY ASSESSMENT: SURPLUS EXPENDITURE 2012

Council Area	Convenience		Comparison			
	Surplus £million*	Indicative Net Floor Area m ²	Bulky Goods		Non-bulky Goods	
Surplus £million*			Indicative Net Floor Area m ²	Surplus £million*	Indicative Net Floor Area m ²	
East Ayrshire	-15	na	+30	10,800	+15	3,300
North Ayrshire	+28	4,500	+78	27,800	-49	na
South Ayrshire	-4	na	+63	19,300	+44	9,300

*2001 constant prices

NB. These figures EXCLUDE turnover for non-completed retail development as at September 2005, unimplemented planning consents and sites already allocated in local plans for potential retail use.

Within the context noted above, it is expected that the larger towns will become increasingly more important as centres for future retail expenditure. Directing new retail investment toward the main centres will continue to reinforce their strategic role as a focus for both retail and employment activity and as locations for mixed-use development. Accordingly it is proposed that structure plan policy will continue to promote town centres as the preferred locations for retail investment.

A sequential approach to retailing and town centre uses shall, therefore, be adopted with new investment directed first to town centres and then to edge-of-centre. Further protection is given to town centres by limiting the goods sold in out-of-centre locations to Do-It-Yourself goods, furniture, carpets, electrical and gardening goods. Where the expansion of bulky goods can be justified in terms of Schedule 6 they shall be directed to locations identified in local plans for that purpose.

COMM 6 Town Centres

The three Councils shall promote the viability and vitality of town centres by policies and proposals that:

- A) encourage a wide range of retail, commercial, business, entertainment and leisure and residential opportunities;
- B) provide development of a size and scale appropriate to the function of the centre as indicated in Schedule 3 and serve the needs of its catchment;
- C) identify sufficient land to accommodate development to meet the projected growth in surplus retail expenditure set out in Schedule 6 having regard to non completed retail development, unimplemented planning permissions for retail development, land allocated through local plans and the level of vacant premises;
- D) adopt a sequential approach to the approval of retail and commercial leisure development with new investment directed first to town centres and then edge-of-centre locations;
- E) restrict new retail floorspace at out of centre locations to the sale of Do-It-Yourself, furniture, carpets, electrical and gardening goods; and
- F) keep under review the retail capacity assessment and have regard to any revised figures when identifying land in accordance with (C) above.

Environment

89. Ayrshire benefits from having an attractive and high quality environment and the landscape character, biodiversity, natural environment, historic and cultural heritage of the area all provide a sense of place and local distinctiveness. The care of the processes that contribute to excellence in the environment, such as good air and water quality, can cumulatively also support quality of life. As pressures on the environment evolve and increase, the need to manage change requires a more direct approach to safeguard and enhance the rich diversity of local environments. In some areas the countryside can also deteriorate through a lack of human intervention just as much as from development pressures.

90. In recognition of increasing environmental change there requires to be an extension to the concept of value as applied to the whole of the environment. This means that although statutory designations are important it is necessary to go further and develop policies to embrace the totality of environment and promote quality of life. Areas of change should be recognised as opportunities within which future natural, built and cultural environments of quality can be created.

Landscape Protection

91. The landscape of Ayrshire is a valuable resource and makes a significant contribution to the economic, environmental and cultural life of the area. The landscape of the north of Arran enjoys national designation, whilst much of Ayrshire is valued for its scenic and environmental qualities. Landscape character is therefore recognised as a key element in promoting development, providing an attractive setting for existing communities and new investment.

92. The landscape will continue to evolve as changes in agricultural practices, renewable energy developments, improvements to infrastructure, recreational activities and climate change continue to impact on landscape character and appearance. It is essential therefore that positive landscape management is carried out throughout Ayrshire to achieve improved landscape quality as well as landscape protection.

93. Additionally, the plan provides protection for those landscape areas that make a particularly important contribution to the landscape quality. There will be a continuing need to recognise the National Scenic Area identified on Arran. Also, because of the

importance of providing protection for high quality landscapes, the Sensitive Landscape Character Area designation developed for the previous Ayrshire Joint Structure Plan will be retained (see Key diagram).

ENV 1 Landscape Quality

The quality of Ayrshire's landscape and its distinctive local characteristics shall be maintained and enhanced. In providing for new development, particular care shall be taken to conserve those features that contribute to local distinctiveness including:

- A) settings of communities and buildings within the landscape;
- B) patterns of woodland, fields, hedgerows and tree features;
- C) special qualities of rivers, estuaries and coasts;
- D) historic landscapes; and
- E) skylines and hill features, including prominent views.

Local plans shall seek to protect and enhance landscape character and establish criteria for the assessment of future development proposals in the context of the particular local landscape type within which the development is proposed.

ENV 2 Landscape Protection

- A) Development that affects a National Scenic Area will only be permitted where it has been demonstrated:
 - a) The overall objectives of the designated area and the overall integrity of the area would not be compromised; or
 - b) any significant adverse effects on the qualities for which the area has been designated are clearly outweighed by social or economic benefits of national importance.
- B) In Sensitive Landscape Character Areas the protection and enhancement of the landscape shall be given full consideration in the preparation of local plans and the determination of planning applications.

Core Investment Area Landscape

94 As the plan moves forward to 2025 and identifies areas for potential urban expansion, greater emphasis is required to be placed on the landscape setting of communities and to identify areas where expansion should be resisted. In some areas, protection of the landscape setting has already been strengthened by the establishment of greenbelt policy or specific landscape designations. As the protection of the character and setting of communities is of economic as well as environmental significance, and thus important to long-term prosperity of the area, it is proposed that strategic and coherent landscape protection measures should be developed jointly in the Core Investment Area to:

- ensure planned growth is directed to the most appropriate locations;
- protect and enhance the character, landscape setting and identity of communities; and
- protect and give access to open space within and around communities as part of the wider structure of green space.

95 In order to provide an appropriate policy context for the landscape setting of the Core Investment Area any proposal should also explore the concept of whether a joint greenbelt may be an appropriate vehicle for delivery. Any proposed landscape protection measures are not intended to prevent the expansion of communities within the area but to guide development through the development plan process to locations within it that are appropriate in environmental terms.

ENV 3 Core Investment Area Landscape

A greenbelt at Ayr, Prestwick and Troon is confirmed.

In addition, the three Councils together shall explore the concept of a landscape protection area for the Core Investment Area including the possibility of defining a joint greenbelt in a subsequent development plan.

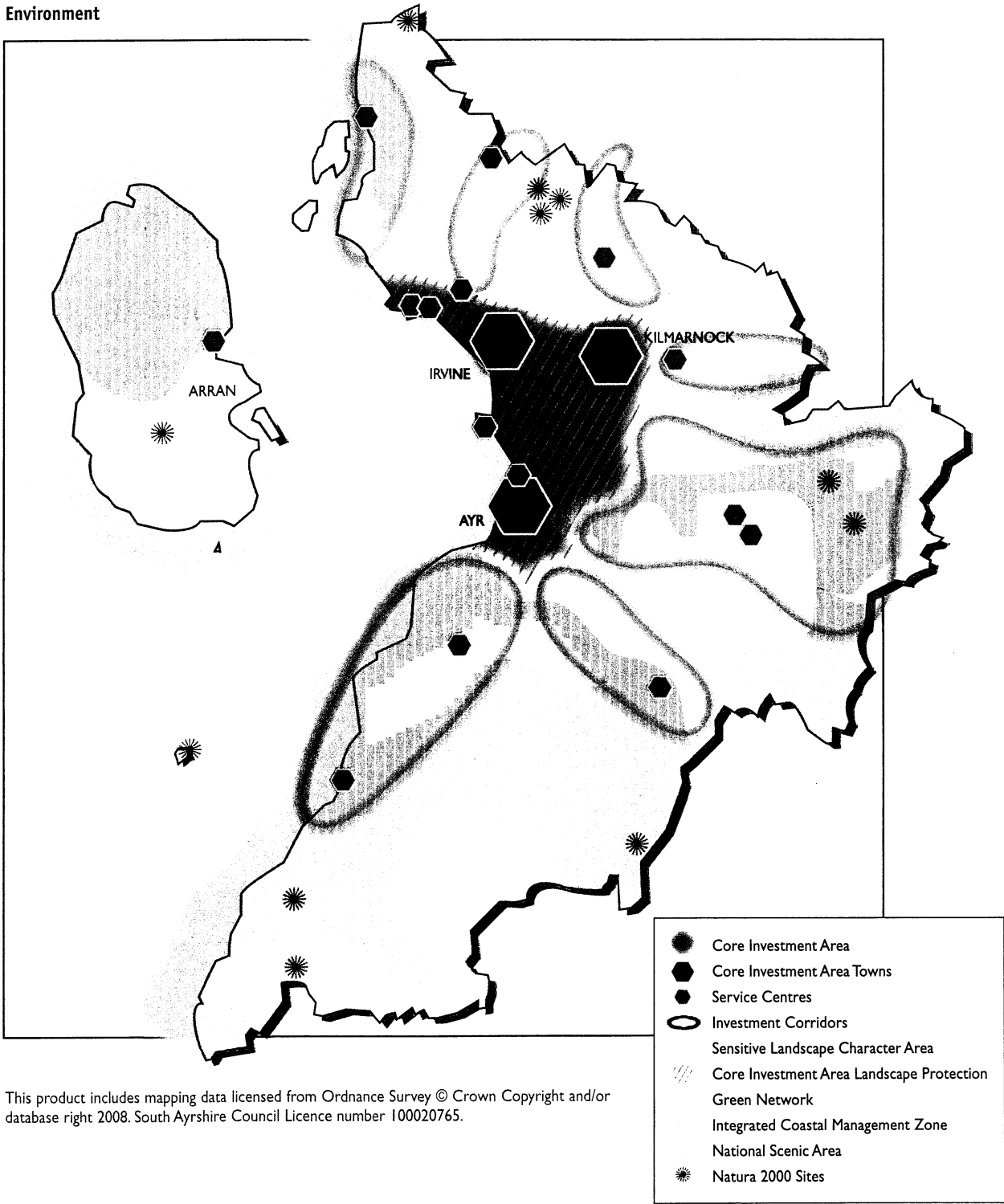
Landscape Enhancement

Although discrete areas are proposed for landscape protection through the introduction of Greenbelt and Sensitive Landscape Character Areas, the concept of landscape protection and enhancement within Investment Corridors can only be realised by adopting an integrated approach to the environment, with the landscape providing the setting for improved business and enhanced housing opportunities. This would see the improvement of the local landscape and internal open space setting for communities in the corridors as drivers for the local economy and improving quality of life.

ENV 4 Green Network

- A) The three Ayrshire Councils shall develop and promote a Green Network for Ayrshire.
- B) Development within, adjacent to or affecting the areas identified in the Green Network should be designed to enhance the landscape quality and expand the habitat potential of the areas concerned.
- C) Within the Investment Corridors the three Councils shall ensure the landscape setting of communities, and the opportunities to link green spaces within and outside communities, shall be an integral consideration in the assessment of all local development proposals
- D) The three Councils shall prepare a Woodlands In and Around Towns Initiative to promote environmental regeneration and recreational access, especially within and between communities in the Core Investment Area and Investment Corridors.

Environment

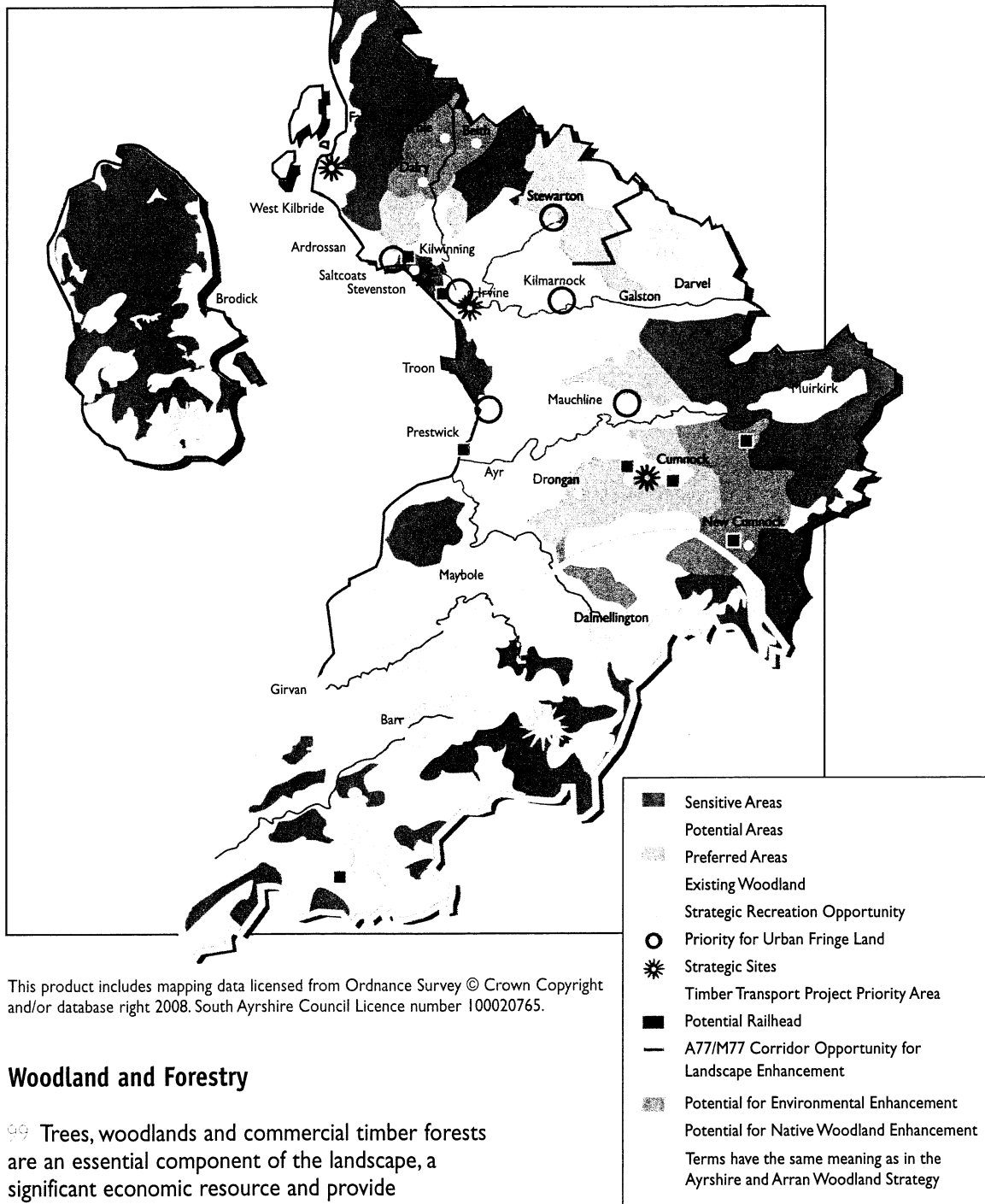


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97 The plan therefore proposes the development of a Green Network to link the proposed Greenbelt, Sensitive Landscape Character Areas and Investment Corridors together to facilitate the development of sustainable communities, to protect and enhance their environmental assets and visual appearance and, where appropriate, to increase accessibility for both residents and visitors.

98 This Network will also enable environmental, access and habitat network linkage to be made between the coast and the wider countryside, incorporating the area's major regional and country parks, historic gardens and landscapes, green areas within towns and the national cycle network and core path networks, adding to the benefits that they provide. The Network will also act as a focus for a major initiative for Woodlands In And Around Towns (WIAT) currently being promoted by Forestry Commission Scotland.

WOODLAND STRATEGY Key Diagram Inset



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Woodland and Forestry

99 Trees, woodlands and commercial timber forests are an essential component of the landscape, a significant economic resource and provide considerable opportunities for recreation. This was recognised in 2003 by the launch of an Ayrshire and Arran Woodland Strategy and a subsequent Ayrshire and Arran Woodland Partnership - in essence a new type of Indicative Forestry Strategy. The Strategy directs new woodlands to locations where there are opportunities for further planting or where opportunities are limited and sets woodland in the context of broader economic, social and environmental initiatives.

100 In order to provide both the status and authority to the Woodland Strategy required by Government advice the Ayrshire and Arran Woodland Strategy Diagram is reproduced here in the text,

together with Policy ENV 5. The Woodland Strategy with the landscape character and transport policies in the plan will be taken into account when commenting on woodland planting proposals.

ENV 5 Woodland and Forestry

Proposals for woodland and forestry will be supported where they are consistent with the objectives and key actions of the Ayrshire and Arran Woodland Strategy and consistent with policies in both the structure plan and local plans.

Protection of the Built Heritage

101 The built heritage provides a background against which we live and work, a link between ourselves and the past and helps define our sense of place and belonging. It comprises a wide range of conservation areas and historic settlements, historic and architecturally important buildings, scheduled ancient monuments, archaeological locations and landscapes, historic gardens and designed landscapes. Much of the resource is already protected by statutory legislation or through government policy and local plans shall ensure that detailed policies are prepared for their protection and enhancement. Development having an adverse effect on built heritage resources will not be supported.

ENV 6 Protection of the Built Heritage

Development proposals considered to have an adverse effect on the following heritage resources shall not conform to the structure plan.

- A) listed buildings of architectural and historic interest;
- B) designated conservation areas;
- C) historic gardens and designed landscapes; and
- D) archaeological locations and landscapes.

Local Plans shall prepare detailed policies to protect and enhance built heritage resources.

Protection of the Natural Heritage

102. The natural heritage comprises a wide range of habitats containing important animal and plant species as well as geological features. These are protected through European and United Kingdom legislation and by a variety of non-statutory designations. This has been strengthened by the Nature Conservation Act 2004 requiring Councils to further the conservation of biodiversity.

103 At a national level protection is offered by the designation of a wide range of sites as Sites of Special Scientific Interest (SSSIs). Overlaying this designation, European Commission legislation offers further protection to sites of international importance. These are designated as Special Areas of Conservation (SACs) under the Habitats Directive and Special Protection Areas (SPAs) under the Birds Directive. Collectively they are part of the Natura 2000 network and there are nine such sites in Ayrshire.

104 In addition to statutory obligations to conserve and enhance wildlife habitats and species, the EU Habitats Directive also requires the planning system to look beyond designations and encourage positive management of features of the wider countryside that form a network to support the survival of important species. An increase in the number of Local Nature Reserves and planting of woodlands in line with the provisions of the Ayrshire and Arran Woodland Strategy will play a part in improving this network and protecting habitats of importance.

105 Arising out of the UK Biodiversity Steering Group's task to have nationwide coverage of Local Biodiversity Action Plans (LBAP), Ayrshire now has in place an LBAP in which the Councils are key partners. The LBAP's Action Plan identifies a series of actions for key species and seven broad habitat types requiring protection and enhancement.

ENV 7 Natural Heritage Designations

The three Ayrshire Councils shall:

- A) recognise international and national natural heritage designations and the statutory protection afforded by them;
- B) support the identification of additional Local Nature Reserves and continue to work with other stakeholders to implement the Ayrshire Local Biodiversity Action Plan.

Local plans shall include policies based on the Scottish Executive Model Policy policies for the protection of all sites of recognised international and national natural heritage importance.

Natural Resource Management

Flooding

105 The threat of flooding at the coast and in river valleys due to climate change is recognised as a matter of impending and serious concern. It is anticipated that significant impacts from climate change will be felt within the next 50 years or so. For example, rises in sea level may put at risk low-lying coastal areas and the habitats and species found at the coast, and there may be increased flood events in river basins.

107 For Ayrshire, sea level rise is likely to be small but is predicted to be accompanied by an increasing number of storms. This could affect tide levels that may give rise to more and higher floods and an increased risk of wind damage in coastal communities. By the end of the plan period at 2025 the first implications for communities and other forms of development at the coast and in the main river valleys could begin to be felt and it is prudent to consider early appropriate action to offset the worst effects of such a situation arising.

108 It is also recognised that development can influence the rate of run-off to water courses and that increased flood risk can be brought about by development and catchment management practices. Sustainable Urban Drainage Systems can help reduce this risk and associated problems by minimising the quantity and improving the quality of runoff before it is discharged from a development. Accordingly, development proposals will require to be supported with drainage impact statements to address any potential drainage issues through the inclusion of appropriate mitigation measures.

109 The detailed impact of these measures on the coast and in river valleys will need to be explored through both the Water Framework Directive and Integrated Coastal Zone Management.

ENV 8 Flooding

- A) In accordance with the policy in SPP7, development proposals which would be at significant risk of flooding or which would increase the probability of flooding elsewhere will not be permitted. Local plans will apply the policy in the light of SEPA's flood risk maps. There will be a presumption against land raising except in exceptional circumstances and in situations where this would not increase the risk of flooding within the area.
- B) The three Ayrshire councils shall take into account the need to preserve, enhance and create water storage areas, such as flood meadows, to reduce the risk of flooding in built up areas.

Water Framework Directive

110 Rivers, lochs and other water resources are important ecological features and the Water Framework Directive will establish a new framework for their management and protection. Recent tests have shown that rivers in Ayrshire are generally of good or fair water quality but, in some instances, their biodiversity continues to be threatened by a number of factors. For example, the upper Girvan, Stinchar and particularly the Doon catchments are prone to acidification for geological reasons and this problem has been aggravated by extensive coniferous afforestation. The discharge of mine water from abandoned deep coalmines has also visibly affected river quality in such areas as Muirkirk and Dailly.

111 The legislation giving effect to the provisions of the Water Framework Directive provides an opportunity to consider wider catchment management planning initially through river basin management at strategic level with translation into schemes at the local level. It is proposed that during the plan period a pilot exercise will be developed for the River Irvine above Kilmarnock to test the effectiveness of the legislation within the planning process.

ENV 9 Water Framework Directive

The three Ayrshire councils shall work with other agencies to introduce the Water Framework Directive into planning policy.

Integrated Coastal Zone Management

112. The coastal zone is a complex and integrated system of landforms, formed as a result of various processes of change. It encompasses important habitats for a variety of species, provides significant maritime transportation and is an economic, recreation and tourism resource for local communities and visitors. The forthcoming European Directive on the Integrated Coastal Zone will place more emphasis on protection of this rich asset. A long-term view of the coast is required to determine future ecological conservation measures and to maximise the social and economic opportunities it offers. This should be taken forward as a priority together with the development of the coast based sustainable recreational area identified in ECON 13(B).

ENV 10 Integrated Coastal Zone Management

North and South Ayrshire Councils shall bring forward proposals for a coastal zone management plan for the Ayrshire coastline.

Air, Noise and Light Pollution

113. Air, noise and light pollution can have serious impacts on health and well-being. Rather than attempting to mitigate these impacts after a development has taken place, it is considered more effective to avoid locating development in areas where these problems could occur. Consideration must be given both to the location of sources of pollution, which are likely to require Environmental Impact Assessments, and to the siting of new development close to existing sources of pollution such as a motorway or industrial site. In addition, it is important to recognise that there are areas where pollution problems already exist and which require to be addressed.

ENV 11 Air, Noise and Light Pollution

The three Ayrshire councils shall not be supportive of new development that would expose large numbers of people to unacceptable levels of air, noise and light pollution.

Mineral Resources

114. The extraction of coal by open cast methods is an important economic activity within East Ayrshire and is likely to remain so over much of the plan period. The previous structure plan identified preferred areas for open cast coal extraction and this remains relevant. A subject plan has been prepared by East Ayrshire Council and approved. This will guide development over the next 10 years, and no further preferred areas require to be identified. In addition to coal, there are general-purpose aggregate reserves at various locations, including a specialised limestone reserve at Beith, and the plan seeks to protect these specialised and economically important mineral resources.

115. Current national planning guidance requires an adequate and steady supply of aggregate for construction industries with a landbank in permitted reserves equivalent to at least 10 years extraction at all times within appropriate market areas. Within Ayrshire the mechanism for the analysis of this issue is not in place and is complex because of the inter-relationship with the conurbation market. In addition, given the commitment to sustainable development, the recycling and reuse of construction, demolition and other waste streams must be part of any future solution, as must the increased build rate for housing development proposed by the plan.

It is recognised that aggregates can only be worked where they are found, and although reserves can be found throughout Ayrshire the quality and viability of many of the sources is unknown. In the circumstances, therefore, it is not possible to identify an appropriate landbank, nor given potential market areas, may it be considered necessary. The 3 Councils will work together to resolve these uncertainties. Meanwhile sources of aggregates will, however, still be an essential part of the economy and their identification and promotion must take place in the context of an appropriate development framework. Consequently proposals to extend the current supply of land with planning consent for the winning and working of aggregates shall required to be considered against criteria defined in policy ENV 12 and ENV 13, and included in any future local plans as necessary.

ENV 12 Mineral Resources

The three Ayrshire councils shall safeguard specialised and economically important mineral resources from sterilisation by permanent development. They shall work together to prepare a strategy for mineral development, including opencast coal, to guide the preparation of future local development plans.

ENV 13 Aggregates

Proposals to extend the supply of land with planning consent for the winning and working of aggregates shall accord with the provisions of the structure plan at existing workings. Extraction at other locations will only be considered acceptable:

- A) if it can be clearly demonstrated there is a specific need for the mineral within Ayrshire or where the resource is required to meet the needs of an adjoining area which cannot be met more locally; and
- B) where the development proposal will have no significant adverse impact on local communities or the environment.

ENV 14 Locational Criteria for Aggregates

All applications for the winning and working of aggregates shall be considered against the following criteria:

- A) whether the proposals is the extension of an existing consent;
- B) the availability of alternative supplies, including supplies from recycled or secondary sources;
- C) the impact on the countryside, landscape character, visual amenity and the natural and built environment;
- D) the impact caused by noise, dust and the contamination of ground and surface water;
- E) any adverse effect on communities within Ayrshire;
- F) the extent of directly related community benefit derived, such as the enhancement and creation of landscapes and habitats, and removal of dereliction;
- G) opportunities to maximise transport by rail and sea;
- H) other inward investment opportunities in the area;
- I) any cumulative impact of proposals in one area; and
- J) the extraction period.
- K) the suitability of restoration and aftercare proposals

Local Plans shall prepare detailed policies for the extraction of aggregate minerals as appropriate.

Transport

LAND USE AND TRANSPORTATION

Land-use and transport are inextricably linked and exert a considerable influence upon each other. Increasing mobility of people and goods is placing greater demands on transport infrastructure, often resulting in localised congestion on transport networks. Co-ordinated planning of land use and transport can reduce the need to travel and encourage modal shift. To facilitate this it is essential that transport is considered comprehensively and from the outset as part of the land-use development process. Promoting new developments in locations that are accessible to a range of transport modes will not only ensure services are accessible but also help strengthen communities and their centres.

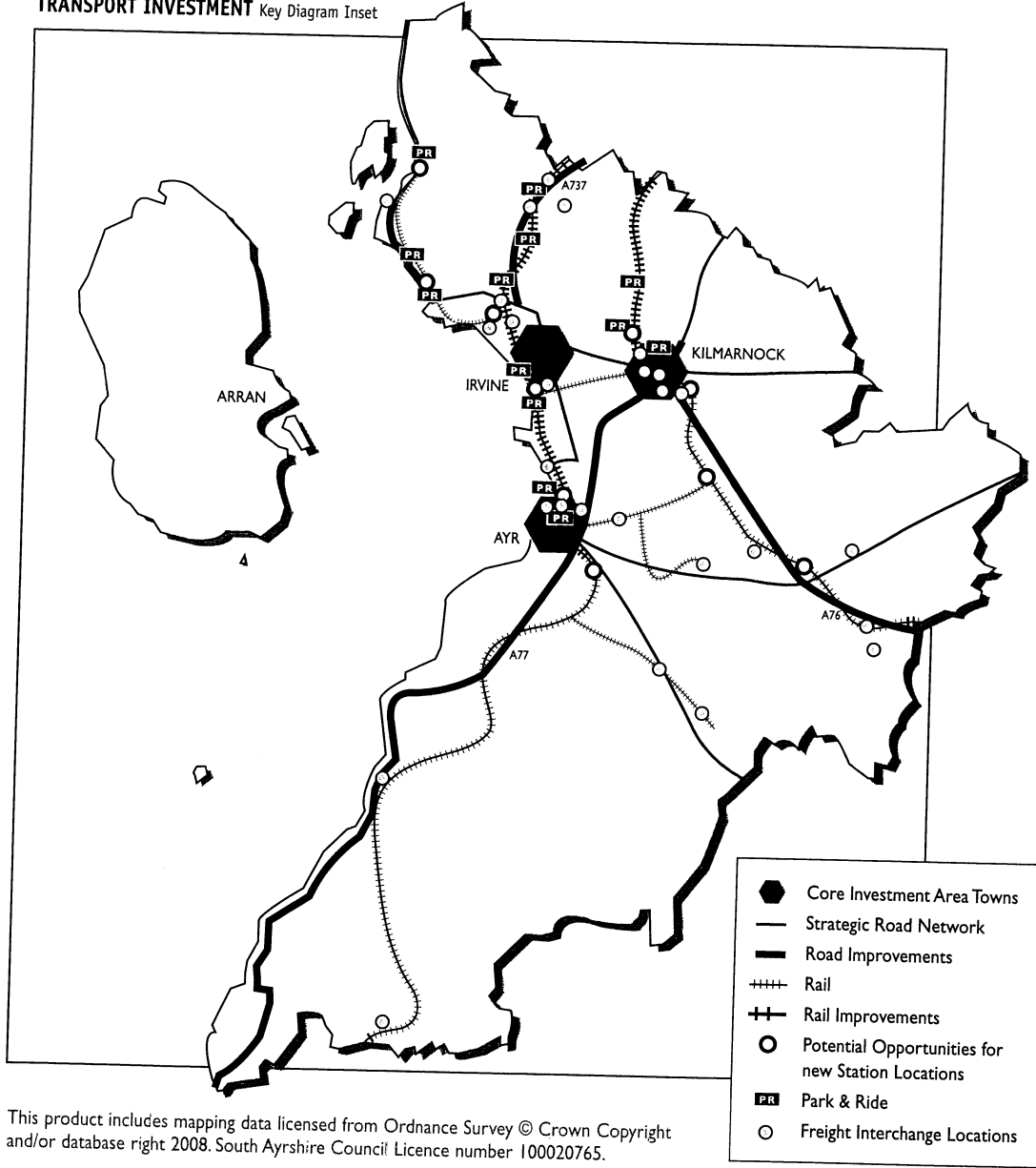
118. The environmental impacts associated with road transport including air and noise pollution are widely acknowledged as contributing to localised and wider scale pollution problems. Consequently, it is important that co-ordinated action to decrease dependence on the private car is pursued wherever possible. Nonetheless, the role of the car remains essential for some journeys that cannot be undertaken by other modes.

TRANS I Land Use and Transportation

The three Ayrshire Councils shall ensure that

- A) all significant new trip generating development is closely linked to existing and proposed walking, cycling and public transport networks;
- B) adequate access is provided for a range of transport modes to areas of economic opportunity and particularly to the Gateway and strategic business locations identified in ECON 1 and ECON 2;
- C) all appropriate measures are promoted to minimise any negative environmental impacts of road traffic;
- D) essential use of the private car is accommodated within the context of an integrated approach to transport;
- E) accessibility to local services is maintained and improved by the integration of transport networks linking services to local communities; and
- F) costs of new transport infrastructure and services incurred as a result of development proposal are met by developers;
- G) a transport appraisal process, which may include traffic modelling, is undertaken in accord with SPP17 and the results incorporated if necessary into the implementation of this plan and local development plans prepared under the Planning etc. (Scotland) Act 2006. Transport Scotland shall be consulted on the scope and content of the appraisal.

TRANSPORT INVESTMENT Key Diagram Inset



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119. The rail network in Ayrshire is operating at capacity. Extensively used for both freight and passenger services and without significant investment, its ability to assist in the process of economic development is seriously constrained. Many of the significant capacity constraints on the rail network are not, however, within the Ayrshire boundaries and it is consequently important that partnership working with relevant transport bodies is undertaken to resolve capacity problems.

120 In some locations new stations and associated line improvements will be required to release the development potential of sites and it will important to protect all existing rail solums from further development. Opportunities for new stations have

been identified within new and existing developments and these have been outlined on the Key Diagram. It is subsequently important to ensure these opportunities are maintained and progressed as and when appropriate in accordance with national guidance on new railway station proposals. Capacity enhancements to existing station facilities, including park and ride provision and platform lengthening at selected stations to accommodate longer trains, offer the potential to encourage greater public transport usage. New and enhanced services linking parts of Ayrshire directly by rail will improve integration and promote modal shift. In the medium term, rail services that link Ayrshire more effectively to services and opportunities across the Central Belt and to Edinburgh are desirable.

121 The need to develop the rail network for enhanced rail passenger services is most acute for the Kilmarnock to Glasgow line where service frequency is limited by capacity constraints. Enhanced services to and from Kilmarnock would provide a viable alternative to the M77 whilst also promoting regeneration and further housing opportunity. Engineering work to enable the improvement of this rail service is regarded as an immediate priority.

122. Investment in the rail network to accommodate the ever-increasing amount of freight being conveyed by rail is also a necessity. In particular, engineering measures to rationalise the movements of freight traffic and release capacity for additional services are a key requirement. The Kilmarnock to Carlisle rail line is of vital importance for freight traffic but suffers from capacity restrictions as a result of long signal sections and lengths of single track. Co-ordinated action with relevant stakeholders will be progressed in the pursuit of improvements to the line in order to resolve constraints on the rail network for freight travelling south and open up opportunities for enhanced public transport services. Engineering enhancements to this line could also allow it to act as an alternative route to the West Coast Main Line for long-distance services.

TRANS 2 Rail Investment

The three Ayrshire Councils shall work in partnership with relevant transport bodies and in the context of Scotland's Railways to:

- A) increase capacity on the rail network including those sections beyond the boundaries of Ayrshire which affect the operational requirements for Ayrshire's network of freight and passenger services;
- B) encourage greater use of rail services in general by measures to improve facilities at existing stations, and, where appropriate, and subject to national guidance on new station proposals, identify, safeguard and promote new rail station locations particularly as an integral part of new developments and in so doing give priority to the opportunities in Schedule 7 in accord with the implementation of the plan's strategy as identified in Schedule 7 and on the Key Diagram; and
- C) safeguard existing rail freight facilities and former rail solums from adverse development.

SCHEDULE 7 POTENTIAL OPPORTUNITIES FOR NEW STATION LOCATIONS

Altonhill (Kilmarnock)

Cumnock

Heathfield (Ayr)

Hurlford

Largs Marina/Kelburn

Mauchline

Montfode (Ardrossan)

Queens Drive (Kilmarnock)

South-East Ayr

South Gailes

Ardeer

Strategic Road Development

123 The economy is heavily dependent upon the movement of freight by road. As such, the strategic road network is of fundamental importance in linking Ayrshire to the wider economy. Capacity restraints on the network produce unreliable journey times and competitive disadvantage for businesses. The resolution of specific constraints at key locations has the potential to unlock development opportunities and contribute to economic growth as well as to reduce problems of road safety and localised air and noise pollution.

124. In particular this relates to the need for the prioritisation of further improvements to four strategic roads which act as links between the Gateway Locations identified in ECON 1 and key markets. These improvements will strengthen connectivity between Ayrshire and the M74 to serve European and UK locations, the Glasgow conurbation and, via the motorway and trunk road network, the rest of Scotland. Transport Scotland is undertaking a Strategic Transport Projects Review which will enable projects and improvements to be prioritised.

(i) Improved A78 links between Hunterston, the Irvine Bay Regeneration area and the Core Investment Area, which will improve connectivity with the Central Belt and beyond.

(ii) Enhancement of the A737 to improve the link between the Gateway Locations and their markets in the Conurbation and to provide an improved link between Glasgow Prestwick Airport and Glasgow Airport. There is also a strong environmental and social case for improving the A737 because of adverse impact on communities along the route.

(iii) Upgrading the A77 between Kilmarnock and Stranraer that is experiencing increasingly high volumes of traffic and traffic safety issues on many parts of the route. If the potential from new development opportunities is to be realised, together with the development of a new port facility at Cairnryan, improvements over several stretches of this road are required.

(iv) Enhancement of the A76 between Kilmarnock and Dumfries that currently has unacceptably long and unreliable journey times. The road passes through a number of communities causing traffic disruption together with associated health, safety and environmental problems. It consequently fails to perform adequately its current role as a key strategic link to England and must be seen in the context of the links noted above.

The transportation schemes in TRANS 3, which include alterations and improvements to the strategic trunk road network, require to be determined through an appraisal process which will include a STAG Appraisal as detailed within SPP 17 and PAN 75. The transportation schemes require approval from Transport Scotland, where collaborative working should be promoted for the provision and approval of strategic transport infrastructure. The schemes included in TRANS 3 require an appropriate transportation appraisal and do not have approval from Transport Scotland.

125 In the Investment Corridors there are communities located on the strategic road network that suffer economic, amenity and social disadvantage from through traffic resulting in community severance, localised air and noise pollution as well as road safety issues. Reducing these barriers through integrated action is seen as part of the overall improvement to the environment in these areas. As such, working with other agencies to develop cost effective solutions to the various problems is regarded as a key element of the overall improvement. In addition, and in order to foster economic development, the enhancement of links to the strategic road network is supported.

TRANS 3 Strategic Road Development

The three Ayrshire Councils shall work in partnership with relevant transport bodies to:

- A) ensure that strategic traffic flows will be channelled on to the strategic road network as defined by the Key Diagram;
- B) give priority to the study and if appropriate the promotion and development of:
 - i) A78 improvements to Hunterston from the Core Investment Area
 - ii) upgrading the A737 between Kilwinning and Howwood
 - iii) improvements to A77 between Kilmarnock and Stranraer
 - iv) improvements to the A76 between Kilmarnock and Dumfries
- C) develop and promote improvements to other parts of the strategic road network in the investment corridors, including traffic relief for communities and the safeguarding of land for strategic road network enhancement where appropriate;
- D) support measures to improve safety on the strategic road network and ensure it is maintained to a suitable standard to accommodate long distance traffic and freight movements.

Improving Local Transport

Public Transport

126. Efficient and effective public transport linking communities internally within Ayrshire and to the wider city region will be fundamental in ensuring prosperity and development. High quality public transport is also vital in encouraging modal shift from the private car. It is thus important that measures continue to be pursued to maintain and enhance both rail and road based public transport services and to improve ancillary infrastructure such as bus priority measures and interchange facilities at existing stations. New transport infrastructure including further park and ride facilities should be promoted in a number of locations identified in Schedule 8 and on the Key Diagram.

TRANS 4 Public Transport

The three Ayrshire Councils shall work in partnership with relevant transport bodies to:

- A) maintain and enhance local rail and road based public transport services;
- B) develop appropriate ancillary transport infrastructure, including bus priority measures, interchange facilities and through ticketing;
- C) identify, develop and promote new and enhanced park and ride facilities identified in Schedule 8 and on the Key Diagram.

SCHEDULE 8 PROPOSED PARK & RIDE LOCATIONS

Ardossan South Beach

Ayr

Barassie

Dalry

Glengarnock

Irvine

Kilmarnock

Kilwinning

Largs

Prestwick Town

West Kilbride

Stewarton

Kilmaurs

127 Road haulage is likely to remain the dominant mode of freight transport in the future, nevertheless, opportunities presented by a network of rail lines and yards and proximity to the sea exist to encourage the movement of freight by alternative means. Realising these opportunities will require the identification and promotion of appropriate facilities. Integration between different modes is the key to developing options and should be focused on those locations where this type of opportunity can readily be established. A number of locations where interchange facilities between differing forms of transport can be supported are identified in Schedule 9 and on the Key Diagram. Where changing modes is not practicable, the identification of preferred routes for heavy goods vehicles offers the potential to mitigate some of the impacts of road haulage.

128 Timber is an increasingly important component of the overall economy but it brings with it problems associated with timber extraction and transportation. The location of the timber resource is such that extraction often involves road haulage on minor public roads that frequently pass through local communities and this, in turn, has implications of localised air and noise pollution, congestion, community severance and road safety issues. As a substantial increase in the volume of commercially grown timber reaching maturity is forecast over the next two decades, these problems are likely to be exacerbated. Encouraging a shift to other forms of transport and developing innovative means of transporting timber is crucial and suitable opportunities require to be investigated accordingly. In particular, there is considerable opportunity to develop a rail freight interchange in the vicinity of Barrhill to service local timber suppliers in the area.

TRANS 5 Freight Transport

The three Ayrshire Councils shall work in partnership with relevant agencies to:

- A) encourage the movement of freight by alternative means to road haulage where practicable by supporting, developing and promoting proposals for rail and sea transit;
- B) identify as appropriate preferred routes for heavy goods vehicles;
- C) promote road freight movement in a manner that minimises disruption to local communities and the use of inappropriate public roads; and
- D) support the development of multi-modal interchange facilities at the locations identified by Schedule 9 and the Key Diagram.

SCHEDULE 9 FREIGHT INTERCHANGE LOCATIONS

Ardeer	Auchincruive	Ayr Falkland Yard
Ayr Harbour	Barleith (Hurlford)	Broomhill (Patna)
Chalmerston	Dalry Swinlees	Glengarnock
Giffen (Beith)	Girvan Grangestone	Hunterston
Irvine Bogside	Irvine Meadowhead/Shewalton	Killoch
Kilmarnock Hill St	Kilmarnock (Hunslet Barclay)	Kilwinning (West Byrehill)
Knockshinnoch	New Cumnock (Garleffan)	Newton on Ayr/S. Sanquhar
Prestwick Airport	Riccarton (Kilmarnock)	Barony
Powharnal (Muirkirk)	Barrhill	

Town Centre Traffic Management Initiatives

129 The towns of Ayr, Irvine and Kilmarnock are to be the focal points for economic growth as they offer the potential to integrate a variety of land-uses in locations that afford the highest degree of accessibility by a range of transport modes. Promoting enhanced accessibility by a variety of modes will require a package of complementary measures that provide additional facilities for alternative modes to the car, appropriate demand management measures and an integrated approach to parking. In particular it will be important to limit long-stay commuter parking and encourage short-stay parking in areas adjacent to key retail locations. It is crucial that this is undertaken within the context of a co-ordinated approach to parking that applies maximum parking standards and supports the roles of town centres.

130 Where proposals are deemed to have implications for car parking beyond the boundaries of the site itself that cannot be resolved by enhancing access by sustainable modes, consideration should be given to supplementing the overall supply of parking within the town centre. Accommodating non-retail land-uses within town centres is vital to promote their economic vitality and competitiveness and as such appropriate consideration should be given to the degree of parking provision required to do this. Similar measures may be extended to other towns where action is deemed necessary by local authorities.

TRANS 6 Town Centre Traffic Management

Within the town centres of the Core Investment Area and Investment Corridors where appropriate, the three Ayrshire Councils shall:

- A) introduce measures to facilitate accessibility by a range of transport modes giving priority to walking, cycling and public transport where possible;
- B) discourage long-stay commuter parking within town centres and give priority to short-stay parking in areas adjacent to key retail locations;
- C) apply maximum parking standards as appropriate with regard to new development proposals;
- D) seek developer contributions, as appropriate, to supplement the overall supply of parking and improve transport services in town centres; and
- E) consider the needs of non-retail land-uses within the context of an integrated approach to parking.

Implementation, monitoring and review

Implementation

131 The implementation of the plan will depend upon the actions of many different bodies and agencies both public and private. The plan provides the common framework against which private companies, agencies and the individual Councils are likely to prepare their resource programmes. However it is important to recognise the plan is not a resource document of itself. Approval of policies and actions does not guarantee their implementation, or that funds will automatically be available.

132 The realisation of the plan therefore will depend not just on decisions taken by planning authorities, but by a host of other organisations, companies and individuals. However, successful implementation of the plan does depend fundamentally on the improvement of key service infrastructure and the provision affordable housing through Communities Scotland. In Ayrshire's case there is a particular requirement to upgrade the rail system, improvements to the road system and enhanced water and sewerage facilities.

133 All of the public transport improvements outlined by the plan are consistent with the Joint Transport Strategy for Western Scotland produced by the West of Scotland Transport Partnership (WESTRANS) and Strathclyde Passenger Transport. The Transport Scotland Act 2005 creates the provision for statutory regional partnerships throughout Scotland. These proposed changes provide for a West of Scotland partnership comprising the Councils within the area and should ensure that the integrated transport system already envisaged by the Joint Transport Strategy can continue to develop. Policies TRANS 4, TRANS 5 and TRANS 6 recognise the need to work with all agencies in partnership to deliver this broader transport agenda. The speed and extent to which proposals will be delivered, however, will be in the hands of the new regional partnership and will need to take their place in the broader scale of priorities across the West of Scotland.

IMP 1 Strathclyde Partnership for Transport

The three Ayrshire Councils shall work with the Strathclyde Partnership for Transport to promote and develop strategic transport improvements for Ayrshire.

134. Scottish Water is responsible for the delivery of water and sewerage services to the area and is crucial to the delivery of the strategy, particularly for the development of potential new housing locations. However, whilst it is important that development is not constrained by the availability of services, it is also important that new development is directed to locations that maximise the use of existing capacity, or are developed in such a way and at an appropriate scale to facilitate new capacity.

135. During the plan preparation there has been a close working relationship with Scottish Water. This has included a joint exercise to identify the key constraints on the main sewerage systems to confirm the locations identified. It is recognised that in some areas new capacity will be needed beyond that contained in current capital programmes, and there are options as to how that might be delivered. The key to this delivery is to continue the dialogue between Scottish Water, Scottish Environmental Protection Agency and Councils on the priority afforded in national programmes and also to recognise that the development industry itself will require to contribute substantially towards the development of their sites.

IMP 2 Water and Sewerage Infrastructure

The three Ayrshire Councils in partnership with Scottish Water and Scottish Environmental Protection Agency will ensure that:

- A) The use of existing water and sewerage infrastructure is maximised and if a development can reasonably be connected to a public sewer there will be a general presumption against private waste water treatment systems;
- B) Scottish Water programmes for infrastructure improvements are planned in line with the proposals in the plan; and
- C) In areas subject to new development initiatives there will be a general presumption the private sector will be required to fund the non-strategic infrastructure servicing of their sites under the Provision of Water and Sewerage Services (Reasonable Cost) (Scotland) Regulations 2006.

136. In the coming years the provision of affordable housing will become an increasingly important component of overall housing land allocation. The housing land allocation figures in the plan take account of the total anticipated allocation of land required for all forms of new housing, including affordable housing. Local housing strategies and housing needs assessments have not been completed for all three Ayrshire Councils. It has therefore not been possible in this joint structure plan to indicate generally the scale and location of any specific shortage of affordable housing. Given the diverse nature of the issue throughout Ayrshire, however, policy generalisation is difficult. Nevertheless the Councils recognise the importance of appropriate measures to allocate specific need (see Policy COMM 4) and to work with Communities Scotland to deliver the appropriate mechanisms.

IMP 3 Affordable Housing

The three Ayrshire Councils shall work with Communities Scotland to deliver the appropriate levels of affordable housing in each of the three Council areas dependent on need.

Monitoring and Review

137. The publication of the second Ayrshire Joint Structure Plan comes at a time of fundamental change in the planning process. All efforts have been made to ensure that the plan, although compliant with existing legislation, looks to the future and to the intended changes to the form and function of future development plans. Government advice also is that plans are monitored on a regular basis and any material produced should be circulated to all parties involved. The three Ayrshire Councils concur with this view.

138. The current plan is designed to be flexible and policies will require to be reviewed in response to changing circumstance. To be successful, therefore, the plan will require to be monitored on a regular basis to reflect changes to such aspects as the wider policy environment, development pressures and political priorities. The first joint structure plan has been monitored every two years since 2002 and gives a picture of how well Ayrshire is both responding to policy change and how successful or otherwise the area has been in moving towards a more sustainable future. It is expected this process will continue in the future, with subsequent decisions on whether to alter policies or proposals in the plan taken as a result of this monitoring process.

139. Predicting with accuracy the pace of development or the adequacy and availability of resources to achieve the full implementation of the plan is difficult. The plan is not generally specific about the timing of many of the policies and proposals it contains. Nevertheless, accompanying the submitted document is an Action Plan identifying where key actions by all involved in the development of Ayrshire require to be focused in the early years. Much of the work to implement the proposals in the plan will require the preparation of further local plans. As such there is a limit in the extent to which detailed and definite the identification of specific actions can be at this stage. It is important to recognise, however, the plan puts forward a change in direction for development in Ayrshire and this new activity will require to be addressed at an early stage and should be reviewed in line with the monitoring processes established.

APPENDIX PROPOSED ACTION PLAN

With the introduction of the new Planning Bill it is likely that all development plans including strategic plans will require to prepare an Action Plan and that the plan should be updated every two years. The aim is to improve the level of commitment to the plan by the bodies expected to deliver the plan.

Clearly, until such time as the plan is approved by Scottish Ministers any actions deemed necessary must be of an interim nature. Nevertheless an Action Plan can be used to indicate the priority actions that require to be taken in the first years of the plan and to establish negotiations both within and between Councils and externally with public and private sectors as to how the policies deemed to be a priority can be delivered.

This Appendix to the plan, which is not part of the formal submission of the plan to Scottish Ministers, describes a list of potential candidates for inclusion in an Action Plan, together with the policies to which they relate and their relative priority. It is intended these actions identified will be developed into a formal work programme within 12 months from submission of the plan.

Policy	Action	Lead Agent(s)	Priority
ECON 1(A)	Seaport Freight Study - Hunterston	CPA/NAC	High
ECON 1	Glasgow Prestwick Airport & Environs Action Plan	SEA/GPA/SAC	High
ECON 2	Promote Strategic Business Locations	Councils+	High
ECON 4	Reallocation of Surplus Industrial Land	Councils	Medium
ECON 5	University Campus in Core Investment Area	SAC	Medium
ECON 9/10	Future Waste Plant Locations	Councils	High
ECON 11	Development of Environmental Business Village: Glengarnock	SEA/NAC	High
ECON 13(B)	Develop Integrated Coast-based Initiative	SEA/Councils	Medium
ECON 13	Promote UNESCO "World" designations Location Potential	Councils+	Medium
ECON 14	Criteria for Rural Business Diversification	Councils	Medium
COMM 1	Coalfield Communities Initiative	SAC/EAC	High
COMM 1	Irvine Bay Regeneration	NAC	High
COMM 2/3	Land Allocation for Housing through Local Plans/Alterations	Councils	High
COMM 5	Criteria for Housing in the Countryside	Councils	Medium
ENV 3	Explore landscape protection area at Core Investment Area	Councils	Medium
ENV 4(A)	Development of Green Network	Councils+	Medium
ENV 4(D)	Develop WIAT Initiative	AAWP/EAW	Medium
ENV 9	River Irvine Pilot Study for WFD	SEPA/EAC	Medium
ENV 10	Integrated Coastal Zone Initiative Management	NAC/SAC+	High
TRANS (General)	Work with SPT to Develop Priorities	Councils/SPT	High
TRANS 1(B)	Identify access deficiencies in ECON 1 and 2 locations	Councils	Medium
TRANS 2(A)	Promote rail capacity issues	Councils	High
TRANS 2(B)	Identify and promote new rail investment	Councils/SPT	Medium
IMP 2	Develop Partnership Initiative with SW/SEPA	Councils	High

Abbreviations: SPT - Strathclyde Partnership for Transport, AAWP - Ayrshire & Arran Woodland Partnership, WFD - Water Framework Directive, SEPA - Scottish Environmental Protection Agency, SAC - South Ayrshire Council, EAC - East Ayrshire Council, NAC - North Ayrshire Council, EAW - East Ayrshire Woodlands Partnership, CPA - Clyde Port Authority, GPA - Glasgow Prestwick Airport, SEA - Scottish Enterprise Ayrshire, WIAT - Woodlands in and around towns initiative.

GLOSSARY

This Glossary defines some of the terms used in the text of the Written Statement. For convenience they are broadly in the order they appear within the various chapters.

DELIVERING THE VISION

Sustainable Development

Development that meets the needs of the present generation without compromising the ability of future generations to meet their own needs.

Development Plan

A Structure or Local Plan. On its approval by the Scottish Ministers the Ayrshire Joint Structure Plan-2005 will become part of the Development Plan for Ayrshire and will replace the 1999 Structure Plan- a Framework for the 21st Century.

Structure Plan

The strategic policy framework for the development and the use of land. Prepared by Local Authorities for submission to Scottish Ministers, who may modify the plan after public consultation.

Local Plan

Site specific development guidelines prepared by local authorities as the basis for development control. Local Plans must conform to the approved Structure Plan.

Development Framework

The broad direction and approach within which the future physical development of Ayrshire should take place.

ECONOMY

Environmental Economy

A variety of economic activities that are either concerned with the management and enhancement of the environment or that benefit from the quality of the environment.

Knowledge Economy

The term "knowledge economy" is used to describe an emerging economic structure that is based on the use of intangible assets such as knowledge, skills and innovation to secure competitive advantage.

Environmental Business Village

Aimed at both accommodating the needs of businesses engaged in or seeking to exploit opportunities in the environmental economy and at accommodating business in a sustainable way. It would comprise a mixed use neighbourhood scale development based around sustainable infrastructures and delivering integrated sustainable social, environmental and economic regeneration in a commercial setting.

Renewable Energy

A term to cover energy flows that occur naturally and repeatedly in the environment for example from the sun, the wind, the oceans or the fall of water. Heat from the earth (geothermal energy), combustible or digestible industrial, agricultural and domestic waste materials as well as the use of plant material (energy crops) are also considered to be other important sources of renewable energy.

Bio-mass

Bio-mass is a renewable fuel based on plant and animal materials. A number of different forms of biomass can be burned or digested to produce energy in the form of electricity or as a form of direct heat. Two main sources of biomass are woodfuel (forestry residues; co-products from wood processing and recycled timber) and specialized energy crops. These sources are considered to be carbon neutral.

Wind farm

An installation that comprises of more than 2 turbines. Large Scale Wind Farms. Developments of more than 20MW of generating capacity.

Waste Management

Includes the handling, treating and disposal of waste including recycling and reuse of materials, and the handling of liquid and solid by-products of water and sewerage treatment.

Landfill Site

The deposits of waste onto and into land in such a way that pollution or harm to the environment is prevented and through restoration, to provide land which may be used for another purpose.

Biosphere Reserve

Areas, recognised by the United Nations Educational, Scientific and Cultural Organisation (UNESCO), which promote solutions to reconcile the conservation of biodiversity with its sustainable use (UNESCO definition).

World Heritage Site

Cultural or natural sites recognized by UNESCO as having cultural or natural heritage of outstanding universal value (Dept Culture Media and Sport).

Geopark

A site endorsed by UNESCO for its geological heritage of particular importance in terms of its scientific quality, rarity, aesthetic appeal and educational value (European Geoparks Network).

CHP- Combined Heat and Power

An installation where there is simultaneous generation of usable heat and power (usually electricity) in a single process.

COMMUNITIES

Environmental Assessment (EA)

Also called Environmental Impact Assessment. See under Environment below.

Household Projections

The Scottish Executive produce on a bi-annual basis household projections. The projections are not forecasts but give an indication of possible future numbers of households if trends observed in the past continue. The calculation of projected household numbers involves two main sources of information;

- Historic information from previous Censuses of Population to identify trends in the formation of households within the population. (These trends have in the past shown a growth in one person households).
- Population projections produced by the General Register Office for Scotland, the most recent being those with a base year of 2004.

Existing stock of Housing

For planning purposes there is a need to make a distinction between the total stock of housing and the effective, that is, usable dwellings. Adjustments to the housing stock total take account of vacancies, that is uninhabitable housing stock that is awaiting demolition or modernisation, and second homes or holiday accommodation. Other frictional turnover including rented dwellings being re-let, newly built dwellings awaiting occupation and owner-occupied housing awaiting a new owner is also considered as is the cumulative loss as a consequence of demolitions within the existing stock over time.

Effective housing land supply

That part of the housing land supply that is free of availability, physical, infrastructure and marketable constraints.

Affordable Housing and Special Needs Housing

A segment of the housing market where a proportion of the housing is targeted or reserved for those people who require special housing requirements and/or who are unable to compete in the existing market for housing. It covers a spectrum of providers and tenures including housing association, joint ventures, public sector and owner occupation.

Greenfield Site

Land outwith the settlement boundary, in use, or generally capable of being brought into active or beneficial use for agricultural (including forestry) purposes.

Countryside

All land outwith settlements of 3000 people or more.

Town Centre

Generally areas within towns which are the focus of commercial and retail activity and which fulfill a function as a focus for both the community and public transport.

Edge of Centre

A location within easy walking distance of the town centre, and usually adjacent to the town centre, and providing parking facilities that serve the centre as well as the store, thus enabling one trip to serve several purposes.

Convenience Goods

Broadly defined as food shopping, drinks, tobacco, newspapers, magazines, confectionery, purchased regularly for relatively immediate consumption.

Comparison Goods

Shopping where the purchaser will compare prices, quality and quantity before a purchase is made. e.g. clothes, fashion merchandise, electrical goods, furniture.

Retail Capacity Assessment

An assessment of the quantitative need for additional retail floorspace, derived by comparing the total available expenditure projected to occur in an area with the projected retail turnover.

Out-of-Centre

Describes a site outwith a recognised town centre.

Sequential Test

A process for the assessment of development options. This means that where there is a choice, there is a presumption in favour, of the reuse of previously developed brownfield locations as opposed to greenfield locations, to a protection of the more valuable, natural environments and within the context of retail development, to the use of town centre and edge of centre sites before other locations are considered.

Retail Warehouse

Single storey retail unit generally over 1000 square metres selling non-food household goods such as carpets, DIY, electrical and furniture.

Retail Warehouse Park

A group of three or more retail warehouses, selling non - food goods, with a shared car park.

Bulky Goods

Goods, generally sold from retail warehouses, and of a size that they would normally be taken away by car and not be manageable by customers travelling by foot, cycle or bus (flatpack), or that large, flat areas would be required to display them, for example, furniture in room sets.

Vitality and Viability of Town Centres

Vitality is a reflection of how busy a centre is in different parts and at different times. Viability is a measure of its capacity to attract ongoing investment, for maintenance, improvement and adaptation to changing needs.

ENVIRONMENT**Landscape Character**

The combination of the scenic, visual, physical and human dimensions of an area, and its historical and cultural associations, perceived and experienced by people as an entity.

National Scenic Area

An area designated as being of national importance for its scenic quality.

Indicative Forest Strategies

A strategy prepared, and incorporated within a Structure Plan, which seeks to accommodate future forest planting in an environmentally acceptable way.

Listed Buildings of Architectural and Historic Interest

The Planning (Listed Buildings and Conservation Areas) Act 1997 requires the compilation of a list of buildings of special architectural or historic interest. This list is divided into three categories A, B, or C. The purpose of listing is to ensure that a building's special architectural and/or historic interest is fully recognised and that any demolition, alteration or repair that would affect its character is brought under statutory control.

Cultural Heritage

The elements of the built and natural environment that together combine to create a sense of place for an individual. Examples of cultural heritage would include historic buildings, sites of archaeological value, conservation areas and other historic features.

Conservation Areas

Areas of special architectural or historic interest, the character of which it is desirable to preserve or enhance.

Historic Gardens and Designed Landscapes

Areas of significant parkland and woodland, generally centred on a house or castle, which have been laid out for artistic effect, a number of which are identified in the Scottish Inventory of Gardens and Designed Landscapes.

Archaeological location

Known sites and areas of potential archaeological interest.

Biodiversity

Genetically determined variability amongst living organisms, including the variability within species, and of ecosystems.

Local Biodiversity Action Plan

A framework for conserving biodiversity including detailed programmes of action for individual species and habitats.

Natura 2000

A network of marine and terrestrial areas designed to conserve natural habitats and species of plants and animals that are rare, endangered or vulnerable in the European Community.

Special Area of Conservation (SAC)

Strictly protected sites of European importance designated under EC Directive on the Conservation of Natural Habitats and of Wild Fauna and Flora Directive (92/43/EEC). Together with SPA's, SAC's form a network of European sites known as Natura 2000 (Joint Nature Conservation Committee definition).

Special Protection Area (SPA)

Strictly protected sites of European importance, designated under the EC Directive on Conservation of Wild Birds. They are classified for their rare and vulnerable birds and for regularly occurring migratory species. Together with SAC's, SPA's form a network of European sites known as Natura 2000 (JNCC definition).

Green Network

Creates a linkage between green and civic space through the provision of cyclepaths, footpaths and managed and unmanaged open space with the aim of:

- contributing to the framework of development
- maintaining and enhancing environmental qualities
- providing a range of opportunities for recreation and leisure
- link and create wildlife habitats and
- encourage walking and cycling and reduce car use, in the context of local transport strategies.

Greenspace

A vegetated area of land or structure water or geological feature within an urban area, often used for recreation.

Green Belt

An area of land designated for the purposes of managing the growth of a town or city in the long term where there is a strong presumption against inappropriate development in order to:

- control the growth of built-up areas and complement the process of urban renewal;
- prevent neighbouring towns from merging;
- preserve the character of towns including their landscape setting;
- protect agricultural land from development and create stability for its productive use;
- preserve landscape character and provide the necessary stability for its enhancement; and
- provide for the enjoyment of the countryside.

Woodlands In and Around Towns Initiative

A Forestry Commission Scotland initiative that aims to create and enhance woodlands so that they contribute to the regeneration of the urban environment and improve the quality of life of people living and working in urban areas (Forestry Commission Scotland definition).

Environmental Impact

The effect of a development proposal on people, buildings and infrastructure, natural resources and wildlife, in terms of health, safety and amenity.

Habitat Directive

EC Directive (92/43/EEC) on the Conservation of Natural Habitats and of Wild Fauna and Flora. Implementation of this directive into British legislation is through the Conservation (National Habitats, and etc.) Regulations 1994.

Birds Directive

EC Directive (79/409/EEC) on the conservation of wild birds. The Directive provides a framework for the conservation and management of, and human interactions with, wild birds in Europe.

Site of Special Scientific Interest

SSSI's are designated by Scottish Natural Heritage under the provisions of the Wildlife and Countryside Act 1991 and are representative or contain the best examples of particular species, habitats, geology or geomorphology. The special interest of the sites are the subject of specific guidelines to protect the interest of the site from damage or deterioration.

National Nature Reserve

Site of national nature conservation importance, managed or owned by Scottish Natural Heritage and established under the Natural Parks and Access to the Countryside Act 1949 and Wildlife and Countryside Act 1981. Ayrshire has one National Nature Reserve on Arran.

Habitat

The natural environment for flora and fauna.

Sustainable Urban Drainage Systems

Describes a range of techniques for managing the flow of water run-off from a site by treating it on site and so reducing the loading on conventional piped drainage systems.

Land raising

Works which permanently elevate a site above the functional flood plain of a watercourse, or elsewhere if flooding is an issue (part SPP7).

Water Framework Directive

EC Directive (2000/60/EC). Implementation of this directive into Scottish law is through the Water Environment and Water Services (Scotland) Act 2003.

Integrated Coastal Zone Management

Creates a framework that brings together all those involved in the development, management and use of the coast in a way that facilitates the integration of their interests and responsibilities (DEFRA).

Climate change

Changes in the average weather over a long period - typically 30 years. Recently some changes in the climate have been attributed to gases (known as 'greenhouse gases') released as a result of certain human activities such as the burning of fossil fuels.

Local Nature Reserve

A site designated by the local authority usually for its high natural heritage interest and its particular value for education and informal enjoyment of nature by the public (PAN 65).

Environmental Impact Assessment

A process that identifies the environmental effects (both negative and positive) of development proposals.

TRANSPORT

Local Transport Strategies

A comprehensive document prepared with an input from all local authority departments setting out the authority's plans and priorities for the development of an integrated transport policy within its area. With a formal life span of three years, the local priorities set out in the document should be consistent with the Governments overall sustainable development objectives.

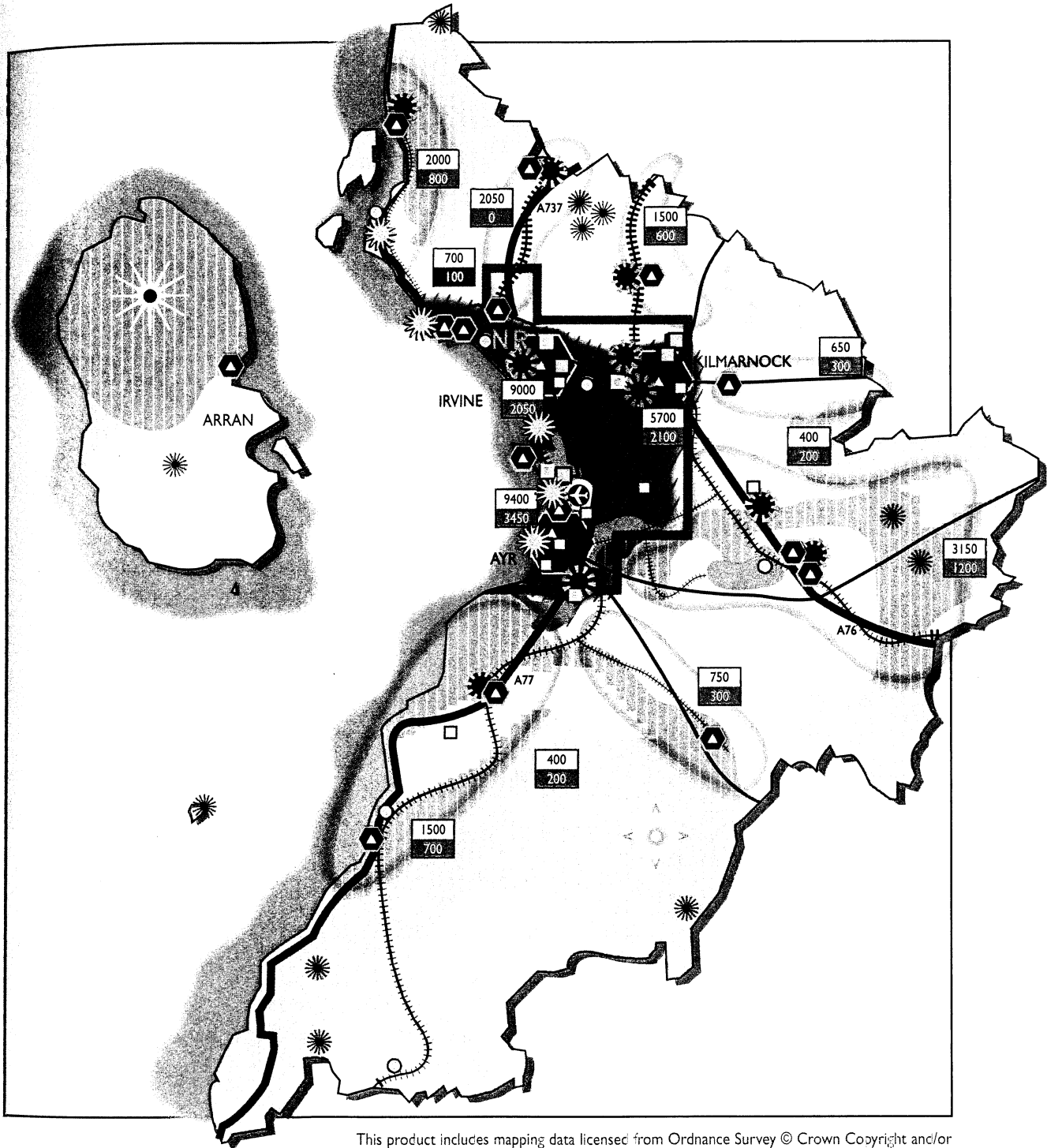
Strategic Road Network

This includes trunk roads and other important main roads of regional significance identified on the Key Diagram.

Travel Plans































Travel Plans are documents that set out a package of positive and complementary measures (for example targets and measures) for the overall delivery of more sustainable travel patterns for a specific development. Their ability and success in influencing travel patterns is dependent upon the commitment of the developer and occupier of a development. Measures provided by the developer could include car pooling/cycle leasing, flexi time, parking management, company buses, marketing e.g. leaflets/posters to disseminate information.

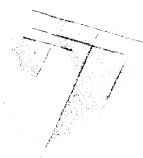
AYRSHIRE JOINT STRUCTURE PLAN THE KEY DIAGRAM



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KEY

Core Investment Area	
Core Investment Area Towns	
Service Centres	
Investment Corridors	
Gateways	
Glasgow Prestwick Action Plan	
Existing Strategic Business Sites	
Other Business Sites	
Bulk Freight Locations	
Town Centre Business Locations	
Coastal Recreational Development	
Areas of Search for Large Scale Commercial Windfarms	
Co-fired Power Plant Search Area	
Joint Waste Facility Search Area	
Environmental Business Village	
Potential UNESCO Designations	
World Heritage Sites	
Biosphere	
Geopark	
National Regeneration Initiative	
Strategic Expansion Locations	
Housing Indicative Target 2005 - 2025	
Housing Shortfall to 2017	
North Ayrshire Non Corridor Communities including Arran	
	
Sensitive Landscape Character Area	
Green Belt	
Core Investment Area Landscape Protection	
Green Network	
Integrated Coastal Management Zone	
National Scenic Area	
Natura 2000 Sites	
Strategic Road Network	
Road Improvements	
Rail	
Rail Improvements	



MICHAEL S EVANS
B.A. (ECON); DIP.T.P.; M.R.T.P.I.; M.C.M.I
PLANNING CONSULTANT

MSE/EA

18th May 2011

Head of Democratic Services
East Ayrshire Council
Council Headquarters
London Road
Kilmarnock
KA3 7BU

Dear Sirs

**NOTICE OF REVIEW IN RELATION TO PLANNING APPLICATION NUMBER
10/0922/PP
REFUSAL OF PLANNING PERMISSION FOR THE PROPOSED DEVELOPMENT
OF TWO HOUSES ON LAND ADJACENT OT BARRMILL COTTAGE, MAXWOOD
ROAD/CASTLEVIEW AVENUE GALSTON**

As requested I enclose copies of
(i) East Ayrshire Local Plan 2010 Volume 2 Strategic and
General Development Management Policies - East Ayrshire Council
(ii) Design Guidance. Design Guide 2 New Residential Development.
(iii) Ayrshire Joint Structure Plan - The Approval Plans

Yours faithfully,
Michael S. Evans

PLANNING CONSULTANT



EAST AYRSHIRE LOCAL PLAN 2010

VOLUME 2

STRATEGIC AND GENERAL DEVELOPMENT MANAGEMENT POLICIES

AUGUST 2010

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1: INTRODUCTION

1.1 The overall strategic approach adopted by the Council to facilitate and guide future development throughout East Ayrshire is detailed in Volume 1 of the local plan.

1.2 In order to help achieve the various strategic aims of the local plan, a series of specific development strategies relating to individual topics has also been identified in Volume 1 of the document. As a means of implementing these development strategies, a set of clearly defined strategic development policies has also been devised, with these policies being addressed on a topic by topic basis. Together, the development strategies and the strategic development policies define the Council's overall approach to future development throughout East Ayrshire for the period of the local plan.

1.3 In order to assist the Council in the achievement of its stated development strategies and to help manage future development throughout the area, the Council has also devised a set of general development management policies which will be used by the Council in the consideration of planning applications. The strategic and general development policies together form the policy base upon which decisions on land use and development related matters will be made.

1.4 All of the various policies contained in the local plan have been specifically devised to facilitate the promotion and management of appropriate and sensitive development throughout East Ayrshire and to protect those areas most sensitive to development change from inappropriate or insensitive development. The policies have also been designed to provide clear guidance to developers, the general public and other users of the local plan on the Council's attitude to the future development of land throughout the authority area. In addition, they provide a broad overview of the Council's approach to new development and detail those aspects or principles of development that must be addressed if a development proposal is to be considered acceptable.

1.5 The policies contained in the local plan cover and address a wide range of key land use issues. Following the identification of 8 general strategic development policies which relate equally to all types of development throughout East Ayrshire, the remaining strategic and

general policies are arranged in the plan on a subject by subject basis, as follows:

- business and industry;
- tourism;
- minerals;
- housing;
- retail and town centre activities;
- community and service infrastructure;
- waste management
- transport; and
- environment.

1.6 All of the policies contained in the plan have been designed to complement and reinforce each other with the overall aim of securing sustainable development throughout the area. Each policy has also been fully justified to explain its stated intention and purpose.

2 GENERAL STRATEGIC POLICIES

Policy SD1

The Council will, in line with the provisions of policy STRAT 1 of the Ayrshire Joint Structure Plan and the Guiding Principles for Sustainable Development detailed in Schedule 1 of that document, adhere to the principles of sustainability in its consideration of all development proposals and will seek to ensure that all new development contributes positively to the environmental quality of the area. In this regard, the Council will ensure that all new development does not have any unacceptable adverse impact on:

- (i) the character and appearance of the particular location in which it is proposed;
- (ii) the environment and amenity of local communities and residents of the area;
- (iii) landscape character and quality; and
- (iv) natural or built heritage resources;

Any development that does not meet these requirements will not receive Council support.

(The policy accords with Structure Plan Aims SP3 and 5 and Strategic Aims 4 and 9 of the Local Plan)

Policy SD2

The Council will positively encourage new developments throughout East Ayrshire which make the area more attractive to inward investment. The Council will also specifically encourage developments for improved or additional facilities and amenities which, in turn, help improve the quality of life for residents, particularly within the more disadvantaged parts of the authority area and within those areas suffering from problems of economic and environmental decline.

(The policy accords with Structure Plan Aims SP4 and 5, and Strategic Aims 2, 3 and 4 of the Local Plan)

Policy SD3

There will be a general presumption that all new development will be located within those area settlements identified with a settlement boundary on the local plan maps, unless the development has a justified need for a countryside location. Development outwith settlement boundaries for which such a need cannot be justified will not receive the support of the Council.

(The policy accords with Structure Plan Aim SP5 and Strategic Aims 2 and 4 of the Local Plan)

Policy SD4

The Council will direct all new development to those development opportunity sites specifically identified on the local plan maps as being suitable for the type of development proposed. Any development on sites not identified for the specific purposes envisaged will be assessed on their own merits against the provisions of all appropriate local plan policies.

(The policy accords with Structure Plan Aim SP4 and Strategic Aim 2 of the Local Plan)

Policy SD5

Development proposals outwith settlement boundaries, as indicated on the Local Plan Rural Area Map, will be acceptable to the Council only where the development:

- (i) comprises an acceptable form of residential development in accord with Policies RES 9 and RES10 of the Local Plan; or
- (ii) contributes to rural diversification through the development of appropriate industrial, business, tourism, leisure, recreational and other developments with a justified need for a rural location; or
- (iii) constitutes an acceptable form of farm diversification; or

- (iv) is of demonstrated benefit to the vitality and viability of local rural communities; or
- (v) provides for the operational needs of agriculture or forestry.

Note: With regard to criterion (ii) above, the Council does not consider the erection of new houses in the countryside to represent or constitute, in itself, an appropriate form of rural diversification.

(The policy accords with Structure Plan Aim SP4 and Strategic Aims 3, 4 and 8 of the Local Plan)

Policy SD6

The Council will positively encourage the integration of complimentary and compatible land uses for residential, work and recreational purposes wherever feasible, so as to reduce the number of individual journeys made by car and help reduce general energy consumption. Development at existing or potential public transport route interchanges and development in support of the retention or provision of services and facilities of value to local communities will be particularly encouraged, subject to these developments meeting the provisions of all other local plan policies.

(The policy accords with Structure Plan Aim SP3 and Strategic Aims 2, 5 and 9 of the Local Plan)

Policy SD7

The Council will, subject to compliance with all other appropriate local plan policies, positively encourage the re-use and redevelopment of brownfield land, both in the area settlements and in countryside areas, in preference to the development of greenfield sites. The release of all greenfield land for development, with the exception of those greenfield sites already identified for specific development purposes in the local plan, will require to be fully justified and will be supported only where an alternative, developable brownfield site is not readily available, marketable or capable of development for the purposes envisaged.

(The policy accords with Structure Plan Aim SP4 and Strategic Aims 2 and 4 of the Local Plan)

Policy SD8

The Council will positively support, encourage and promote the sympathetic renovation, re-use and conversion of existing properties, both within the area settlements and throughout the rural area.

(The policy accords with Structure Plan Aims SP4 and 5, and Strategic Aim 2 of the Local Plan)

Reasons for Policies SD1 to SD8

- to meet the provisions of the Ayrshire Joint Structure Plan
- to meet the provisions of the Community Plan
- to promote development in a sustainable manner

3 BUSINESS AND INDUSTRY

3.1 The Council is committed to facilitating the expansion and diversification of the East Ayrshire economy and to maximising the economic potential of the area for industrial, business, tourism and minerals development. In order to help achieve these objectives, the Council has devised a set of policies promoting a range of business, commercial and industrial developments in appropriate locations. These policies are detailed below.

STRATEGIC BUSINESS AND INDUSTRY POLICIES

Strategic Policy IND 1

The strategic industrial sites identified on the local plan map at Meiklewood / Mossie and Rowallan in Kilmarnock will be safeguarded for high amenity and high quality Class 4 industrial and business uses. The Council will be particularly supportive of the development of the sites for high profile business and industrial developments which reflect, compliment and capitalise on the strategically important location of the sites at the principal gateway to Kilmarnock from the north. The establishment of service sector and knowledge based industries at Meiklewood / Mossie will be considered particularly appropriate and development of the area as a single user site will also be supported by the Council. Alternative, non industrial or business development proposals for the Meiklewood / Mossie and Rowallan sites will not be considered to conform to the local plan.

Reason for Strategic Policy IND 1

- to comply with the provisions of Scottish Planning Policy (SPP).

Strategic Policy IND 2

The strategic industrial site identified on the local plan map at Moorfield North in Kilmarnock will be safeguarded strategic business and industrial developments falling within Classes 4, 5 and 6 of the Use Classes Order. Any proposals for strategic industrial and business developments relating to sites other than those allocated in the local plan at Meiklewood / Mossie, Rowallan and Moorfield North will be considered acceptable in principle to the Council only:

- (i) in key locations with direct access to the strategic public road and / or rail network within the Core Investment Area or the Investment Corridors identified in the local plan; and
- (ii) where the development meets the criteria of all other relevant local plan policies.

Reasons for Strategic Policy IND 2

- to maximise the benefits of transportation links with the strategic and major roads networks
- to maximise the benefits of locations adjacent to the major concentrations of populations by minimising extended travel to work journeys and providing good access to employment opportunities
- to establish Kilmarnock as a major industrial business and office location and to capitalise on the strategic position of both Kilmarnock and settlements within the Investment Corridors in relation to the Gateway Locations of Glasgow and Prestwick Airports, Hunterston and the ports of Ayr and Troon.

(Strategic Economic Development policies 1 and 2 above both accord with Structure Plan Aims 1, 2, 3, 4 and 5, and Strategic Aims 3 and 7 of the Local Plan)

GENERAL BUSINESS AND INDUSTRY POLICIES

Policy IND 3

Proposals for business, industry and storage and distribution uses of a local nature falling within Classes 4, 5 and 6 of the Use Classes Order will be directed towards those Business and Industry Development Opportunity Sites specifically identified in the plan and safeguarded for such purposes on the local plan maps.

Reasons for Policy IND 3

- to preserve existing industrial provision in the area

- to encourage and facilitate the establishment of new industries and businesses in appropriate locations.

Development within Settlement Boundaries

Policy IND4

Within settlement boundaries, all proposals for new industrial, commercial or business development on land not specifically identified for such purposes on the Local Plan maps and changes of use of existing, non business or industrial, premises to industrial or business use, will only be supported where:

- (i) the proposed use is compatible with surrounding land uses;
- (ii) the development has no unacceptable adverse impact on the character and amenity of the surrounding area;
- (iii) the development has no unacceptable transportation or infrastructure implications;
- (iv) there is no unacceptable loss of safeguarded public amenity or recreational open space;
- (v) the development has no adverse impact on landscape character or on natural and built heritage resources.

Developments that do not meet all of these criteria will not receive Council support.

Reasons for Policy IND4

- to encourage and facilitate the establishment of new industries, businesses and commercial enterprises;
- to broaden the economic base of the area and stimulate and increase the level of economic activity;
- to minimise any adverse impacts of industrial, commercial and business developments on surrounding areas.

Development Outwith Settlement Boundaries

Policy IND5

New industrial, commercial and business development outwith settlement boundaries will be encouraged and considered acceptable to the Council only where the proposal relates to:

- (i) Business and Industrial Development Opportunity Sites and those miscellaneous sites with potential for industrial, commercial or business development, as indicated on the Local Plan Rural Area Map;
- (ii) sympathetic industrial, commercial and business developments relating to and associated with / supporting the traditional rural activities of agriculture and forestry and which can be clearly demonstrated to have a specific requirement for a rural location;
- (iii) sympathetic industrial, commercial and business developments including sensitive recreational, tourism, leisure and sporting developments and developments which support the knowledge based economy and the service sector, and which contribute positively to the diversification of the rural economy and can be clearly demonstrated to have a specific requirement for a rural location;
- (iv) rail freight based industrial uses at existing coal disposal points currently served by rail; or
- (v) acceptable business developments in residential properties or their associated outbuildings in accordance with Policy IND 12 below; or
- (vi) acceptable business developments in terms of farm diversification in accordance with Policy IND 8 below.

The redevelopment of brownfield sites and existing buildings will be given preference over the development of greenfield sites and the construction of new premises, wherever possible. The Council will ensure that all new business, commercial and industrial development in the rural area is of a high quality of design and sensitive to its rural location in environmental terms.

Policy IND6

Outwith settlement boundaries, all proposals for new industrial, commercial and business developments which fall within the categories of development detailed in Policy IND5 (ii) to (vi) above, will require to be justified and will only be supported where:

- (i) the proposed use is compatible with surrounding land uses;
- (ii) the development has no unacceptable adverse impact on the landscape quality, character and amenity of the surrounding area which cannot be adequately mitigated through the appropriate provision of screen planting or landscaping;
- (iii) the development has no unacceptable transportation or infrastructure implications;
- (iv) there is no unacceptable loss of prime quality and good quality, locally important agricultural land falling within categories 1, 2, 3.1 and 3.2 of the Macauley Land Use Research Institute; and
- (v) the development has no unacceptable adverse impact on natural and built heritage resources.

Developments that do not meet these criteria will not receive Council support.

Note: Business developments relating to the provision of tourist accommodation are addressed in policy TOUR 5.

Policy IND7

The Council will generally be supportive of farm diversification proposals throughout the rural area, subject to compliance with all of the following criteria:

- (i) the proposed activities being sympathetic to, and in keeping with, the character and appearance of the area within which they are located;
- (ii) the proposal not adversely impacting on the amenity of residents of the existing farm unit or on the amenity of the residents of neighbouring properties;
- (iii) the proposal not having any unacceptable adverse impact on any Sensitive Landscape Area, any sites of nature conservation interest or any built heritage resources recognised as being worthy of conservation; and
- (iv) the proposal not resulting in the unacceptable loss of prime quality and good quality, locally important agricultural land falling within categories 1, 2, 3.1 and 3.2 of the Macauley Land Use Research Institute
- (v) the development having no unacceptable transportation or infrastructure implications;
- (vi) the proposed development complying with the provisions of all other relevant local plan policies.

In all cases, any proposed farm diversification activities involving the use of buildings should utilise any existing buildings within the farm steading in preference to the construction of new premises. Any new premises that may be required will also be required to consolidate and compliment the existing farm steading rather than being isolated in the countryside.

Reason for Policies IND5, 6 and 7

- to sustain, enhance and diversify the rural economy of the area

Extensions to Premises

Policy IND8

Both within settlements and outwith settlement boundaries, extensions to existing industrial, commercial and business premises, both in terms of physical extensions to buildings and extensions to site areas, will be supported where:

- (i) the proposed development is compatible in terms of size, scale and design with the existing building or site to which it relates;
- (ii) the development has no unacceptable adverse impact on the character and amenity of the surrounding area, either in physical or visual terms;
- (iii) the development has no unacceptable transportation or infrastructure implications;
- (iv) there is no loss of safeguarded public amenity or recreational open space;
- (v) there is no unacceptable loss of prime quality and good quality, locally important falling within categories 1, 2, 3.1 and 3.2 of the Macauley Land Use Research Institute
- (vi) the development has no adverse impact on natural and built heritage resources.

Developments that do not meet these criteria will not receive Council support.

Reasons for Policy IND8

- to broaden the economic base of the area and stimulate and increase the level of economic activity
- to minimise any adverse impacts of industrial and business developments on surrounding areas

Alternative Use of Premises

Policy IND9

Other than those sites and premises specifically safeguarded for business, commercial and industrial use as indicated on the local plan maps, proposals for alternative uses of land or premises currently or formerly used for industrial, commercial or business purposes shall be considered acceptable where it can be demonstrated that:

- (i) the proposed use is not detrimental to surrounding established uses;

- (ii) the proposal meets the requirements of all other relevant Local Plan policies; and

- (iii) the proposal will not reduce to unacceptable levels the amount of industrial, commercial and business land or premises with potential for future employment use within the settlement concerned.

Reason for Policy IND9

- to bring redundant industrial buildings and land back to an acceptable alternative economic use

Rail Freight Based Industries

Policy IND10

The Council will be supportive of proposals to develop sites with direct access to the existing rail network for rail freight based industrial and commercial use, subject to the sites being fully justified in terms of locational need, economic benefit, environmental impact and transportation and infrastructure implications. The redevelopment of the rail heads at existing coal disposal points will be particularly encouraged for such purposes.

Reason for Policy IND10

- to exploit the potential of existing rail heads for those types of industrial development requiring rail facilities for the distribution of their product.

Working from Home

Policy IND11

Where an industrial or business development falling within Class 4 of the Use Classes Order is proposed under policies IND4 or IND5 detailed above, and where that development is proposed within existing residential properties or their associated outbuildings, the Council will be supportive of such developments subject to the criteria detailed in those policies being met. In addition, developers will be required to demonstrate to the Council that:

- (i) the primary use of the property will remain residential;
- (ii) the business can be adequately accommodated within the existing property;
- (iii) the business use will not adversely affect the existing residential use of the property or impact adversely on other residential properties in the area; and
- (iv) adequate car parking can be provided to the standards of the Council as Roads Authority.

Developments that do not meet these criteria will not receive Council support.

Reason for Policy IND11

- to facilitate and encourage the development of sympathetic and non intrusive small businesses and working from home practices as a means of expanding the local economy.

GENERAL BUSINESS AND INDUSTRY PROPOSALS

PROP 1

The Council will, in conjunction with the Ayrshire Joint Planning Unit, carry out a study to identify a Bulk Freight location in the vicinity of the former Barony Colliery at Auchinleck and to safeguard, enhance and promote the area, once identified, for such a purpose.

4 TOURISM

4.1 East Ayrshire has considerable potential for future tourism growth and the Council is committed to promoting East Ayrshire as a tourist and visitor destination in its own right. Such an approach is seen as a means of facilitating the expansion and diversification of the East Ayrshire economy and as a means of maximising the economic potential of the area for sustainable tourism development. In order to help achieve the principle aims of the local plan tourism development strategy the Council has devised a set of policies aimed at promoting tourism development throughout the area and these policies are detailed below.

STRATEGIC TOURISM POLICIES

Strategic Policy TOUR 1

The Council will actively support and encourage the development of appropriate sustainable tourism throughout East Ayrshire. Sensitive tourism developments pertaining to the industrial and cultural heritage and green tourism initiatives relating to the high scenic and landscape quality and nature conservation interest of the Doon and Irvine Valleys, the Loch Doon and Glen Afton areas and in the Muirkirk Uplands and River Nith areas will be particularly supported.

Reasons for Strategic Policy TOUR 1

- to broaden the economic base of the area and provide new employment opportunities
- to overcome existing tourism and recreational deficiencies

(Strategic Policy TOUR 1 accords with Structure Plan Aims SP3 and 4, and Strategic Aims 3, 6 and 8 of the Local Plan).

Strategic Policy TOUR 2

The Council will encourage, through its Core Path Plan and in association with relevant bodies, landowners and tenants, the development of a definitive strategic and local footpath and cycleways network. In particular, the Council will, in association with neighbouring Local Authorities, relevant bodies and landowners, encourage the creation and promotion of strategic long distance cycle routes and footpath links,

connecting local routes and footpaths with the national cycle and footpath networks.

Reason for Strategic Policy TOUR 2

- to maintain and secure improved access to the countryside for both local residents and visitors

(Strategic Policy TOUR 2 accords with Structure Plan Aim SP2 and Strategic Aim 6 of the local plan)

GENERAL TOURISM POLICIES

Policy TOUR 3

The Council will be supportive of proposals to provide additional, small scale roadside facilities for tourists and visitors to the area, such as new and improved lay-by facilities, toilet facilities, picnic areas, tourist information points and viewing points etc, subject to these proposals being acceptable to the Council as Roads Authority. The interpretation and signposting of areas of local historical, nature conservation and heritage interest will be particularly promoted and encouraged.

Note: Proposals relating to the establishment of mobile snack bars serving the needs of the travelling public will be assessed against Policy RTC 13 of the local plan.

Reasons for Policy TOUR 3

- to provide high quality information services and facilities for visitors to the area

Policy TOUR 4

The Council will encourage and support the retention and improvement of existing tourist attractions and tourism related facilities throughout the local plan area and will be supportive of sensitive new tourism related developments where:

- (i) the proposed use and any associated structures are not visually or environmentally intrusive, are of a nature and scale compatible with surrounding land uses and are not detrimental to the character and amenity of the area within which they are proposed; and

- (ii) there is no adverse impact on the natural environment and in particular on recognised natural or built heritage resources requiring conservation; and
- (iii) the proposal can be fully justified in terms of infrastructure, provision of services, access and car parking provision.

Developments that do not meet these criteria will not receive Council support.

Wherever possible, the Council will encourage the use of existing buildings for the provision of new tourism related facilities in preference to the construction of new build facilities.

Note:

The provision of new tourist accommodation facilities is addressed in policies TOUR 5 below.

Reason for Policy TOUR 4

- to improve general provision for tourism related development within the area

Policy TOUR 5

The Council will be supportive of the development of new hotel, guest house and self catering accommodation within the area settlements, subject to there being no adverse effects on the character, amenity and appearance of the areas within which they are proposed. Such developments will also be considered acceptable in rural locations where the proposal complies with the criteria relating to the establishment of new business operations in the countryside as detailed in policy IND6 above. The change of use or conversion of existing residential or other properties to a hotel, guest house or self catering accommodation will only be supported where:

- (i) the proposal does not adversely impact on any residential properties in the area; and
- (ii) adequate car parking can be provided to the standards of the Council as Roads Authority, within the development site.

All applications for new hotels, guest houses and self catering accommodation outwith existing settlement boundaries will require to be accompanied by a business plan or similar justification for the development. Applicants will be required to enter into an appropriate Section 75 Agreement with the Council regarding the use and operation of the properties concerned.

The development of new camping and caravan sites within settlement boundaries will be supported by the Council subject to the developments meeting the provisions of policy IND 4 above. New camping and caravan sites outwith settlement boundaries will only be considered acceptable if the development accords fully with all of the provisions of policy IND 6. All such proposals will require to be accompanied by a business plan or similar justification for the development and applicants will be required to enter into an appropriate Section 75 Agreement with the Council regarding the use and operation of the sites concerned.

Reason for Policy TOUR 5

- to improve the provision of tourist accommodation throughout the area.

Policy TOUR 6

The Council will assess all applications for tourism related commercial leisure developments against the relevant policies as contained in the Retailing and Town Centre section of the Local Plan. Commercial leisure developments specifically geared towards rural tourism may be considered acceptable to the Council where:

- (i) there is a demonstrated and fully justified specific need for the development in a rural location; and
- (ii) there is no adverse impact on the visual amenity, landscape character or scenic quality of the area concerned; and
- (iii) there is no adverse impact on areas of natural or built heritage resources requiring conservation; and
- (iv) the proposal can be fully justified in terms of infrastructure, provision of services, access and car parking provision.

Developments that do not meet all of these criteria will not receive Council support.

Reasons for Policy TOUR 6

- **to maintain the vitality and viability of existing town centres**
- **to prevent inappropriate development in sensitive rural locations**

GENERAL TOURISM PROPOSALS

PROP 2

The Council will safeguard and promote those locations, landscapes and buildings throughout East Ayrshire associated with Robert Burns and, in association with North and South Ayrshire Councils and through the offices of the Ayrshire Joint Planning Unit, seek the designation of all such locations etc associated with Burns throughout Ayrshire as a possible World Heritage Site.

PROP 3

The Council will work in collaboration with the Ayrshire Joint Planning Unit, South Ayrshire Council, Dumfries and Galloway Council and other relevant agencies to explore the potential offered by the natural environment in developing a Biosphere Reserve within southern Ayrshire, linked with Dumfries and Galloway, in order to promote nature based tourism and the sustainable management and development of land.

5 MINERALS

5.1 The local plan is geared towards maximising the economic benefits that could accrue to East Ayrshire through exploitation of the area's mineral resources, while at the same time protecting local residents and communities from the adverse effects of extractive operations and protecting the landscape and environmental amenity of the area. It also aims to provide appropriate and accessible sources of aggregates and other minerals to meet the needs of the construction industry in East Ayrshire and adjoining authority areas, as considered appropriate. In order to help achieve the principle aims of the local plan minerals development strategy detailed in Volume 1 of the local plan the Council has therefore devised a set of policies aimed at addressing mineral related development issues throughout the area. These policies relate to all minerals other than opencast coal, a matter which is addressed in the East Ayrshire Opencast Coal Subject Plan. The strategic and general minerals policies of the local plan are detailed below.

STRATEGIC MINERALS POLICIES

Strategic Policy M1

The Council will limit any extension to the existing supply of land with planning consent for the winning and working of aggregate minerals to:

- (i) development at existing workings which comprises:-
 - the development of new extraction areas within the boundaries of existing consented minerals sites; or
 - an extension to an existing extraction area where the extension lies directly adjacent to the extraction area itself and can be developed as a separate logical phase of the existing operations.
- (ii) development at other appropriate locations, but only where it can be clearly demonstrated that

- there is a specific need for the mineral within Ayrshire or where the resource is required to meet the needs of an adjoining area which cannot be met more locally; and
- there is no unacceptable adverse impact on local communities or the natural and built environment.'

Reason for Strategic Policy M1

- to comply with the provisions of the Structure Plan

(Strategic Policy M1 accords with Structure Plan Aim SP2 and Strategic Aims 3, 4 and 8 of the Local Plan)

GENERAL MINERALS POLICIES

Policy M2

When approving major development proposals, the Council will consider whether it would be of benefit and desirable to plan for the removal of any underlying minerals in advance of, or in tandem with, the development proceeding. Any such mineral extraction operation would need to be acceptable in planning terms, with particular regard to the local community.

Reason for Policy M2

- to comply with National Guidance and the provisions of the Structure Plan

Policy M3

The Council will not accept outline planning applications for minerals developments and will require all applicants for minerals developments:

- (i) to provide full operational details of the proposal as an integral part of any submitted planning application;
- (ii) to demonstrate the need for the proposed development;

- (iii) to submit formal Environmental Assessments in association with the application, where these are required in terms of the Environmental Impact Assessment Regulations;
- (iv) to lodge appropriate Restoration and Aftercare Guarantees to a value agreed by the Planning Authority;
- (v) to upgrade, maintain and repair at their own expense, roads damage shown to have been caused by vehicles serving their developments;
- (vi) to strictly observe an appropriate separation distance between the operative site and nearby settlements and dwellings;
- (vii) to submit regular monitoring reports and annual 'Mining Progress Plans' and 'Environmental Audits' to the Council in respect of their proposals;
- (viii) to establish Liaison Committees with local representatives, to act as a forum through which relevant operational and associated issues can be discussed and addressed; and
- (ix) to service the extraction site, if considered feasible and appropriate, by rail.

The Council will, as considered necessary and appropriate, request an applicant to enter into an agreement under Section 75 of the Town and Country Planning (Scotland) Act 1997 in order to regulate and secure such matters as cannot be adequately regulated by the imposition of planning conditions.

Policy M4

Where an application for new mineral working, including the extension of mineral working at existing sites, is considered acceptable in terms of Strategic Policy M1 above, the Council will nevertheless ensure that the development:

- (i) has minimum adverse impact on the amenity of nearby residents and the residents of properties located along agreed haulage routes to and from the site;

- (ii) has minimum adverse impact on the natural and built heritage, including wildlife and other sites of nature conservation interest, historic gardens and designed landscapes, the visual amenity and the landscape character of the area;
- (iii) is operated to the highest possible standards;
- (iv) achieves the highest possible standards of restoration and after-use for the development site;
- (v) does not result in unacceptable cumulative impact caused by the development, either concurrently or successively, in association with other similar developments in the vicinity of the site;
- (vi) generates direct community and environmental benefits to the area, such as the enhancement and creation of landscapes and habitats and removal of dereliction;
- (vii) employs acceptable and efficient methods for the transportation of material, keeping volumes of traffic generated to a minimum and directing all site generated traffic along agreed haulage routes; and
- (viii) has minimum adverse impact on existing alternative economic initiatives and employment in the vicinity of the site e.g. tourism facilities etc

Developments that do not meet these criteria will not receive Council support.

Policy M5

The Council will ensure that any application to extend the life of an existing mineral working over and above any consented period will, during the extended time period requested:

- (i) have minimum adverse impact on nearby residents and the residents of properties located along agreed haulage routes to and from the site; and

- (ii) have minimum adverse impact on existing alternative economic initiatives and employment in the vicinity of the site e.g. tourism facilities etc.

Developments that do not meet these criteria will not receive Council support.

Reason for Policies M3, M4 and M5

- to direct and control minerals developments to have minimum impact on their surroundings and to cause minimum disruption

Policy M6

There will be a general presumption against commercial exploitation of peat reserves within East Ayrshire. The Council will assess all applications for the small-scale extraction of peat for the domestic and private needs of the applicant on their own merits against the criteria detailed in Policy M4 above. In all cases, there will be a presumption against peat extraction within or affecting the area's Special Protection Area and Special Areas of Conservation, Sites of Specific Scientific Interest, confirmed and provisional Wildlife Sites, natural and built heritage resources, water catchment areas and other areas of nature conservation / ornithological interest or importance.

Reason for Policy M6

- to protect a valuable natural habitat of ecological and nature conservation value.

Policy M7

The Council will, subject to the provisions of all other relevant local plan policies, support proposals for the reworking of minerals spoil heaps, especially where this will lead to the restoration and environmental improvement of degraded land.

Reason for Policy M7

- to rehabilitate areas of industrial dereliction and assist in the environmental improvement of degraded rural areas.

Policy M8

The Council, if mindful to grant planning permission for a minerals development, will require developers to contribute to an appropriate fund which will be used for the implementation of appropriate community projects. Developer contributions will be sought by means of a Section 75 Agreement between the applicant and the Planning Authority and will be set at a rate appropriate to the particular type and size of the development proposed.

Reason for Policy M8

- to help compensate communities adversely affected by minerals developments

GENERAL MINERALS PROPOSALS

PROP 4

The Council will, in association with North and South Ayrshire Councils and through the offices of the Ayrshire Joint Planning Unit, prepare an Ayrshire wide strategy for mineral development, including opencast coal.

6 HOUSING

6.1 One of the main aims of the Council is to improve the quality of life for local residents and to provide an adequate supply of housing land and associated ancillary leisure, recreational, community and other facilities and services to meet local needs. In order to help achieve this aim, the Council has devised a set of strategic and general policies aimed at addressing housing related development issues throughout the area. These policies are detailed below. It should be noted that the issue of residential development in town centre locations is addressed in Policy RTC5 in the Retail and Town Centre Uses section of the plan.

STRATEGIC HOUSING POLICIES

Strategic Policy RES1

The Council will encourage and support the residential development of those Development Opportunity Sites identified for housing purposes on the individual local plan maps. The sites identified will be specifically reserved for residential development at the indicative capacities indicated, with development taking place in line with any phasing programme described in the plan, or such other programming as may be agreed for the sites in question.

The Council will particularly encourage and support the development of housing sites which provide an appropriate and diverse range of housing types and tenures, catering for various segments of the housing market and meeting a range of different housing needs. Mixed use proposals, providing housing development along with other sympathetic associated development, such as local retail units and leisure and recreational uses, will be particularly supported by the Council, in appropriate locations.

Note:

With regard to those sites comprising the strategic expansion locations detailed in Table 7 of the local plan which have a proportion of the site scheduled for development post 2017, the Council may consider permitting the post 2017 element of the site to be developed prior to 2017 where it can be conclusively demonstrated;

(i) that there is a shortfall in the supply of effective housing land in the particular Core Area / Investment Corridor within which the site is located prior to 2017; and

(ii) that development of the site beyond 2017 is not economically feasible or practical in terms of any detailed phasing programme that may be agreed for the site; and

(iii) that development of the site beyond 2017 would result in prolonged and unjustified construction periods which would have an unacceptable adverse impact on the amenity of residents of earlier phases of the site concerned.'

(The policy accords with Structure Plan Aims SP1, 2 and 3, and Strategic Aims 2 and 6 of the Local Plan)

Strategic Policy RES2

With the exception of dwellings in the countryside, whose rural location can be fully justified in terms of Policies RES9 and RES10, proposals to extend the supply of land for residential development outwith settlement boundaries will not be acceptable unless all of the following criteria are fully satisfied:

- (i) there is a demonstrated shortfall in the supply of effective housing land within the period of the local plan, in the Core Area/Investment Corridor in which the proposed residential site is located;
- (ii) the site can be demonstrated to be effective and marketable and to contribute to output during the shortfall period;
- (iii) the proposal meets the terms of the Housing Development Strategy of the local plan;
- (iv) the development constitutes a natural extension to one of the area settlements with the proposed development site located directly adjacent to the existing boundary of the settlement concerned;
- (v) road access and all other services and infrastructure can be provided to the standards required by the relevant

public and statutory service providers; and

- (vi) the proposal accords with the Council's policies with regard to design and layout and has minimal impact on landscape character and the built and natural environment;
- (vii) the size and scale of the proposed development is appropriate and proportional to the size of the settlement concerned; and
- (viii) the ability of existing services and facilities to accommodate the scale of development proposed.

(The policy accords with Structure Plan Aim SP4 and Strategic Aims 2 and 4 of the Local Plan)

Reasons for Strategic Policies RES1 & 2

- to meet the requirements of the Ayrshire Joint Structure Plan;
- to maximise the benefits offered by the area settlements in terms of existing transportation, service infrastructure and related community facilities;
- to provide the framework for future sustainable residential development in East Ayrshire.

GENERAL HOUSING POLICIES

New Housing within Settlement Boundaries

Policy RES3

Within settlement boundaries, the Council will positively encourage the sympathetic residential development of gap, infill or other redevelopment sites not specifically safeguarded or identified for particular development purposes on the Local Plan maps. Such proposals will be particularly supported where the development:

- (i) has no adverse impact on the surrounding natural and built environment and adjacent uses;
- (ii) has no unacceptable transportation and infrastructure implications;
- (iii) is compatible with surrounding densities and housing types; and

- (iv) is in full compliance with the Council's approved Design Guidance.

Developments that do not meet all of these criteria will not receive Council support.

Note: The issue of residential use of gap, infill or other redevelopment sites within Town Centres is addressed in Policy RTC5

Reasons for Policy RES3

- to bring areas of vacant and often derelict land into active use and to improve the amenity of an area;
- to consolidate the existing built environment.

Policy RES4

Within settlement boundaries, the Council will be supportive of the sub-division of existing house curtilages for the development of additional dwelling houses where:

- (i) the proposal is fully in keeping with the existing residential character and appearance of the area within which it is located;
- (ii) the proposal meets all the design requirements of the Council and does not create unacceptable damage to the amenity of surrounding properties;
- (iii) acceptable levels of privacy are maintained to neighbouring properties, to the existing house on the site to be subdivided and to the new housing proposed; and
- (iv) the proposal is not deemed to constitute an unacceptable backland development in terms of Policy RES 5 below.

Policy RES5

Backland residential development (i.e. the erection of any dwelling house situated to the rear of an existing building and/or without a proper road frontage) will not be permitted where, in the opinion of the Council, this would adversely affect:-

- (i) the amenity, character or appearance of the area; or
- (ii) the setting of either the proposed or original building on the site or
- (iii) the amenity and privacy of residents of neighbouring properties, including the residents of the original residential property on the site.

Conversions to Residential Use

Policy RES6

Within both settlements and the rural area, the Council will be supportive of proposals relating to the conversion of properties to residential use, where all of the following criteria can be met:

- (i) the Council is satisfied that the structural condition of the building is suitable for its conversion to residential use. The Council may require a structural engineer's certificate in respect of the property to be prepared, in this regard;
- (ii) the development meets the service and access requirements of all appropriate statutory undertakers and the Council as Roads Authority;
- (iii) the proposal is fully in keeping with the character and appearance of the area within which it is located;
- (iv) the proposal does not damage the architectural quality of the building, meets all the design requirements of the Council and reflects the style and design of the original building located on the site;
- (v) any extension proposed in association with the conversion is of an appropriate size and scale, commensurate and in keeping with the size and scale of the existing building to which the conversion relates; and
- (vi) the proposal reuses, wherever possible, any existing traditional building materials found on site.

Proposed conversions that do not meet these criteria will not be acceptable to the Council.

Policy RES7

Within rural areas, Council support for the conversion of properties to residential use will be limited to:

- (i) the conversion of large residential properties or other residential uses of an institutional or care related nature into smaller residential units; and
- (ii) the conversion of traditionally designed and constructed, non residential buildings of a domestic scale.

The conversion to residential use of modern, purpose built, large scale storage barns, byres, cubicle houses, stables or other outbuildings constructed of non traditional materials such as breeze blocks, corrugated iron, profiled sheeting etc will not be supported by the Council.

Note: The Council will normally restrict the number of residential units created through the conversion of buildings within the rural area, so that the total number of dwellings within the development, including any existing residential properties, does not exceed 4. Conversions creating more than 4 dwellings will only be considered acceptable where it can be clearly demonstrated to the satisfaction of the Council that the number of dwellings proposed can be comfortably accommodated within the property, will not adversely affect the character and appearance of the property or its rural setting and is acceptable in terms of access and service provision.

Policy RES8

Where a proposal relates to the conversion of a large residential or institutional building located within its own grounds to a sympathetic alternative use, an associated but limited enabling development of new build housing may be considered acceptable by the Council in order to help finance the proposed development. Such an enabling development will only be entertained by the Council where all of the following criteria are met:

- (i) the existing building to which the enabling development would relate constitutes a listed building or other significant traditional building which

- is in a derelict or potentially derelict condition and which is, in the opinion of the Council, worthy of retention and reuse;
- (ii) it can be demonstrated conclusively to the Council that economic conversion or reuse of the building is not otherwise financially viable and that financial assistance is not available from any other source;
 - (iii) it can be demonstrated conclusively to the satisfaction of the Council that any potential adverse effects the proposed new enabling development may have on the character and appearance of the general area within which it is proposed, are outweighed by the benefits of retaining and converting the existing building on the site;
 - (iv) it can be demonstrated conclusively to the satisfaction of the Council that the restoration and renovation works proposed in relation to the building being converted fully respect and reflect the architectural character and integrity of the property and that all architectural features considered worthy of retention are preserved in situ;
 - (v) all profits from the sale of the enabling development are channelled into the conservation of the building to which the development relates;
 - (vi) the new build element does not result in the division and fragmentation of the building and its grounds insofar as management of the area is concerned;
 - (vii) the extent of any new build element is restricted to the absolute minimum to unlock the development potential of the building and to facilitate its restoration;
 - (viii) the new build element meets the provisions of all other relevant housing policies and does not impact adversely on the viability of housing sites identified / approved for residential purposes in those settlements in closest proximity to the proposed development site;
- (ix) the proposed enabling development is located and designed so as to have minimum impact on the architectural and historic interest, character and setting of the historic environment, including any designation of the area as an Historic Garden and Designed Landscape;
 - (x) the design of the enabling development complements the style and design of the original building located on the site; and
 - (xi) no work is commenced on any part of the authorised enabling element of the development before the main property to which the enabling development is linked has been stabilised and/or rendered wind and water tight.
- In order to enable speedy and effective restoration of the main property to which the enabling development is linked, the Council will require, through conditions attached to any issued planning consent, for the property to be stabilised and rendered wind and water tight, to the satisfaction of the Council, within two years of the date of consent being granted for the development. Should this not be achieved, the Council will require the developer to resubmit the proposal and will re-evaluate the development against construction and restoration costs and housing market considerations applicable at that time.
- The Council will require an evaluation of development costs and the minimum number of houses required to enable the development to be carried out by independent professional financiers / surveyors appointed by the Council but paid for by the applicant.
- Any permitted enabling residential development will be made the subject of an appropriate Section 75 Agreement regarding the phasing of construction and other related design and layout matters, through the submission of a detailed business plan for the overall development.
- Reason for Policies RES4 to RES8**
- to maximise the contribution that existing properties can make to meeting housing demand.

Housing in the Settlement Protection Area

Policy RES9

The Council will be supportive of single or small scale residential development in the Settlement Protection Area, as shown on the rural area map, only where it can be demonstrated, to the satisfaction of the Council, that the houses are required on a permanent basis:

- (i) for a worker employed in agricultural in line with the provisions of Policies RES 13 and RES 14; or
- (ii) as replacement housing in line with the provisions of Policy RES 15; or
- (iii) for a worker employed by a forestry or other rural industrial or business enterprise in line with the provisions of Policy RES 16; or
- (iv) for on-site staff accommodation, in line with the provisions of Policy RES 17; or
- (v) as a rural enabling development in line with the provisions of Policy RES8;

Developments which do not meet any of the above criteria will not receive Council support.

Housing within the Rural Diversification Area

Policy RES10

The Council will be supportive of single or small scale residential developments within the Rural Diversification Area, as shown on the rural area map, where it can be demonstrated, to the satisfaction of the Council, that:

- (i) the houses are required for the categories of development detailed in Policy RES9 above; or
- (ii) the proposed development would constitute a limited addition to an existing, clearly defined group of four or more houses not delineated by a formal settlement boundary in line with the provisions of Policy RES 11; or

(iii) the proposed development comprises a residential unit in line with the provisions of Policy RES 12.

(iv) the proposed development would facilitate the establishment of a new innovative business, consistent with the provisions of Policies IND 5, IND 6 and IND 7. It will require to be demonstrated conclusively to the Council that establishment of the new business would not otherwise be financially viable and that financial assistance is not available from any other source. The Council will require to be satisfied that all profits arising from the enabling development will be channelled into the business development to be permitted.

Developments which do not meet any of the above criteria will not receive Council support.

Reasons for Policies RES9 and 10

- to comply with the provisions of the Ayrshire Joint Structure Plan; and
- to protect the countryside from inappropriate isolated or sporadic residential development

Reason for Policy RES 10

- to help support local community infrastructure, facilities and amenities

Limited Additions to Small Housing Groups: Rural Diversification Area

Policy RES11

The Council will be supportive of a limited addition to existing, clearly defined groups of four or more houses not delineated by a formal settlement boundary, within the Rural Diversification Area as shown on the rural area map, where:

- (i) the total number of any new houses proposed in the particular grouping concerned at the end of the local plan period in 2017 does not exceed 50% of the total number of houses existing in that grouping as of the date of adoption of the local plan; and

- (ii) the total number of houses within the group, as expanded, does not exceed 15.

Any new housing development will require to be appropriate in terms of design to the particular location in which it is proposed, be sensitive to the design and layout of the particular existing group of buildings concerned and meet the standards required by all relevant public and statutory service providers or the provisions of the water supply regulations monitored by the Council. The sensitive infilling of any available gap sites consolidating existing dwellings within the group will be particularly encouraged in preference to any linear expansion of the housing group concerned.

Reason for Policy RES 11

- to protect the countryside from inappropriate isolated or sporadic residential development
- to help support local community infrastructure, facilities and amenities

Single Houses on Brownfield/Derelict Land: Rural Diversification Area

Policy RES 12

The Council will be supportive of the development of individual new houses within the Rural Diversification Area, subject to compliance with all other appropriate local plan policies and subject to all the following criteria being met:

- (i) the proposal constitutes an area of derelict or brownfield land;
- (ii) the proposed development site has a minimum plot size of 0.25 hectare; and
- (iii) the proposed development is specifically designed for the particular site on which it is proposed and is sympathetic to its rural location in terms of its size, scale, design, siting, material finish, landscaping and screening.

The Council will be particularly supportive of;

- (iv) individual residential developments which are of an innovative or individual design; and

- (v) individual residential developments with an integrated or ancillary workplace / business function which can be demonstrated, through the submission of an appropriate business plan, to contribute to the rural diversification of the area within which the development is proposed. In this regard, the Council will ensure that the proposed business function is appropriate to and compatible with its rural location. Intrusive developments of a business or commercial nature which are detrimental to the amenity, character and appearance of the rural area will not be permitted.

Residential developments under this policy will be strictly limited to single house developments with developments for two or more houses on a particular site not being considered acceptable to the Council. Planning permission in principle planning applications for such development proposals will also not be accepted by the Council.

Reasons for Policy RES12

- to help stem depopulation from the more remote parts of the authority area; and
- to meet with the provisions of Scottish Planning Policy (SPP)

Housing for Agricultural Workers: Settlement Protection Area and Rural Diversification Area

RES 13

The Council will be supportive of new build houses for agricultural workers, both within the Settlement Protection Areas and the Rural Diversification Areas as shown on the rural area map, where it can be demonstrated conclusively to the satisfaction of the Council, that:

- (i) the farm unit to which the proposal relates has been established for a period of more than two years and is proven to be economically viable;
- (ii) the house is required on a permanent basis for a farm worker employed directly and full time on the land to which the proposed house relates and whose presence is essential to the

operation of the farm unit on a 24 hour a day basis;

(iii) the land presented as justifying the proposed house is in the direct ownership of the applicant, not merely leased or rented to the applicant on a temporary or short term basis; and

(iv) there are no alternative, existing accommodation facilities or other properties suitable of conversion to residential use, available within, or in close proximity to, the farm unit which could satisfy the needs of the worker for whom the house is required.

In all cases, any application for an agricultural workers house will require to be supported by a business plan and a statement from an appropriate and independent professional agronomist, fully justifying the proposal on operational grounds. The Council will not be supportive of proposals which would result in the provision of three or more agricultural workers dwellings on any one particular farm unit, except in the most exceptional circumstances.

Proposals for new agricultural workers dwellings which do not meet the above criteria will not be considered acceptable to the Council.

Policy RES 14

The Council will not be supportive of any proposals for additional houses for agricultural workers where it can be established that:

(i) an existing farmhouse or other agricultural workers accommodation previously serving the agricultural unit concerned has been converted to alternative uses or has been sold off separately from the unit to persons not employed on the farm, within the preceding five year period; or

(ii) an agricultural occupancy condition previously attached to a residential property serving the agricultural unit concerned has been removed by the

Council in the preceding five year period.

Reason for Policies RES 13 and RES 14

- to help support the farming industry as a means of supporting the rural economy and helping stem rural depopulation.

Replacement Housing: Settlement Protection Area and Rural Diversification Area

RES 15

The Council will be supportive of the replacement of houses in the countryside, both within the Settlement Protection Area and the Rural Diversification Area as shown on the rural area map, where the proposed houses:

- (i) replace existing, run down, inhabited dwellings; or
- (ii) replace existing, run down dwellings which have been unoccupied for a period of less than 5 years; or
- (iii) replace existing houses which are not habitable due to accidental fire, flood or other similar damage.

In all cases, applicants will require to demonstrate conclusively that the buildings concerned fail to meet Tolerable Standards and cannot economically be brought up to habitable standards through restoration or repair. Applicants should also ensure that the proposed replacement dwellings are of a similar size and scale as the buildings being replaced and that the siting, design and material finish of the dwellings respect the character and appearance of the area within which they are proposed.

Any replacement housing will require to be constructed on the site of the existing houses being replaced unless it can be demonstrated that there are ground stability or flooding problems relating to those locations. In such cases, the replacement dwellings should, subject to compliance with all other local plan policies, be located as close as possible to the existing dwellings being replaced.

Proposals for replacement developments which do not meet the above criteria will not be considered acceptable to the Council.

Note (i) Planning permission in principle applications will not be accepted for the erection of replacement dwellings.

Note (ii) Where a replacement dwelling is to be sited in a different position to the original dwelling, the Council will require the demolition of the existing building prior to construction work commencing on the replacement property.

Reason for Policy RES 15

- to comply with the provisions of Scottish Planning Policy (SPP) and to help retain viable populations within rural areas.

Housing for Other Rural Enterprises: Settlement Protection Area and Rural Diversification Area

Policy RES 16

The Council will be supportive of new build houses in association with an established forestry or other appropriate industrial or business enterprise, including tourism related activities, both within the Settlement Protection Areas and the Rural Diversification Areas as shown on the rural area map, where it can be demonstrated conclusively to the satisfaction of the Council that:

- (i) the industrial or business development to which the proposed house relates is, itself, acceptable in terms of Policy IND6(ii), (iii) and (iv), Policy IND7 and all other relevant local plan policies; and
- (ii) the requirement for a worker to live on the site can be fully justified as essential to the economic operation of the industry or business enterprise to which it relates; and
- (iii) the industrial and business enterprise to which the proposed house relates has been established and operative for a minimum period of two years and is proven to be economically viable.

The Council will, where considered necessary or appropriate, request applicants to justify their proposals through the submission of detailed supporting information, for example detailed business plans, in order to allow the

Council to fully assess the applications concerned.

Proposals for new business and industry related housing developments in the countryside which do not meet the above criteria will not be considered acceptable to the Council.

Note: The erection of a new house in the countryside to provide security against theft, vandalism or intrusion to an authorised or proposed rural business activity does not represent or constitute a site specific locational need for such a development.

Reason for Policies RES 16

- to help support the establishment of new businesses in the rural area as a means of supporting the rural economy and helping stem rural depopulation.

Housing for On-site Staff Accommodation: Settlement Protection Area and Rural Diversification Area

Policy RES17

The Council will be supportive of new build houses, both within the Settlement Protection Areas and the Rural Diversification Areas as shown on the rural area map, where it can be demonstrated conclusively to the satisfaction of the Council, that they are an essential and integral part of an authorised proposal which necessitates the provision of on-site staff accommodation.

Reason for Policy RES 17

- to help support rural business enterprises which require essential supporting staff to be located on site.

Housing in the Countryside: Design and Locational Considerations: Settlement Protection Area and Rural Diversification Area

Policy RES 18

The Council will require all potential developers of new houses in the countryside to demonstrate that:

- (i) their proposed developments utilise innovative and energy efficient

technologies to achieve particularly low / zero carbon emissions;

- (ii) their proposed developments are sited and orientated specifically to respect the natural topography of the proposed development site and to blend in with the landscape character and appearance of the area in which they are proposed;
- (iii) their proposed developments, any ancillary outbuildings, boundary treatments and access provision respect, reflect and complement, in their style and material finish, the particular local characteristics of the area in which they are proposed;

Developments which are unduly visually prominent or which undermine the identity of the rural area in which they are proposed will not be considered acceptable to the Council.

In all cases, developers will be required to ensure that their development proposals comply fully with the Council's approved Design Guidance.

Policy RES 19

Where a new residential development in the countryside is considered acceptable in terms of other residential policies of the local plan, the Council will require applicants, in the first instance;

- (i) to utilise any existing buildings which are considered capable of residential use in preference to the construction of new build housing; or, if this is not possible,
- (ii) to utilise areas of derelict or degraded land in preference to the development of greenfield land.

Wherever possible, any proposals for individual new houses in the countryside will be required to consolidate and compliment existing farm steadings or small groups of houses in preference to the development being isolated in the countryside.

Note: The development of any new housing in the countryside which is considered acceptable to the Council in terms of policies RES 9 to RES 18 and which can be demonstrated to meet an unsatisfied demand

for holiday, weekend and second homes will also be supported, in principle, by the Council.

Policy RES 20

There will be a presumption against residential development in the countryside:

- (i) in Special Protection Areas, Special Areas of Conservation, Sites of Special Scientific Interest and on other recognised, important areas of known nature conservation, built heritage or natural heritage interest; or
- (ii) on prime quality or good quality, locally important agricultural land falling within categories 1, 2, 3.1 and 3.2 of the Macaulay Land Use Research Institute (see Appendix 3); or
- (iii) where the development would result in the loss of land planted for forestry, areas of ancient or semi-natural woodland, mature shelter belts or in the loss of mature trees; or
- (iv) where the development would constitute an inappropriate or unacceptable extension of development into the countryside from existing settlement boundaries; or
- (v) where the development would constitute an extension from those clearly defined groups of houses not delineated by a formal settlement boundary within Settlement Protection Areas as identified on the local plan maps; or
- (vi) where the development would, in itself, constitute or exacerbate an unacceptable sporadic or ribboning of development along public or private roads in rural locations; or
- (vii) where the development would contribute to the coalescence of neighbouring communities; or
- (ix) where, in the opinion of the Council, the development would;

- be unduly visually prominent; or
- break the skyline when viewed from a public road; or
- adversely affect the amenity and appearance of remote areas, wild areas or particularly picturesque locations; or
- diminish the landscape quality and character of the area; or

(ix) where the development would not meet the service requirements of the Council as Roads Authority or the standards of all appropriate statutory undertakers and other service providers.

Reasons for Policies RES18, 19 and 20

- to protect sensitive rural resources from inappropriate residential development;
- to protect the visual amenity and landscape quality of the countryside; and
- to ensure that developments are sustainable and fully respect the particular location in which they are proposed.

Policy RES 21

Where a new house is proposed within either the Settlement Protection Area or the Rural Diversification Area, and the proposed site is located within a Sensitive Landscape Character Area as identified on the rural area map, the potential developer will be required to submit a detailed design statement and an evaluation of the ability of the landscape to accommodate the proposed development to the Council as an integral part of any submitted planning application. Applications for planning permission in principle for residential developments in the Sensitive Landscape Character Areas will not be accepted by the Council.

Reason for Policy RES 21

- to ensure that developments fully respect the landscape character of the area in which they are proposed.

Residential Amenity

Policy RES 22

The Council will, at all times, seek to protect, preserve and enhance the residential character and amenity of existing residential areas. In this regard, there will be a general presumption against:

- (i) the establishment of non residential uses within, or in close proximity to, residential areas and which have potentially detrimental effects on local amenity or which cause unacceptable disturbance to local residents;
- (ii) the development of locally important areas of recreational or amenity open space which contribute significantly to the character and appearance of the residential area concerned;
- (iii) the removal of play equipment from areas of recreational open space;
- (iv) the closure or disruption of existing footpaths which provide important links between housing areas and areas of public open space, local shops and other community facilities, transportation nodes etc.;
- (v) any development which, by reason of its size, scale, design or material finish, is out of keeping with and detrimental to the character and appearance of the residential area concerned;
- (vi) any development which, by reason of its size, scale, location or material finish would be unacceptably visually intrusive or which would adversely impact on the amenity or privacy of neighbouring properties.

Reason for Policy RES 22

- to help protect and preserve the overall amenity, character and appearance of existing residential areas.

Residential Open Space Provision

Policy RES 23

The Council will require all housing developers to provide areas of recreational and amenity open space as an integral part of their development proposals and to ensure that the location of all such areas is addressed as a primary consideration in the preparation of any housing layout design. All open space, and particularly those areas of open space containing play equipment, should be located in accessible positions which are centrally located within the housing layout and open to public view. The provision of public open space in peripheral, backland locations will not be considered acceptable.

Developers are also required to ensure that the design of all open space is to the highest possible standards and to make provision for the future maintenance of these areas, once formed, to the satisfaction of the Council. In preparing their proposals, developers should have regard to the interim guidelines in Schedule 4. The precise type, size, location and design of the open space will, however, be dependent on the extent of existing open space provision in the vicinity and the recreational and amenity needs of the wider area. Prospective developers are advised to consult fully with the Council's Head of Leisure Services in this regard, prior to formulating their development proposals.

Policy RES 24

In formulating their development proposals, developers should ensure that:

- (i) areas of open space are of a size and configuration that is easily maintainable. Larger areas of well located, consolidated open space should be provided in preference to a series of smaller, individual areas scattered throughout the proposed development site;
- (ii) proposed areas of open space link, wherever possible, with other areas of adjacent existing open space;
- (iii) the proposed areas of open space are safe and secure, overlooked if possible by adjacent properties;

- (iv) play areas, kick about areas and games pitches are provided as required by the Council's Head of Leisure Services;
- (v) play equipment and facilities for the disabled and those with special needs are provided as considered appropriate;
- (vi) areas of open space are attractively planted and, where appropriate, use plant species to encourage wildlife; and
- (vii) all open spaces are provided, as appropriate, with footpaths for both access and leisure walking, linking with adjacent open spaces wherever possible.

Policy RES 25

Where a development is proposed which would necessitate the provision of open space and that development is located adjacent or in close proximity to an area of existing open space in need of upgrading or improvement, the Council may, as an alternative to providing new open space areas, require the developer through an appropriate Section 75 Agreement to upgrade and improve the existing open space area and provide for the maintenance of that area for a specified period to be agreed.

Policy RES 26

All developers of new housing developments should have regard to the private open space guidelines in Schedule 5. These may be relaxed where the Council is satisfied that relaxation is justified.

Reason for Policies RES 23 to 26

- to ensure that open space provision is of a type and size appropriate to the general area within which it is proposed.

Master Plans

Policy RES 27

The Council will require developers of the residential Strategic Expansion Locations detailed in Table 7 of Volume 1 of the local plan to prepare Master Plans for the sites

concerned, explaining how the sites will be developed, describing and illustrating the form of the proposed development in three dimensions. The Master Plans to be produced will be required to fully reflect and respect the provisions of the Council's Supplementary Planning Guidance on Master Planning and to provide the Council with the following information:

- (i) an indication of the developer's intended vision for the site and an explanation as to how the form of the development will achieve that vision;
- (ii) an indication as to how the proposed development will be implemented and the costs involved in the development;
- (iii) an indication of the proposed phasing of the development up to the year 2017 (and beyond, if considered necessary and appropriate);
- (iv) an indication of the location, type and tenure of the proposed housing to be provided;
- (v) an indication of the location and amount of public open space to be provided within the development;
- (vi) an indication of how the proposed development will be integrated with existing communities, the natural environment and the topography of the site;
- (vii) an indication of vehicular access arrangements to the site, proposed internal road, footpath and cycle infrastructure and linkages with external access networks;
- (viii) an indication of the landscaping regime proposed for the site and the measures to be taken to protect and enhance any important existing landscape features contained in the site.

The Master Plans to be prepared should be submitted to the Council for formal consideration prior to the lodgement of any associated planning applications with the planning authority.

Reasons for Policy RES 27

- to comply with the provisions of the Ayrshire Joint Structure Plan; and
- to ensure that the overall development of the area is carried out in an integrated and comprehensive manner.

The Use of Section 75 Agreements

Policy RES28

In appropriate circumstances, the Council will expect housing developers to enter into Section 75 Agreements under the Town and Country Planning (Scotland) Act 1997. Such agreements will be requested where:

- (i) the development of a site is to be limited to a particular type of residential use; or
- (ii) phasing is required for a large scale site and development requires co-ordinating with other service or facility provision; or
- (iii) associated areas of open space and landscaping requires long term management and maintenance; or
- (iv) developer contributions are required to fund or provide additional or extended associated services or facilities to meet the requirements of a specific development (See policy RES29 below); or
- (v) existing community facilities and amenities, lost as a result of a proposed development, require to be replaced; or
- (vi) the development is an enabling development linked to the conversion of a listed building.

The above list is not considered to be exhaustive and Section 75 Agreements may be requested in respect of other issues arising from a development proposal, at the discretion of the Council.

Note: Section 75 Agreements will only be requested where the benefits sought cannot be adequately achieved by other measures, such as the introduction of planning conditions attached to an issued planning

consent. Section 75 Agreements will not be used to obtain benefits unrelated in scale, nature or kind, to the particular development proposed.

Developer Contributions

Policy RES 29

Where a development of 4 or more houses, either on its own, or in association with existing developments, will place additional demands on community facilities or infrastructure that would necessitate new facilities or exacerbate deficiencies in existing provision, the council will require the developer to meet or contribute to the cost of providing or improving such infrastructure or facilities. Contributions will relate to the development concerned, including in nature, scale and kind. Where these cannot be secured by planning conditions or other appropriate means, the council will expect developers to complete a section 75 or other legal agreement. Contributions sought under this policy will be waived or reduced only in exceptional circumstances – for example, where a developer demonstrates that a development would have exceptional development costs, would bring particular economic, social or other benefits, or is ‘enabling development’ as defined in the plan.

Note:

- (i) In addition to any contributions made under Policy RES 29, developers will require to meet the costs of providing the service infrastructure necessary for their development
- (ii) The Council will monitor and review, in discussion with stakeholders, including representatives of the development industry, supplementary planning guidance relating to Developer Contributions on an annual basis

Reason for Policies RES 28 and 29

- to help meet any identified deficiencies in local facilities and amenities brought about as a result of the proposed development; and
- to help achieve the highest possible quality of development through the

promotion of measures that cannot adequately be addressed through planning conditions attached to an issued planning consent.

Community Care Housing

Policy RES30

The Council will require the provision of community care housing for older people, people with a physical or learning disability etc, on the sites identified and specifically safeguarded for such developments on the local plan maps. Community care housing provision on other sites within close proximity to a Post Office or range of shops, and located on a public transport route will be acceptable to the Council, subject to the following considerations:

- (i) impact on surrounding environment and adjacent uses;
- (ii) transportation and infrastructure implications; and
- (iii) loss of maintained open space.

Agreements under Section 75 of the Town and Country Planning (Scotland) Act 1997 will be requested in order to protect the use of these sites for community care housing.

Non Permanent Dwellings

Policy RES 31

The use of caravans and non-permanent dwellings on sites other than those specifically authorised for such purposes will not be permitted. However, temporary consent may be granted in the following circumstances:

- (i) where on-site accommodation is required pending the construction of a permanent dwelling; or
- (ii) where on-site accommodation is required to accommodate an agricultural worker for a limited period while a new farm unit is becoming established and where this can be fully justified to meet operational requirements; or
- (iii) where on-site accommodation is required in connection with an

authorised business or industrial development for the period within which the business or industry is becoming established on site and where this can be justified to meet operational requirements; or

- (iv) where a temporary, proven, site specific locational need can be demonstrated to the satisfaction of the Council.

Reason for Policy RES31

- to protect the amenity of the area from the sporadic siting of temporary structures in inappropriate locations

Travellers' Sites

Policy RES 32

The Council will assess any applications for small, privately owned Travellers' Sites on their own merits and will support the development of such sites where all of the above criteria can be met:

- (i) the site is in a location readily accessible to the main strategic road network;
- (ii) the site does not adversely affect or impact on any areas of recognised nature conservation and built heritage interest, sites of significant landscape quality and any existing surrounding uses;
- (iii) the site can be accessed and serviced to the standards of the Council's Roads Division and other service providers;
- (iv) the site is adequately screened and landscaped to the satisfaction of the Council; and
- (v) the site does not cause any unacceptable damage or detriment to the amenity of residents of surrounding properties.

Proposals which do not meet all these criteria will not be supported by the Council.

Reason for Policy RES32

- to comply with the provisions of SPP.

GENERAL HOUSING PROPOSALS

PROP 5

The council will prepare advice and guidance to open space providers based on the recommendations in the open space strategy approved in February 2009.

PROP 6

The Council will carry out an investigation into the possibility of developing new travellers' facilities at an appropriate location. Due consideration will be given to the option of independently providing a new, year round travellers' site within East Ayrshire, or alternatively, contributing towards the development of a new transit facility serving Ayrshire as a whole, as part of a joint strategy with North and South Ayrshire Councils.

PROP 7

The Council will prepare, in consultation with relevant stakeholders, Supplementary Planning Guidance on affordable housing, based on the conclusions of its Housing Needs and Demand Assessment, with a view to promoting a local development plan on this issue as soon as practicable.

7 RETAIL AND TOWN CENTRE ACTIVITY USES

7.1 The Council is committed to developing a sustainable, healthy and dynamic retail economy for East Ayrshire and to creating and maintaining vibrant town centres. In order to help achieve the principle aims of the local plan retailing and town centre development strategy detailed in Part 1 of the local plan the Council has therefore devised a set of policies aimed at addressing retailing and town centre activity related development issues throughout the area. A number of the retail and town centre activity policies make reference to Schedules 6(i) and (ii) of the local plan which detail those uses considered acceptable in town centre locations. These Schedules are detailed at the end of Volume 1 of the local plan.

STRATEGIC RETAILING AND TOWN CENTRE ACTIVITY POLICIES

Strategic Policy RTC 1

The Council will adopt a sequential approach in assessing development proposals for retail, commercial leisure developments and other uses appropriate to town centres as described in Schedule 6(i) of the Plan. Developers will be required to locate all such development firstly, in town centres as identified on the Local Plan maps; secondly, in edge of centre locations where no such town centre sites are available; and thirdly, in identified commercial centres as identified on the local plan maps, in preference to out of centre locations. Applicants proposing such developments in out of centre locations will be required to demonstrate to the satisfaction of the Council:

- (i) that no suitable alternative site can be found or assembled within town centres, in an edge of centre location or in an identified commercial centre: and
- (ii) that the chosen location is, or can be made, easily accessible by a choice of modes of transport.

Note

(i) With the exception of those particular types of out of centre retail developments considered acceptable in terms of policy RTC

7 below, the development of new retail floor space in out of centre locations (including identified commercial centres) will be restricted to the sale of bulky DIY, furniture, carpets, electrical and gardening goods.

(ii) The sequential test will not be applied where development proposals for retail, commercial leisure developments and other uses appropriate to town centres as described in Schedule 6(i) are proposed on sites allocated for those purposes in the local plan or where the proposal constitutes a type of out of centre retail development detailed in policy RTC 7 of the plan.'

Reason for Policies RTC 1

- to comply with national and structure plan guidance and to respect the principles of sustainability

Strategic Policy RTC 2

Subject to the provision of all other retail and town centre policies, the Council will ensure that all development proposals for the classes of development detailed in Schedule 6(i) of the Local Plan are commensurate with the size and function of the area or settlement within which they are proposed. In this regard:

- (i) all major retail and other Schedule 6(i) uses of East Ayrshire wide impact and importance are directed to the main town of Kilmarnock;
- (ii) all major retail and other Schedule 6(i) uses of significant importance to a range of local communities within the investment corridors are directed to the service centres of Cumnock, Auchinleck, Stewarton, Galston and Dalmellington;
- (iii) all retail and other Schedule 6(i) uses of local importance are directed to the particular service centres or local communities to be served by the development.

Reasons for Policy RTC 2

- to protect the vitality and viability of existing town centres and
- to ensure that retail proposals are commensurate with the size and

catchment populations of the area settlements.

(Both policies accord with Structure Plan Aims SP 2 and 4, and Strategic Aims 2, 3 and 7 of the Local Plan)

GENERAL RETAIL AND TOWN CENTRE ACTIVITY POLICIES

Policy RTC 3

Both within town centres and elsewhere throughout the area settlements, the Council will positively encourage owners and developers to retain and improve all existing retail facilities and other facilities falling within Schedule 6(i) of the local plan.

Where changes of use of properties in Schedule 6(i) use are proposed or where a property in Schedule 6(i) use becomes vacant, the Council will, in the first instance, encourage and support the re-use or redevelopment of the property for an appropriate alternative Schedule 6(i) use.

The Council will also be supportive, in principle, to changes of use from Schedule 6(i) use to alternative Schedule 6(ii) uses or to the redevelopment of gap or infill sites within town centres for Schedule 6(ii) uses but only where it can be conclusively demonstrated by the applicant / developer that:

- (i) the properties or sites concerned have been actively and widely marketed for Schedule 6(i) uses for a period of six months and that no appropriate Schedule 6(i) use for the premises can be found; and
- (ii) the proposed development is sympathetic, in terms of its scale, design and material finish to the character and amenity of the area concerned.

Note: This policy does not apply to ground floor premises within the Kilmarnock Core Shopping Area which is covered by Policy RTC6. Residential development within town centres is addressed in policy RTC5.

Reasons for Policy RTC3

- to safeguard existing retail and other Schedule 6(i) uses throughout the area settlements; and

- to allow for the sympathetic reuse of properties and sites to acceptable alternative uses'

Town Centre Locations

Policy RTC 4

Subject to the provisions of all appropriate local plan policies, the Council will be particularly supportive of development proposals for new Schedule 6(i) uses within town centre areas as defined on the local plan maps, particularly where the proposals relate to gap or infill sites with potential for redevelopment.

In cases where a town centre contains a number of small scale gap or infill sites with potential for redevelopment, the Council will require any developer proposing to develop a large scale retail development outwith the town centre to demonstrate, as part of the sequential test, that the available gap or infill sites cannot be assembled and developed together in a coordinated manner to accommodate either the whole or part of the particular development concerned. The Council will be particularly supportive of such aggregated developments in preference to the development of single sites in out of centre locations.

Reason for Policy RTC 4

- to preserve and expand the retail function of town centres
- to meet the provisions of Scottish Planning Policy (SPP)

Policy RTC 5

The Council will be supportive of residential development within designated town centres where:

- (i) the proposal relates to areas identified as being suitable for housing development on the local plan maps;
- (ii) the proposal comprises the conversion of vacant first floor premises above existing retail or other properties in Schedule 6(i) or Schedule 6(ii) use;

- (iii) the proposal comprises a new residential flatted development above a new build, ground floor premises intended for retail or other appropriate Schedule 6(i) uses; or
- (iv) the proposal relates to a redevelopment site where it can be conclusively demonstrated by the developer that the property has been actively marketed for retail or other town centre uses for a minimum period of six months and that no appropriate Schedule 6(i) uses for the site can be found.

The re-use of existing town centre properties or the redevelopment of land within town centres to an appropriate residential use will be acceptable only where the proposal is of a size, scale and design sympathetic and appropriate to the character and amenity of the area concerned. New housing will be restricted to flatted or terraced developments. Parking standards for residential sites within town centres may be relaxed by the Council where considered appropriate.

Reason for Policy RTC 5

- to preserve the retail function of town centres and to provide for other services and uses which provide direct support to the retail function of the area.

Kilmarnock Core Shopping Area

Policy RTC 6

Within the Kilmarnock Core Shopping Area as indicated on the Kilmarnock Local Plan Map, the Council will:

- (i) encourage and support the continuing use of existing ground floor retail floorspace for retail purposes; and
- (ii) encourage and support the use of any vacant ground floor or upper floor floorspace, or the conversion of existing non-retail ground floor or upper floor floorspace, to retail use.

Within the Core Shopping Area, the change of use of ground floor premises to non-retail use will only be acceptable to the Council where the proposed use comprises;

- a Class 2 financial, professional and other services use;
- a Class 3 food and drink use; or
- a sui generis public house use, amusement centre use or use catering for the sale of hot food for consumption off the premises, as detailed in Schedules 6(i) and (ii) of the Local Plan.

With specific regard to the change of use of existing retail premises to non-retail use, the Council will only be supportive of such changes of use where it can be conclusively demonstrated by the developer that the property has been actively marketed for retail purposes for a minimum period of six months and that no appropriate Class 1 retail use for the premises can be found.

Note: For the purposes of this policy, 'retail use' comprises those uses falling within Class 1 of the Town and Country Planning (Use Classes) (Scotland) Order 1997.

Reason for Policy RTC 6

- to preserve the prime retail function of the core area for shopping and general retail purposes and for other services which provide direct support to the retail function of the area.

Out of Centre Developments

Policy RTC 7

The Council will assess any proposals to establish new small scale Schedule 6(i) uses in settlements without a specifically designated town centre boundary on their own merits and will be supportive of such developments where it can be clearly demonstrated that:

- (i) the proposed development is of a size and scale appropriate to the size and scale of the settlement within which it is proposed;
- (ii) the proposed development meets the standards of the Council's Roads Division and all other service providers;
- (iii) the proposed use would be compatible with other uses in the surrounding area;

- (iv) the proposed development is of a high standard of design and material finish;
- (v) the proposal would not have any adverse impact on the environmental quality, character and amenity of the area; and
- (vi) the proposed development would be compatible with all other local plan policy objectives.

Reasons for Policy RTC 7

- to facilitate sympathetic retail development and to assist commercial enterprise in smaller settlements

Policy RTC 8

The Council will not be supportive of applications for the development of new convenience and comparison retail floor space in out of centre locations, (including identified commercial centres) unless the application relates to a type of retail development detailed in Policy RTC 7 above or Policy RTC 9 below or to a bulky goods development relating to the sale of DIY, furniture, carpets, electrical and gardening goods.

The Council will require applicants for bulky goods retail developments to demonstrate to the Council that:

- (i) a sequential approach has been adopted and no suitable alternative sites are available within or on the edge of town centres or within identified commercial centres;
- (ii) the proposed development would not unacceptably adversely affect, either individually or cumulatively, the vitality and viability of the town centre;

Note: Criteria (i) and (ii) above are applicable only with regard to those settlements with a town centre boundary defined on the local plan maps.'

- (iii) the proposed development would not unacceptably adversely affect the vitality and viability of any existing town centres located within its intended catchment area;

- (iv) the size and scale of the proposal is appropriate to its location;
- (v) the proposed development is accessible by a range of modes of transport and has no unacceptable adverse impact on travel patterns within the community concerned;
- (vi) the proposed development meets the standards of the Council's Roads Division and all other service providers;
- (vii) the proposed use would be compatible with other uses in the surrounding area;
- (viii) the proposed development is of a high standard of design and material finish;
- (ix) the proposal would not have any adverse impact on the environmental quality, character and amenity of the area; and
- (x) the proposed development would be compatible with all other local plan policy objectives.

Developments that do not meet these criteria are unlikely to receive Council support.

Note: Where it can be demonstrated that no town centre or edge of centre site is available for bulky goods development the Council would, subject to all of the above criteria being met, direct such development firstly to Commercial Centres as identified on the local plan maps in preference to other out of centre locations.

Reasons for Policy RTC 8

- to ensure that planning decisions are made in an informed manner in light of all available, relevant information regarding the proposal and its likely impacts; and
- to facilitate sympathetic retail development and to assist commercial enterprise in smaller settlements

Policy RTC9

In addition to the types of development detailed in policies RTC 7 and RTC 8 above, small scale retail development proposals, falling within Class 1 of the Use Classes

Order, in out of centre locations will generally be supported by the Council where:

- (i) the proposal is for a local shop or shops required to meet the day to day convenience needs of local residents. New local and top-up shopping provision in existing neighbourhood or local centres will be particularly supported by the Council and preference will be given to the re-use of existing vacant premises rather than new build developments wherever practicable; or**
- (ii) the proposal is for a factory shop located within the curtilage of an existing factory unit or for a shop attached to an existing or approved craft workshop, where the retail outlet is purely ancillary to the main manufacturing use of the premises and where the goods sold are limited exclusively to those goods manufactured on site; or**

Note: In cases where individual factory shops are proposed in locations outwith the curtilage of the factory premises to which they relate or where a number of factory retail outlets, unrelated to their manufacturing base, are grouped together to form a Factory Outlet Centre, the developments will be treated as normal retail developments and will be assessed accordingly.

- (iii) the proposal is for a farm shop located on the farm unit to which the shop relates, established specifically to sell local agricultural or horticultural products and where the majority of goods sold consist of those produced or grown on site; or**
- (iv) the proposal is for a tourism, leisure or recreation related retail development, where the goods sold and services provided cater specifically for tourists and visitors to the area and where the proposed shop is purely ancillary to the main tourism, leisure or recreation use of the premises; or**
- (v) the proposal is for the sale of coal or other minerals direct from an extraction site, either to local distributors or to individual members of the general public for local domestic use; or**

- (vi) the proposal is for a small scale shop designed to serve the needs of a dispersed rural community or, if attached to a rural petrol station (see Policy RTC17 below), the travelling public.**

Notwithstanding the above policy approach, all retail developments in out of centre locations will require to be assessed against criteria (iv) to (x) detailed in Policy RTC8 above.

Note: for the purpose of this policy, small scale retail development proposals are deemed to have a gross floor area of less than 200 square metres.

Reason for Policy RTC 9

- to meet the demand for those types of retail development considered appropriate in out of centre locations**

Retail Impact Assessments

Policy RTC 10

The Council will require all major retail and commercial leisure developments proposed for locations outwith established town centres, as indicated on the local plan maps, and which create over 2500 sq m of gross retail floorspace to be supported by a formal impact analysis addressing all of the criteria detailed in Policy RTC 6 above. Transport Assessments will also be required where major retail or commercial leisure development proposals have significant transport and traffic implications. The Council may also require retail and leisure developments generating less than 2500 sq m of gross retail floorspace and which are considered by the Council to have a potential significant impact on the vitality and viability of town centres, to be accompanied by an appropriate impact analysis and Transport Assessments, as considered appropriate.

Reasons for Policy RTC 10

- to ensure that planning decisions are made in an informed manner in light of all available, relevant information regarding the proposal and its likely impacts**

- to comply with the provisions of Scottish Planning Policy (SPP).

Extensions to Retail Premises

Policy RTC 11

The Council will generally be supportive of proposals to extend existing retail premises where the extension:

- is of a size and scale appropriate to the premises concerned;
- does not create a total gross ground floor floorspace of more than 200m²; and
- is of a high quality design and finish.

Any extension which would result in a total gross ground floor floorspace in excess of 200 sq.m, which would comprise new mezzanine floorspace within an existing retail unit or which would be of such a size or type as to result in a change to its character, will require to be fully justified by the developer and will be assessed on its own merits against the provisions of policy RTC 8.

The Council may also, at its discretion request applicants whose extension proposals create over 2,500 square metres of gross retail floorspace, to support their proposals with Retail and Transport Assessments, as considered appropriate.

Reasons for Policy RTC 11

- to facilitate sympathetic expansion of Schedule 6(i) uses in appropriate locations; and
- to comply with the provisions of Scottish Planning Policy (SPP)

Town Centre Environment

Policy RTC 12

The Council will actively promote and support the upgrading and improvement of existing town centre environments and of other recognised local shopping centres or out of centre retail and commercial areas as an integral part of any new development proposals pertaining to those areas. In this regard, the Council will actively encourage

developers, where considered appropriate, to create new, accessible public open spaces and to carry out landscaping and environmental improvements to provide an enhanced setting for their particular development proposals.

Reason for Policy RTC 12

- to help promote improvements to town centre and other retail and commercial environments.

Mobile Snack Bars

Policy RTC 13

The siting of any mobile snack bars along the East Ayrshire road network will be restricted to existing lay-bys with separate entrances and exits only along the A70, A71, A76 and A713 routes, outwith the settlement boundaries. No more than two units will be permitted along each route.

Policy RTC 14

The siting of static or mobile snack bars, open-air stalls or other street trading units within all settlement boundaries as defined on the Local Plan maps will be considered acceptable to the Council only where:

- there is no adverse impact on the vitality and viability of existing retail and catering provision within the settlements concerned;
- there is no adverse impact on the visual quality and amenity of the environment and adjacent properties by reason of noise, litter, odour or any other disturbance;
- servicing and car parking can be provided to the standards of the Council's Roads Division;
- there is a demonstrated site specific locational need; and
- the proposed development is compatible with surrounding land uses.

Developments which do not meet the above requirements will not be supported by the Council.

Public Houses and Hot Food Take-aways

Policy RTC15

Development proposals for public houses and hot food take-aways will be considered acceptable uses within town centres and may be considered appropriate in other locations where the proposals:

- (i) meet with the Council's design and layout policies;
- (ii) meet with the requirements of the Council as Roads Authority;
- (iii) do not have a detrimental effect on the amenity of adjacent properties by reason of noise, litter, odour or any other disturbance; and
- (iv) are compatible with surrounding land uses.

Petrol Filling Stations

Policy RTC16

Proposals for new petrol filling stations will be considered acceptable to the Council only where the development:

- (i) meets the requirements of the Council as Roads Authority;
- (ii) is compatible with surrounding land uses; and
- (iii) has no adverse impact on the character and amenity of the surrounding area.

Policy RTC17

The Council will be supportive of the retail sale of goods from petrol filling stations where it can be demonstrated that the retail element is purely ancillary to the sale of petrol and is geared specifically to cater for the needs of the travelling public. Any proposals to extend retail sales to the wider public will be assessed on their own merits and will only be considered acceptable to the Council where:

- (i) there is no adverse impact on the vitality and viability of existing retail outlets in the immediate and wider area;
- (ii) adequate customer parking provision can be accommodated within the development site to the satisfaction of the Council as Roads Authority; and
- (iii) the proposals are compatible with all other retail policy objectives of the Local Plan.

Sale and Display of Motor Vehicles

Policy RTC18

Proposals for the sale and display of motor vehicles will be considered acceptable on the Miscellaneous Development Opportunity Sites specifically identified for such purposes on the local plan maps. Any proposals for the sale and display of motor vehicles outwith these sites will only be considered acceptable where the developments:

- (i) meet the requirements of the Council as Roads Authority;
- (ii) are compatible with surrounding land uses; and
- (iii) do not have any adverse impact on the character and amenity of the surrounding area.

The Council may, in granting consents for the sale and display of motor vehicles, consider attaching appropriate conditions preventing subsequent changes to Class 1 retail use, currently permitted under the Town and Country Planning (General Permitted Development) (Scotland) Order 1992.

Garden Centres

Policy RTC 19

The Council will generally be supportive of the establishment of Garden Centres in rural locations, subject to the development:

- (i) being fully compatible with surrounding land uses and not being detrimental to the amenity of the area and nearby residents; and

- (ii) meeting all of the requirements of the Council as Roads Authority.

A minimum 80% of any permanent, purpose built retail sales area that may be proposed should be dedicated exclusively to the sale of goods produced on site.

Reason for Policies RTC 13 to 19

- to control those types of retail and other Schedule 6(i) developments which are considered to have significant impact on their surroundings by reason of their scale, nature or location.

Amusement Centres

Policy RTC 20

All Amusement Arcade or Amusement Centre developments will be directed to existing town centres. However, such developments will not be considered acceptable where they would impact adversely on the amenity of nearby residential properties, schools, places of worship, hospitals or other sensitive establishments which generally require and enjoy a high level of environmental quality.

Reasons for Policy RTC 20

- to protect the amenity and character of sensitive land uses from undue noise and other environmental or amenity disturbance.

8 COMMUNITY FACILITY AND SERVICE INFRASTRUCTURE PROVISION

8.1 The Council is committed to safeguarding, maintaining and augmenting the full range of community, public utility and environmental services throughout East Ayrshire to meet the needs of local residents. In order to help achieve the principle aims of the local plan community and service infrastructure development strategy detailed in Part 1 of the local plan the Council has therefore devised a set of appropriate policies. These policies are detailed below.

STRATEGIC COMMUNITY FACILITY AND SERVICE INFRASTRUCTURE POLICIES

Strategic Policy CS1

The Council will respond positively to changing needs and demands for all community, educational, sporting, leisure, cultural and other facilities serving local communities throughout East Ayrshire. In particular, the Council will encourage and support the development of such new facilities as may be required and the upgrading, expansion and improvement of existing facilities to meet local needs.

Strategic Policy CS2

The Council will encourage all service providers to improve, augment, and expand existing service infrastructure throughout East Ayrshire in order to meet the demands of local residents. The Council will also ensure, in its consideration of planning applications, that all proposed new developments can be adequately serviced and will not compound or exacerbate any identified constraints in the wider service infrastructure network. In this regard, the Council will encourage developers to work with individual service providers and, where appropriate, jointly with other developers in the area concerned, to ensure that any existing or potential constraints in service infrastructure can be successfully overcome. Consent will only be granted for new developments where it can be demonstrated to the Council that any existing service deficits can be satisfactorily overcome.

In cases where major new developments are proposed that will bring significant economic, social or other benefits to the area, the

Council will, where considered appropriate and subject to the necessary finance being available, take whatever steps it can to help facilitate essential service infrastructure provision.

Reason for Strategic Policies CS1 and 2

- to meet all demands for community facility and other service provision throughout East Ayrshire

(The policies accords with Structure Plan Aim SP2, and Strategic Aim 6 of the Local Plan)

GENERAL COMMUNITY FACILITY AND SERVICE INFRASTRUCTURE POLICIES

Water and Sewerage Infrastructure

Policy CS3

Except where no public sewer or public water supply is available, or the council is satisfied that constraints to the public systems make connection unfeasible or impractical, all developers will be required to connect their developments to the public water supply and sewerage systems. Elsewhere, as far as drainage is concerned, connections to private Waste Water Treatment Works may be permitted where the Council is satisfied that:

(i) the required upgrade of the public system has been agreed and identified in the Scottish Water Investment Programme;

(ii) the private works are temporary and are designed and built to a standard to allow future connection to the public sewerage system; and

(iii) the proposal would not result in a deterioration of the status of the water environment.

In such cases, developers will be required to make provision, including where appropriate, financial provision, to ensure that their development is connected to the public system when the upgrading works in Scottish Water's Investment Programme have been implemented. A planning condition to that effect will be imposed on planning consents. Alternatively, where appropriate, a legal agreement will be required.

In all cases, developers will be required to fund non-strategic infrastructure for their developments under the Provision of Water and Sewerage Services (Reasonable Cost) (Scotland) Regulations 2006.

Sports, Leisure and Culture

Policy CS4

There will be a general presumption in favour of the leisure, culture and sporting use of land in the countryside to meet the needs of local residents and visitors to the area, provided that:

- (i) there is a demonstrated and justified need for the development in a rural location.
- (ii) the proposed use is not visually or environmentally intrusive, is in keeping with the landscape character of the area in which it is proposed and is of a nature and scale compatible with adjoining activities;
- (iii) the natural or cultural heritage is safeguarded from any adverse effects of the proposed development, including the effects of increased traffic in rural areas;
- (iv) the proposed new sporting, leisure or cultural facilities proposed are, wherever possible, readily accessible by public transport, cycling and on foot, as well as by car; and
- (v) the proposal complies fully with all other relevant Local Plan Policies and meets all pertinent development management criteria relating to infrastructure, services, access, siting, design, landscaping, car parking etc.

Note: Commercial leisure developments in rural locations are addressed in Policy TOUR6.

Reason for Policy CS4

- to meet the needs and demands of local residents and visitors for both formal and informal, sensitively located leisure, recreational and sporting facilities

Policy CS5

The Council will, through its Core Path Plan, and in association with relevant bodies, landowners and tenants, seek to develop a comprehensive local footpath and cycle route network for recreational use by local residents. Priority will be given to the development and promotion of new circular routes and footpath links between settlements, especially where these utilise existing disused railway lines, forestry access roads, minor country roads etc. The Council will presume against any development which disrupts, impinges on or prejudices the development of any footpath route which has the potential to contribute to the achievement of this objective. Where such disruption is unavoidable, developers will be required to provide for an alternative re-routing of the affected route around the development concerned.

Reason for Policy CS5

- to maintain and secure improved access to the countryside for both local residents and visitors

Policy CS6

There will be a presumption against development on those safeguarded areas of public and private recreational or amenity open space as identified on the Local Plan maps. However, the following types of development within these areas may be considered appropriate, subject to compliance with all appropriate Council Development Management and Design Guidance:

- (i) laying out of new playing fields, bowling greens, putting greens;
- (ii) creation of all-weather sports facilities;
- (iii) creation of new children's play areas;
- (iv) development of pavilions or other ancillary facilities to serve any existing or proposed outdoor sport and recreational activities in the area; and
- (v) development of small scale, purpose built indoor sporting and recreational

facilities designed specifically to cater for the needs of local residents.

- (vi) development of any public realm features and facilities, particularly including those promoting and interpreting the local heritage, designed specifically to complement and enhance the environmental and visual quality of those areas of public open space safeguarded for their amenity value’.

Note: Development on playing fields and sports pitches specifically safeguarded for open space purposes on the local plan maps will be assessed against the provisions of policy CS8 below.

Policy CS7

The development of both private and public recreational or amenity open space specifically safeguarded in the local plan, for purposes other than those described in Policy CS6 above, will be permitted only in exceptional circumstances where:

- (i) the retention or enhancement of the facilities can best be achieved by the redevelopment of part of the site and where the development would not adversely affect the overall recreational and amenity value of the site itself; or
- (ii) alternative provision of equal community benefit and accessibility can be made available within close proximity to the site; or
- (iii) there is a clear excess in the provision of recreational or amenity open space in the wider area which is capable of meeting current and anticipated demand, and where the site in question could be developed without detriment to the overall quality of that provision.

Any proposed new development within these areas will be required to meet the provisions of all other relevant local plan policies.

Note: Development on playing fields and sports pitches specifically safeguarded for open space purposes on the local plan maps will be assessed against the provisions of policy CS8 below.

Policy CS8

The Council will not be supportive of the redevelopment of playing fields and sports pitches, except where one of the following circumstances applies:

- (i) the proposed development is ancillary to the principal use of the site as a playing field or sports pitch area;
- (ii) the proposed development involves a minor part of the playing field / sports pitch area which would not affect its use and potential for sport and training;
- (iii) the playing field or sports pitch area which would be lost as a result of the proposed development would be replaced by:
- a new playing field or sports pitch of comparable or greater benefit for sport and in a location which is convenient for its users; or
 - the upgrading of an existing playing field to provide a better quality facility, either within the same site or at another location which is convenient for its users and which maintains or improves the overall playing capacity in the area;
- (iv) a playing field strategy prepared in accordance with a methodology approved by sportscotland has demonstrated that there is a clear excess of sports pitches to meet current and anticipated demand in the area, and that the site in question could be developed without detriment to the overall quality of provision.

Notwithstanding that a proposed development may satisfy at least one of the above conditions, and it can be demonstrated that the site is no longer required for formal sports use, any potential developer will require to demonstrate to the satisfaction of the planning authority that the site has no other recreational, amenity, landscape or biodiversity value which would warrant its retention as open space. Any proposed development will also be required to meet the provisions of all other relevant local plan policies.

Reason for Policies CS6, 7 and 8

- to prevent the erosion and loss of valuable leisure and recreation resources to other uses

Telecommunications

Policy CS9

The Council will consider all telecommunications proposals in the light of their particular operational requirements within the framework provided by SPP. In all cases, care will be taken to ensure that all telecommunications developments are sensitively sited and the Council will be supportive of such developments only where it can be demonstrated to the satisfaction of the Council that:

- there is no adverse visual impact of the proposal on townscape and environment;
- it is not possible or feasible to share operational facilities with the facilities of another telecommunications provider; and
- there are no other more appropriate alternative sites available for development within the area.

The Council will require the immediate removal of all telecommunications installations which are operationally redundant and the restoration of sites to their original condition.

Policy CS10

The Council will require all applicants for the installation of radio telecommunications antennas to accompany their applications with the following information:

- a declaration that the equipment and installation is designed to be in full compliance with the radiofrequency public guidance of the International Commission on Non - Ionising Radiation Protection (ICNIRP);
- a description of how the proposed equipment fits into the wider network;

- a consideration of the siting and design options which satisfy the operational requirements of the proposal and a reason for choosing the proposed option;
- details of the design, including details of the height, material finish and the various components of the proposal;
- details of the method and timing of construction;
- details of any proposed landscaping and screen planting;
- an assessment of any cumulative effects of the development with any nearby existing or proposed telecommunications developments.

The Council may request a landscape or visual impact assessment to be submitted in support of a telecommunications application as considered appropriate.

Reasons for Policy CS9 and 10

- to demonstrate to the Planning Authority that the known health effects of telecommunications developments have been fully addressed: and
- to demonstrate that the applicant has given due consideration to the siting and design of their proposals so as to minimise their impact on the particular areas in which they are to be located.

Policy CS11

The Council will ensure that all telecommunications developments are sensitive in their siting and design to the particular locations in which they are to be situated and have minimum visual impact on their surroundings. In particular, there will be a general presumption against any such developments which have an adverse effect on:

- areas of recognised nature conservation interest comprising Special Areas of Conservation, Special Protection Areas and Sites of Special Scientific Interest. Applicants for telecommunications developments in these areas will be

required to demonstrate that their developments are sensitively designed, located, constructed and operated so as to have no adverse impact on wildlife or to result in the loss of natural habitat.

- (ii) recognised built heritage resources comprising Conservation Areas, Historic Gardens and Designed Landscapes, Listed Buildings and Scheduled Monuments, together with their settings. The siting of ground based masts and base stations will be discouraged in such locations.
- (iii) Sensitive Landscape Character Areas identified in the Local Plan. Ground based masts and base stations which are visually intrusive and break the sky line when seen from the area settlements of from public roads within these areas will not be considered acceptable.

In all cases, developers will be required to install the smallest suitable equipment and to employ appropriate and sensitive concealing and camouflage techniques to help disguise or conceal masts, antennas, equipment housing and cable runs wherever possible. Mast sharing and site sharing will be positively encouraged in appropriate situations. Where antennas or masts are to be located on an existing building or other structure, these should be sympathetic in design to the building's architectural form, location and setting.

Reason for Policy CS11

- to ensure that telecommunications developments are designed and located to be as unobtrusive as possible in both rural and urban situations and especially within those areas and on those properties which are recognised as being of natural or built heritage importance.

Renewable Energy Developments General

Policy CS12

The Council will positively support and promote the development of sympathetic renewable energy proposals both in stand alone locations and as integral parts of new and existing developments where it can be demonstrated that there will be no significant,

unacceptable adverse impact, including adverse cumulative impact with other existing renewable energy developments or other renewable energy developments which are consented or under construction;

- (i) on any recognised statutory or non statutory sites of nature conservation interest;
- (ii) on the amenity of nearby communities or sensitive establishments, including individual or small groups of houses in the countryside that may be adversely affected by reason of noise emission, visual dominance and other nuisance;
- (iii) on any recognised built heritage resources, including Listed Buildings, Conservation Areas, Scheduled Ancient Monuments, archaeological sites and landscapes and Historic Gardens and Designed Landscapes and their individual settings;
- (iv) on the visual amenity of the area and the natural landscape setting for the development, particularly within the Sensitive Landscape Character areas as identified on the local plan rural area map; and
- (v) on existing infrastructure

Developers will also be required to demonstrate to the satisfaction of the Council that all energy production will be generated either at, or in as close proximity as possible to, the source of materials used in the generation process and that there will be no unacceptable adverse environmental impact caused by any proposed connections linking the proposed development with the national grid and the surrounding road network.

Note:

The Council will require all applications for renewable energy developments which fall within the scope of the Environmental Assessment Regulations to be accompanied by an environmental assessment.

Policy CS13

The Council will particularly encourage and support the development and use of sensitively designed and located micro-

renewable energy facilities and installations as an integral part of all new residential, commercial and industrial developments, in order to help improve energy efficiency. In this regard, all new developments with a total cumulative floor space in excess of 500 sq m will be required to incorporate on-site zero and low carbon equipment contributing at least an extra 15% reduction in CO2 emissions beyond the 2007 building regulations carbon dioxide emissions standard. Where, for technical reasons, it is not possible for a developer to meet this target, the Council may require the developer to provide, by agreement or through appropriate financial contributions, equivalent carbon savings elsewhere in the area.

Reasons for Policies CS12 and CS13

- to reduce carbon emissions and to maximise the use of non wind based renewable sources of energy;
- to ensure that non wind based renewable energy developments are sensitively located to have minimal visual and environmental impact

Wind Energy Developments

Policy CS14

The Council will assess all applications for wind farm developments, including extensions to existing, consented and / or operational wind farms, against the provisions of Policy ECON 7 of the approved Ayrshire Joint Structure Plan: Growing a Sustainable Ayrshire and any future supplementary planning guidance to be prepared relating to cumulative impact. Policy ECON7 states:

- (A) In the Areas of Search, proposals for large and small wind farm developments will be supported subject to specific proposals satisfactorily addressing all other material considerations.
- (B) Areas designated for their national or international heritage value, and green belts, will be afforded significant protection from large scale wind farms.

(C) The integrity of national and international designations should not be compromised.

(D) Cumulative impact will be assessed in all relevant cases, taking into account existing wind farms, those which have permission and those that are the subject of valid but undetermined applications. The weight to be afforded to undetermined applications will reflect their position in the application process. Where the limit of acceptable cumulative impact has been reached, the area will be afforded significant protection.

(E) Outside areas of Search all wind farm proposals will be assessed against the following constraints, any positive or adverse effects on them and how the latter can be overcome or minimised:

- 1) Historic environment;
- 2) Areas designated for their regional and local natural heritage value;
- 3) Tourism and recreational interests;
- 4) Communities;
- 5) Buffer zones;
- 6) Aviation and defence interests;
- 7) Broadcasting installations.

(F) Proposals affecting Sensitive Landscape Character Areas shall satisfactorily address any impacts on the particular interests that the designation is intended to protect but the designation shall not unreasonably restrict the overall ability of the plan area to contribute to national targets;

(G) In all cases, applications for wind farms should be assessed in relation to criteria including, as appropriate, grid capacity, impacts on the landscape and historic environment, ecology (including birds), biodiversity and nature conservation, the water environment, communities, aviation, telecommunications, noise and shadow flicker.

Note (i):

In order to assist in the assessment process, the Rural Area Proposals Map defines an Area of Search for large scale wind farm development. This defines the boundaries of the Area of Search indicated in the structure plan Key Diagram and referred to in parts A and E of Policy ECON7.

Note (ii):

In order to help developers minimise the environmental and visual impact of their wind farm proposals, the Council intends, in conjunction with North and South Ayrshire Councils, to prepare detailed supplementary guidance pertaining to the cumulative impacts of wind farm developments. The supplementary guidance to be prepared will be adopted by the Council, following discussion and engagement as a material consideration in the assessment of all new wind farm proposals and developers will be expected to pay due regard to the provisions of the guidance in the formulation of their proposed developments.

Reasons for Policy CS14

- to ensure that wind turbine and wind farm developments have minimum impact on the landscape quality of the area, on natural and built heritage resources worthy of conservation and on areas requiring to be safeguarded for air traffic safety, telecommunications and other reasons.
- to comply with the provisions of the Ayrshire Joint Structure Plan.

Policy CS15

The Council will, if mindful to grant planning permission for a commercial wind farm development, require applicants to contribute to a dedicated Renewable Energy Fund which will be used to finance sustainable community environmental projects, particularly those designed to help reduce carbon emissions and counteract global warming. For a period of 10 years from the commencement of construction work on the wind farm, all contributions will be directed exclusively to local projects within 10 kilometres of the boundary of the wind farm.

Thereafter, 50% of the contributions received will be directed towards local projects with 50% being reserved for use in the wider East Ayrshire area. Contributions will be payable annually and be set at a standard rate of £2500 per megawatt of installed capacity per annum, index linked to 1 January 2008.'

Reason for Policy CS15

- to help recompense local communities for any disturbance experienced during the construction, operational and decommissioning phases of the development.

Policy CS16

Where a wind turbine is not in operation producing electricity for a continuous period of six months, the operator will be required to provide evidence to the Council that the apparatus is in the process of being repaired or replaced. Otherwise, the Council will deem the turbine to be surplus to requirements and require its removal, with the land restored to its original condition within an appropriate period to be agreed with the Council.

Reason for Policy CS16

- to ensure that redundant wind farm apparatus is not allowed unnecessarily to disfigure the landscape

Policy CS17

Where a wind farm development is already operative or has received authorisation from the Council, the Council will presume against any other development in the vicinity of the site which would significantly compromise or inhibit the efficient operation of the development itself.

Reason for Policy CS17

- to ensure that the generating efficiency of the wind farm is not compromised.

COMMUNITY FACILITY AND SERVICE INFRASTRUCTURE PROPOSALS

PROP 8

The Council will seek to increase the potential and make best use of existing

educational and community premises through shared use of school buildings and other property in Council ownership.

PROP 9

The Council will, subject to the necessary finance being available, improve and enhance existing community, educational, leisure, recreational and sporting facilities for which it is responsible, both in the area settlements and throughout the rural area. Consideration will be given to the provision of new, expanded or additional facilities where there is a demonstrated need and where finances permit.

PROP 10

The Council will, in conjunction with the Ayrshire Joint Planning Unit, carry out a detailed feasibility study into the possibility of providing a Biomass power generation, co-fired power plant in the broad area of search to the west of Auchinleck, identified as being capable of accommodating such a development in the Ayrshire Joint Structure Plan.

COMMUNITY FACILITY AND SERVICE INFRASTRUCTURE RECOMMENDATIONS

REC 1

Scottish Power, British Telecom and other service providers are encouraged to underground all existing overhead distribution service lines and cables to individual properties within the East Ayrshire settlements, particularly within Conservation Areas and where important environmental or amenity improvements can be achieved. In all cases where undergrounding is promoted, service providers will be required to ensure that there is no adverse impact caused to known archaeological remains or to the root systems of mature trees within the areas concerned. All such services provided in respect of new developments shall be by underground duct only and, in sensitive situations where archaeological remains and root systems may be adversely affected, excavations will require to be carried out by hand.

REC 2

It is recommended that developers, when formulating their development proposals, consult with all appropriate utility companies and statutory undertakers.

REC 3

Scottish Water is requested to ensure that adequate capacity is provided in the area's sewage disposal and water supply systems to meet the requirements and needs of all future development throughout the East Ayrshire communities. The water authority is requested to address identified deficiencies in sewerage capacity, particularly in the settlements of Galston, Hurlford, Darvel, Newmilns, Kilmaurs, Kilmarnock and Crosshouse, all of which are served by the Irvine Valley Sewer, as a matter of priority.

REC 4

All providers of essential services and utilities are recommended to continue to invest in infrastructure improvements with a view to improving service provision throughout East Ayrshire. Providers will also be required to ensure that their proposals do not have any unacceptable adverse impact on the amenity of residents and the environmental quality of the area.

9 WASTE MANAGEMENT

9.1 The Council is committed to implementing a programme of waste management based on the principles of sustainability and advocates the disposal of waste as close as possible to its point of origin and the reduction of waste at source. In order to help achieve the principle aims of the local plan waste management development strategy detailed in Part 1 of the local plan the Council has therefore devised a set of policies with the aim of provide East Ayrshire with an efficient and sustainable system of waste management. These policies are detailed below.

STRATEGIC WASTE MANAGEMENT POLICIES

Strategic Policy WM1

The Council will ensure the provision of adequate waste disposal and management facilities comprising landfill sites, waste collection, separation and recycling centres, waste transfer stations and civic amenity sites in as close proximity as possible to the points at which waste is generated.

Strategic Policy WM2

The Council will ensure that all new waste management facilities, comprising landfill disposal sites, recycling facilities, composting or waste processing plants at which any form of waste treatment or recovery is undertaken, are dedicated towards meeting the needs of East Ayrshire or Ayrshire as a whole. In this regard, the Council will ensure that a minimum of 90% of all waste disposed of or treated in any new waste facilities located in East Ayrshire should originate from within Ayrshire. This will be achieved through the imposition of appropriate conditions attached to any individual planning consents that may be granted or through appropriate section 75 Agreement.

Note: The origins of waste will be determined by reference to where the waste was produced. Waste imported to a transfer station or other facility in East Ayrshire but which is produced outside Ayrshire will be considered to have its origins from outwith Ayrshire.

Reason for Policies WM1 and WM2

- to meets the provisions of SPP, PAN63: Waste Management Planning and the provisions of the Ayrshire Joint Structure Plan.

Strategic Policy WM3

The Council will not be supportive of any applications for the development of new landfill waste disposal sites within the period of the local plan.

Reason for Policy WM3

- there is sufficient capacity in existing consented landfill sites within East Ayrshire to meet the needs of the Authority for the period of the local plan.

Strategic Policy WM4

The Council will direct all new developments for waste management facilities to those sites identified in the local plan as being suitable for the type of development proposed. Where a waste transfer, separation or handling station is already operative or has received authorization from the Council, the Council will presume against any other development proposals for other uses in the vicinity of the site which could compromise waste handling operations or inhibit the efficient operation of the development itself.

Reason for Policy WM4

- to meet the provisions of the Area Waste Plan.

(All four policies accord with Community Plan Themes CPT 5 and 6, Structure Plan Aims SP4 and 5, and Strategic Aim 6 of the Local Plan)

GENERAL WASTE MANAGEMENT POLICIES

Policy WM5

In cases where waste management facilities are proposed on sites which have not been allocated for that purpose in the local plan, the Council will assess all such applications against the following criteria:-

- (i) the need for the development in terms of the Area Waste Plan
- (ii) the Best Practicable Environmental Option;
- (iii) the proximity principle;
- (iv) the availability of an existing void of sufficient capacity to accommodate the anticipated volume of any residual landfill material to be disposed of, and the availability of adequate land for the establishment of any other required waste management facilities or processes;
- (v) the types of waste to be deposited or treated;
- (vi) the expected life of the landfill site and any associated waste management options;
- (vii) the capability of the existing road network to accommodate the volumes of traffic generated by the development;
- (viii) the accessibility of the site to all areas to be served by the development;
- (ix) the impact of the development on the amenity of nearby residents and the residents of properties located along the transport routes to the site;
- (x) the impact of the development on the natural and built heritage (including historic gardens and designed landscapes), visual amenity and the landscape character of the area;
- (xi) operational details, restoration proposals and after use of the development site;
- (xii) measures to prevent and control contamination of surrounding land and the degradation of environmental amenity by
 - Wind blown material and dust;
 - Production of landfill gas;
 - Pollution of groundwater and watercourses by on-site operations;
 - Vermin and bird nuisance; and
 - Noise and smell nuisance;

(xiii) the risk of flooding and the potential loss of functional flood plain; and

(xiv) site access and traffic movements.

Developments which do not meet or comply with the above criteria or which are considered to have a significant adverse impact on amenity or the natural and built environment will not be supported by the Council.

Policy WM6

The Council will require all applicants for waste management facilities:

- (i) to submit detailed planning applications. Applications for planning permission in principle will not be acceptable;
- (ii) to lodge appropriate Restoration and Aftercare Guarantees, where required, to a value agreed by the Planning Authority;
- (iii) to establish Liaison Committees with local representatives to act as a forum through which relevant operational and associated issues can be discussed and addressed;
- (iv) to meet the requirements of the Ayrshire, Dumfries and Galloway Area Waste Plan;
- (v) to upgrade, maintain and repair at their own expense, road damage shown to have been caused by vehicles servicing their developments; and
- (vi) to service any existing or proposed landfill or waste management site, if considered feasible, by rail.

The Council, if mindful to grant planning permission for a waste management site will expect applicants to enter into an agreement under Section 75 of the Town and Country Planning (Scotland) Act 1997.

Reasons for policies WM5 and 6

- to ensure that all waste management facilities are assessed against all relevant

environmental and operational criteria;
and

- to regulate such matters as cannot be adequately addressed by the imposition of planning conditions.

Policy WM7

The Council will seek to ensure that a proliferation of separate waste management facilities within close proximity to any one particular community or within any one particular area does not occur. In this regard the Council will, wherever considered possible and feasible, encourage the combination of different, associated elements of the waste management process in a single site. The Council will ensure, however, that any co-location of facilities on a single site does not result in an unacceptable cumulative impact on, or unduly adversely affect, the amenity of the area or the amenity of local communities.

Reason for Policy WM7

- to protect the amenity of residents of the area.
- to reduce traffic volumes on the wider road network

Policy WM8

The Council is of the opinion that, subject to the provisions of all appropriate local plan policies being met, a range of sites may have potential for the development of waste management facilities. The Council will, in the first instance, direct potential developers of larger facilities to:

- (i) industrial areas, especially those containing other heavy or specialised industrial uses;
- (ii) areas of degraded, contaminated or derelict land;
- (iii) working and worked out quarry sites;
- (iv) existing and authorised landfill sites;
- (v) existing or redundant sites or buildings;

(vi) sites previously occupied by other types of waste management facilities; and

(vii) existing railheads, and other suitable sites located close to railways or junctions in the major road network.

Reasons for Policy WM8

- to comply with the provisions of PAN63: Waste Management Planning;
- to enhance sites which are damaged or of poor quality and to bring derelict or degraded land back into productive use;
- to make use of the major road and rail networks rather than local roads, for bulk waste movement.

Policy WM9

The Council will encourage and support the development of small scale centralised waste collection and mini recycling facilities such as bottle banks etc. within areas easily accessible to the public, including:-

- (i) town centre and supermarket car parks;
- (ii) car parks associated with commercial leisure developments
- (iii) industrial estates, retail, commercial, office and business locations;
- (iv) schools and other educational establishments; and
- (v) new housing developments.

In the case of proposed new developments of the types detailed above, such facilities should be provided as an integral part of the original design for any appropriate development proposal. These facilities should be located in easily accessible locations which do not impede natural surveillance or prejudice the efficient operation of the areas in which they are situated. Proposals to develop larger scale Civic Amenity Sites to meet the needs of local communities at appropriate locations, in or close to existing centres of population, will also be supported by the Council.

Reason for Policy WM9

- to facilitate waste collection, separation and recycling at appropriate locations throughout the area settlements.

Policy WM10

The Council will assess all applications for waste management facilities against the provisions of the Environmental Assessment (Scotland) Regulations 1999 and will require all applicants to submit formal Environmental Impact Assessments in association with their applications, in line with the provisions of the Regulations. These assessments will, at the discretion of the Council, be forwarded to a qualified assessor for independent appraisal and audit, where considered necessary or appropriate. Applicants are requested to agree the scope of any Environmental Impact Assessment with the Council prior to its formulation.

Reason for Policy WM10

- to meet the requirements of the Environmental Impact Assessment (Scotland) Regulations 1999.

Policy WM11

The Council will require applicants for waste management proposals to demonstrate, as an integral part of their development proposals, that:

- (i) the proposed development includes construction practices to minimise the use of raw materials and maximise the use of secondary aggregates and recycled or renewable materials; and
- (ii) waste material generated by the proposal is reduced and reused or recycled, where appropriate and where considered practical and feasible, on site.

Reason for Policy WM11

- to comply with the provisions of PAN63: Waste Management Planning.

Policy WM12

The Council will generally be supportive of the establishment of secondary industries and businesses associated with an established waste management facility as an integral part of, or in as close proximity as possible to, the waste management facility from which they derive their business. Any new secondary industries and businesses as may be proposed will, however, be assessed in terms of all relevant business and industry policies as detailed in the local plan.

Reason for Policy WM12

- to avoid the unnecessary transportation of raw or treated waste materials on the public transportation network.

Policy WM13

The Council will not be supportive of land raising proposals and proposals to infill disused railway cuttings, natural hollows and low lying areas of farmland, glens etc for the deposition of any waste materials where the areas in question are considered to be of recreational value.

Reason for Policy WM13

- to protect important potential recreational resources and open areas of countryside from inappropriate development

Policy WM14

The Council will require all developers of new retail, industrial or commercial developments to incorporate areas for the establishment of bring sites, incorporating areas for the siting of waste separation, recycling facilities, bottle banks etc. as an integral part of their design proposals. With the introduction of an innovative three bin system of household waste recycling, all residential developers should ensure that adequate provision is made in their proposed developments for the storage of all waste collection and recycling bins in unobtrusive, accessible and well screened locations.

Reason for Policy WM14

- to improve waste management practices.

WASTE MANAGEMENT PROPOSALS

PROP 11

The Council will, in a joint venture with appropriate interested partners including North and South Ayrshire Councils and the Ayrshire Joint Planning Unit, provide an integrated network of waste management facilities to comply with government guidance and will identify a suitable site for a joint residual waste treatment facility.

10 TRANSPORT AND ACCESS

10.1 The Council is committed to developing a sustainable transport system to improve links between East Ayrshire and the national transport network and links between and within the East Ayrshire communities. In order to help achieve the principle aims of the local plan transport development strategy detailed in Part 1 of the local plan the Council has therefore devised a set of policies aimed at providing East Ayrshire with an improved, integrated and sustainable transport infrastructure. These policies are detailed below.

STRATEGIC TRANSPORT AND ACCESS POLICIES

Strategic Policy T1

The Council will actively support proposals to improve links with the national road, rail, cycle and footpath networks. Encouragement will also be given to proposals that improve and integrate local and strategic road, rail, cycle and footpath infrastructure within East Ayrshire, in line with the Council's Local Transport Strategy.

Reasons for Strategic Policy T1

- to provide an improved and integrated transport infrastructure as a means of expanding and improving the local economy
- to comply with the provisions of Scottish Planning Policy (SPP).

Strategic Policy T2

The Council will, wherever it is feasible and cost effective, strongly encourage the transportation of freight by rail rather than by road. The provision of new railheads in connection with new minerals developments, forestry felling operations and major new industrial developments which generate significant volumes of goods traffic will be particularly encouraged. In cases where it is not considered feasible to transport freight by rail, the Council will, where it is considered appropriate, encourage and support the development of 'off road' haulage routes designed to avoid, wherever possible, the transportation of bulk freight through the area settlements.

Reason for Strategic Policy T2

- to comply with the provisions of Scottish Planning Policy (SPP), and to help remove large volumes of heavy goods vehicles from the area's road networks.

(Both policies accord with Community Plan Themes CPT 4 and 9, Structure Plan Aim SP3, and Strategic Aim 5 of the Local Plan)

GENERAL TRANSPORT AND ACCESS POLICIES

Policy T3

The Council will require developers, in formulating their development proposals, to ensure that their proposals meet all of the requisite standards of the Council as roads authority. Developments which do not meet these standards will not be considered acceptable and will not receive Council support. In addition, developers should ensure that their proposed developments:

- are closely linked to existing and proposed public transport networks;
- incorporate, where necessary and practicable, clearly signposted and well lit footpaths and cycle routes between the development and existing or proposed local community and other facilities, transport interchange points and nodes etc;
- incorporate all necessary measures to minimise pedestrian and vehicular conflict;
- incorporate appropriate traffic calming measures where considered necessary; and
- incorporate adequate disabled parking and parking for bicycles as considered appropriate.

The Council will require residential developers whose developments are likely to generate substantial numbers of journeys to make financial contributions towards:

- helping meet the identified transport requirements and needs of users of the developments concerned; or

- the development of new community transport initiatives required to address the direct or cumulative impact of the proposed development.

Developer contributions will be required by means of a Section 75 Agreement between the applicant and the Planning Authority as set out in the Council's Supplementary Planning Guidance regarding these matters

Reason for Policy T3

- to ensure that the travel demands of all significant new development proposals can be met by the provision of an integrated and safe transport infrastructure.

Policy T4

The Council will require all developers to provide appropriate car parking as an integral part of their development proposals to the standards laid down by the Council as Roads Authority and in line with the provisions of the Council's proposed Parking Management Strategy. Parking standards for proposals relating to brownfield redevelopment sites within town centre areas may be relaxed by the Council where considered appropriate. Developer contributions will be directed, as considered appropriate and necessary, towards supplementing and improving the overall supply of public parking areas within town centres.

Reasons for Policy T4

- to ensure that parking provision meets the required standards
- to facilitate the efficient redevelopment of centrally located brownfield site

Policy T5

Where considered appropriate, developers will be requested to enter into Section 75 Agreements with the Council with regard to making financial contributions towards the provision of transportation infrastructure improvements which may be required as a result of their development.

Reasons for Policy T5

- to help facilitate transport improvements required in connection with proposed new developments

Policy T6

Where considered appropriate, the Council will require developers to produce Travel Plans, setting out their proposals for the delivery of more sustainable transport patterns, and Transport Assessments, detailing the local transport impacts of the development and setting out the likely effects of the development proposals as described in PAN75: Planning for Transport, in respect of proposals which generate significant traffic movements.

Developers may be asked to meet the costs of monitoring any Travel Plans and Transport Assessments as may be required during the construction period of the site concerned and for an agreed period following completion of the development.

Reason for Policy T6

- to provide the Council with sufficient information to adequately address the transport implications of new developments.

Policy T7

The Council will encourage and support the development of a motorway service area at Kingswell, as identified on the local plan rural area map. Elsewhere, the development of other roadside facilities will be assessed on their own merits, subject to the following criteria being met:

- (i) the proposed development is not visually or environmentally intrusive, is of a nature and scale compatible with surrounding land uses and is not detrimental to the character and amenity of the area within which it is proposed;
- (ii) there is no adverse impact on the natural environment and in particular on recognised natural or built heritage resources requiring conservation;

- (iii) the proposal can be fully justified in terms of infrastructure, provision of services, access and car parking provision;
- (iv) the proposal being designed so as to minimise the effects of traffic noise and vehicle emissions on the surrounding area; and
- (v) the car parking areas associated with the development are designed and landscaped to the highest standards.

Developments which do not meet these criteria will not be acceptable to the Council.

Reason for Policy T7

- to cater for the needs of the travelling public using the road

Policy T8

The Council will encourage and promote the development of cycling, walking and the use of public transport as an alternative to the use of the private car. In this regard, the Council will promote and support the development of new clearly signposted and well lit footpath and cycle routes linking residential areas with shopping, leisure, business, community and other facilities serving local communities.

Reason for Policy T8

- to comply with the provisions of sustainable transport set out in Scottish Planning Policy (SPP) and the objectives and guidance of the National Cycling Strategy; and
- to provide a choice of transport modes for local residents.

Policy T9

The Council will not be supportive of any developments which disrupt or adversely impact on any existing or potential rights of way, bridle paths or footpaths used by the general public for recreational or other purposes, particularly where the route concerned forms, or has the potential to form, part of the network of circular routes or

footpath links between settlements, actively promoted by the Council.

Where such disruption or adverse impact is demonstrated to be unavoidable, the Council will require developers, as an integral part of the proposed development, to provide for the appropriate diversion of the route in question elsewhere within the development site or to put into place appropriate measures to mitigate and overcome the adverse impact experienced.

Reason for Policy T9

- to maintain and secure recreational and other access to the countryside for both local residents and visitors.

TRANSPORT PROPOSALS

PROP 12

The Council will implement its Local Transport Strategy for East Ayrshire and, in conjunction with the Regional Transport Partnership, Strathclyde Partnership for Transport, the other Ayrshire authorities and the Ayrshire Joint Planning Unit, improve transport modelling capability within Ayrshire

PROP 13

The Council will, in conjunction with the private sector and with the assistance of other appropriate bodies, provide for:

- (i) the possible incorporation of cycle lanes within the road traffic system;
- (ii) improved accessibility by sustainable transport modes; and
- (iii) improved access and parking facilities for disabled people and those with special needs, to include dropped kerbs, smooth paving, textured paving at junctions etc.

PROP 14

Subject to the necessary finance being available, the Council will carry out improvements to the A70 and A71 routes in order to improve east / west communication links between Ayrshire and the M74.

PROP 15

The Council will, in conjunction with its partnership agencies, develop and promote a high quality, sustainable path network linking the East Ayrshire communities and regional and national networks as detailed in the Council's Outdoor Access Strategy and in the context of preparing Core Path Plans.

PROP 16

The Council will work in partnership with the relevant transport bodies to identify, develop and promote new and enhanced park and ride facilities at Kilmarnock, Stewarton, and Auchinleck.

PROP 17

The Council will safeguard the existing freight interchange locations at Chalmerston (Dalmellington), Kilmarnock (Hill Street), Kilmarnock (Hunslet Barclay), Riccarton (Kilmarnock), Barleith (Hurlford), Knockshinnoch (New Cumnock), Garleffan (New Cumnock) and Killoch (Ochiltree) from inappropriate development which could adversely affect their operational functions. The Council will actively support the continued use of these freight interchange facilities to serve existing industries in the area.

PROP 18

The Council will encourage the implementation of an appropriate, objective led appraisal to identify transport challenges and opportunities in the A76 strategic transport corridor and the wider area and will give its support to any transport interventions that may be identified through the appraisal process.

TRANSPORT RECOMMENDATIONS

REC 5

Strathclyde Partnership for Transport (SPT) and local bus companies are strongly encouraged to improve bus services on existing routes, to provide new routes where appropriate and to extend and improve the rural bus network to include demand responsive services.

REC 6

Subject to such transport interventions being justified through an appropriate STAG appraisal, Transport Scotland, First ScotRail and Network Rail are strongly urged to support and facilitate the establishment of new passenger rail halts at Altonhill and Queens Drive in Kilmarnock and at Cumnock, Hurlford and Mauchline and, in conjunction with Strathclyde Partnership for Transport, to provide adequate park and ride facilities at these particular locations through the Regional Transport Strategy.

REC 7

As part of the embryonic Glasgow to Kilmarnock Route Enhancement Scheme, Transport Scotland and Network Rail are strongly urged:

- (i) to upgrade the existing single track section of the line linking Kilmarnock and Glasgow, including double tracking of the line from Lugton to Stewarton;
- (ii) to provide a minimum half hourly service between Kilmarnock and Glasgow; and
- (iii) to implement station platform enhancements to accommodate longer trains at Dunlop, Kilmaurs and Stewarton.

REC 8

Network Rail and the rail freight operating companies are strongly urged to upgrade the existing rail network in East Ayrshire through improved signalling, rail infrastructure and the introduction of new lines where considered appropriate. The rail companies are also requested to provide sufficient rolling stock and to improve rail capacity in order to cater adequately for increasing demand for freight movements by rail.

REC 9

Mining and other major industrial companies are encouraged to investigate with Network Rail and the railfreight operating companies, the feasibility of establishing new rail lines or

re-opening former mineral rail lines for the transportation of goods and materials.

REC 10

Subject to such a transport intervention being justified through an appropriate STAG appraisal, Transport Scotland is encouraged to upgrade the Bellfield Interchange at the intersection of the A77 and A76 trunk roads at Kilmarnock as a matter of priority.

11 ENVIRONMENT

11.1 The Council is committed to protecting, conserving and enhancing the character, appearance and amenity of the natural and built environment for future generations, ensuring that all new development is of the highest quality of design and accessible to all. In order to help achieve the principle aims of the local plan environment development strategy detailed in Part 1 of the local plan the Council has therefore devised a set of policies relating to the urban and rural environment. These policies are detailed below.

STRATEGIC ENVIRONMENT POLICIES

Strategic Policy ENV1

The Council will seek to protect, preserve and enhance all built heritage resources requiring conservation including Listed Buildings and Conservation Areas, together with their respective settings, Historic Gardens and Designed Landscapes, Scheduled Ancient Monuments and Archaeological and Industrial Archaeological Sites and Landscapes.

Reason for Strategic Policy ENV1

- to ensure the preservation of all buildings of historic or architectural importance and other buildings and areas which contribute to character and appearance of both the urban townscape and the rural areas.

Strategic Policy ENV2

The Council will seek to protect, preserve and enhance all natural heritage resources requiring conservation including Special Protection Areas, Special Areas for Conservation, Sites of Special Scientific Interest, Confirmed or Provisional Wildlife Sites and Local Nature Reserves.

Reason for Strategic Policy ENV2

- to ensure that all areas of recognised nature conservation interest and importance are preserved and protected for the benefit of the local community.

Strategic Policy ENV3

The Council will give priority and prime consideration to the protection and enhancement of the landscape in its consideration of development proposals within the Sensitive Landscape Character Areas identified on the local plan maps. The Council will ensure that all development proposals in these areas respect, in terms of their design, size, scale and location, the local landscape characteristics of the particular area within which they are proposed.

Reason for Strategic Policy ENV3

- to ensure that the landscape quality of Sensitive Landscape Character Areas is maintained for the benefit of local communities

(All three strategic policies accord with Community Plan Theme CPT 5, Structure Plan Aim SP5, and Strategic Aims 2 and 4 of the Local Plan)

GENERAL ENVIRONMENT POLICIES

The Built Environment

Policy ENV4

The Council will actively encourage the retention, restoration, renovation and re-use of listed buildings, unlisted buildings in conservation areas and other locally important, especially traditional older properties, throughout the area. Development affecting a listed building or its setting shall preserve the building, or its setting, or any features of special architectural or historic interest which it possesses. The layout, design, materials, scale, siting and use of any development shall be appropriate to the character and appearance of the listed building and its setting.

Policy ENV5

Proposals for the total or substantial demolition of a listed building will only be supported where it is demonstrated beyond reasonable doubt that every effort has been made by all concerned to find practical ways of keeping it. This will be demonstrated by inclusion of evidence to the planning authority that the building:

- (i) has been actively marketed at a reasonable price and for a period reflecting its location, condition and possible viable uses without finding a purchaser;
- (ii) is incapable of physical repair and re-use through the submission and verification of a thorough structural condition report; and

The Royal Commission of Ancient and Historical Monuments for Scotland (RCAHMS) shall be formally notified of all proposals to demolish listed buildings to enable features to be recorded.

Policy ENV6

Scheduled Ancient Monuments and other identified nationally important archaeological resources shall be preserved in situ and within an appropriate setting. Developments which have an adverse effect on Scheduled Monuments or the integrity of their settings shall not be permitted unless there are exceptional circumstances.

Other archaeological resources shall be preserved in situ wherever feasible. The Council will weigh the significance of any impacts on archaeological resources and their settings against other merits of the development proposals in the determination of planning applications.

The developer may be required to supply a report of an archaeological evaluation prior to the determination of the planning application. Where the case for preservation does not prevail, the developer shall be required to make appropriate and satisfactory provision for archaeological excavation, recording, analysis and publication in advance of development.

Reasons for Policies ENV4, 5 and 6

- to ensure the preservation of all buildings of historic or architectural importance and other buildings and areas which contribute to townscape character
- to preserve and record the archaeological heritage of the area

Policy ENV7

Development and demolition within a conservation area or affecting its setting shall preserve or enhance its character and be consistent with any relevant conservation area appraisal or management plan that may have been prepared for the area.

The design, materials, scale and siting of any development shall be appropriate to the character of the conservation area and its setting. Trees which are considered by the planning authority to have amenity value shall be preserved. Given the importance of assessing design matters, outline applications will not normally be considered appropriate in conservation areas.

Where an existing building, listed or not, contributes positively to the character of the conservation area, policy ENV5 on demolition shall apply. Where it does not, proposals for demolition will not be considered in the absence of a detailed planning application for a replacement development that enhances or preserves that character. Demolition will not begin until evidence is given of contracts let for the approved development.

The Council will seek to ensure that all development within or affecting the setting of a Conservation Area or affecting the appearance or setting of a listed building complies with the Council's appropriate Design Guidance. In particular, the Council will not be supportive of any development that is unsympathetic to the area or building concerned in terms of its layout, size, scale, design, siting, materials and colour of finish. Wherever possible, all proposals should seek to preserve, enhance or incorporate features, which contribute positively to the character or appearance of the area and have due regard to the architectural and historic qualities of the area or building concerned.

Reason for Policy ENV7

- to ensure that new development is sympathetic to the character of existing buildings and areas of architectural and historic interest

Policy ENV8

Development affecting Historic Gardens and Designed Landscapes shall protect, preserve and enhance such places and shall not impact adversely upon their character, upon important views to, from and within them, or upon the site or setting of component features which contribute to their value. In instances where a proposed development affects an Historic Garden or Designed Landscape which is included in the 'Inventory of Historic Gardens and Designed Landscapes in Scotland' a landscape management plan will require to be submitted as an integral part of any application submitted to the Council for consideration. Applications for planning permission in principle for such developments will not be accepted by the Council.

Reason for Policy ENV8

- to ensure that development is sympathetic to, and in keeping with, the historic landscape character of the area in which it is proposed

Townscape and Design Policies

Policy ENV9

The Council will actively encourage and demand the highest possible standards of design from applicants in the formulation of their development proposals. All developers will be expected to comply fully with the Council's existing design guidance documents relating to, and advising on, the particular type of development proposed. Developments which do not meet the required design standards detailed in these documents will require to be fully justified and may not be supported by the Council.

Policy ENV10

The Council will, at its discretion, require developers to accompany their planning applications with formal design statements in line with the provisions of PAN 68: Design Statements. Design statements may be required particularly in the case of:

- (i) major developments;
- (ii) developments affecting listed buildings; and

- (iii) minor or small scale developments on sensitive sites, such as developments in conservation areas and in the Sensitive Landscape Areas as identified on the local plan maps.

If an applicant fails to produce a design statement on request, or if a submitted statement is considered below standard, the Council may determine to refuse the application it relates to on design grounds.

Reason for Policies ENV9 and 10

- to ensure a high standard of design for new development in line with Council advice and guidance

Policy ENV11

The Council will require developers, in formulating their development proposals, to ensure that:

- (i) adequate opportunities are taken to secure a more accessible environment for all, including those with mobility and sensory impairments, elderly people and those with young children;
- (ii) appropriate traffic safety measures are introduced to minimise vehicular and pedestrian conflict;
- (iii) appropriate community safety measures are incorporated to maximise security and improve natural surveillance of the development;
- (iv) the design of their developments demonstrates a commitment to sustainable development through the use of recyclable and renewable materials;
- (v) the principles of energy efficiency are applied within the layout and design of all new development proposals and that on-site renewable energy sources and equipment are utilised, wherever possible and feasible, to reduce annual CO₂ emissions from the developments concerned that may normally be expected, by a minimum 15%.

- (vi) their designs are sensitive to the character of the area in which they are proposed;
- (vii) their developments are landscaped to reflect and compliment their surroundings; and
- (viii) proposed areas of open space are integrated wherever possible with existing areas to form a linked network throughout the area.

The Council will generally be supportive of sensitive and architecturally innovative designs for new developments where these can be demonstrated to blend in with existing surrounding development and with the landscape setting of the area in which they are proposed.

Reasons for Policy ENV11

- to ensure that new developments are sustainable, sensitive to their surroundings, safe, secure and accessible
- to comply with published Government advice and guidance

Policy ENV12

The Council will strongly encourage developers to include elements of public art as an integral part of their development proposals, especially with regard to proposals within the central areas of settlements and in association with rural development proposals related to tourism, leisure and recreational activities.

Reasons for Policy ENV12

- to help improve and add interest to the natural and built environment;
- to help attract investment by creating a positive image of the area

Natural Heritage Policies

Policy ENV13

The protection and enhancement of areas of nature conservation interest within the Local Plan area will be achieved as follows:

- (i) development likely to have a significant effect on a Natura 2000 site will be subject to an appropriate assessment. Where an assessment is unable to conclude that a development will not adversely affect the integrity of the site, development will only be permitted where:

- there are no alternative solutions; and
- there are imperative reasons of overriding public interest. These can be of a social or economic nature except where the site has been designated for a European priority habitat or species. Consent can only be issued in such cases where the reasons for overriding public interest relate to human health, public safety, beneficial consequences of primary importance for the environment or other reasons subject to the opinion of the European Commission, via Scottish Ministers.

- (ii) development that affects a Site of Special Scientific Interest will only be permitted where an appraisal has demonstrated:

- the objectives of the designated area and the overall integrity of the area would not be compromised; or
- any significant adverse effects on the qualities for which the area has been designated are clearly outweighed by social or economic benefits of national importance.

- (iii) development likely to adversely affect local nature reserves and provisional wildlife sites and Regionally Important Geological and Geomorphological Sites (RIGS) (see Appendix 2) will be resisted and all sites of recognised nature conservation value will be safeguarded whenever possible. Where development is approved for such sites, the developer will be required to carry out appropriate measures to conserve and manage, as far as possible, the biological or geological interest of the areas concerned and to provide for

replacement habitats or features where damage is unavoidable; and

- (iv) local nature reserves will be designated as considered appropriate after full consultation with and agreement of all interested bodies;

The Council will also encourage and support:

- (v) in accord with Article 10 of the Habitats and Birds Directive and the provisions of the Ayrshire Local Biodiversity Action Plan (LBAP), the management, conservation, enhancement or restoration, as considered appropriate, of existing landscape features which are of major importance for wild fauna and flora, including linear features such as rivers and existing field boundaries and other features such as ponds and small woods which are essential for the migration, dispersal and exchange of wild species; and
- (vi) the improvement of public access to all sites of recognised international, national or local natural heritage interest for the purposes of enjoying and learning about the natural heritage of the area, subject to any new accesses not damaging or adversely affecting the integrity of the sites concerned.

Reason for Policy ENV13

- to protect sensitive habitats and natural heritage resources from inappropriate development

Policy ENV14

In circumstances where the impacts of a proposed development are uncertain, but there are good scientific grounds for believing that significant, irreversible damage could occur to natural heritage interests of international or national significance, the Council will apply the precautionary principle to avoid such damage occurring.

In all cases where a development is proposed within, or has the potential to affect the integrity of, a statutorily designated nature conservation site of international or national importance, the Council will formally consult and seek advice from Scottish Natural

Heritage on the proposal. The impact of each development proposal will be assessed on its own merits against the particular nature conservation interests of the site concerned.

Reason for Policy ENV14

- to protect natural heritage resources of international or national significance from potentially significant irreversible damage.

Landscape and Rural Environment Policies

Policy ENV15

The Council will not be supportive of development which would cause unacceptable and irreparable damage to important landscape features within rural areas. In this regard, developers will be expected to conserve and enhance, (and reinstate or replace where appropriate) those features which contribute to the intrinsic landscape value and quality of the area concerned and which are likely to be adversely affected by the particular development proposed, including:

- (i) existing setting of settlements and buildings within the landscape;
- (ii) existing woodlands, shelter belts, hedgerows and trees;
- (iii) existing burns, rivers, lochs and other water features;
- (iv) existing field patterns and means of enclosure including dry stone dykes, hedging and fencing;
- (v) existing Public Rights of Way, footpaths and bridleways; and
- (vi) existing skylines, landform and contours.

Development which results in the permanent loss of landscape features which are not readily renewable and whose loss would be unacceptable in landscape terms, will not be supported by the Council.

Policy ENV16

The Council will not be supportive of development which would create unacceptable visual intrusion or irreparable damage to the landscape character of rural areas. In this regard, the Council will ensure, through the development process, that:

- (i) any authorised development is in keeping with, has minimal visual impact and reflects the nature and landscape character of the rural area in which it is located, in terms of layout, materials used, design, size, scale, finish and colour. The design and material finish of any ancillary features will also be required to be sympathetic to the character and appearance of the area;
- (ii) any authorised development is sensitively sited, landscaped and screened so as to blend into, respect and complement the landscape characteristics of the particular area in which it is to be located; and
- (iii) the landscape setting of a particular area affected by a proposed development is safeguarded from adverse or irreversible change by the use of appropriate planning conditions, management agreements, preparation and promotion of environmental improvement schemes, development and design briefs etc.

Reason for Policies ENV15 and 16

- to ensure that the landscape character and quality of the countryside is maintained and enhanced

Policy ENV17

In assessing development proposals relating to land within the rural area which has not been identified as specific development opportunity sites on the local plan maps, the Council shall ensure that these have minimum impact on the rural environment. There will be a general presumption against any development which would:

- (i) cause the permanent and irreversible loss of prime quality agricultural land (i.e. Classes 1, 2 and 3.1 in the

Macaulay Land Classification System) (see Appendix 3);

- (ii) have significant unacceptable adverse impact or cause irreparable damage to built heritage resources requiring conservation or their settings including listed buildings, conservation areas, historic gardens and designed landscapes, scheduled ancient monuments, archaeological and industrial archaeological sites;
- (iii) have significant unacceptable adverse impact or cause irreparable damage to natural heritage resources requiring conservation and to existing species and habitats;
- (iv) have significant unacceptable adverse visual impact or cause irreparable damage to the landscape character and scenic quality of the area within which it is proposed;
- (v) adversely affect the quality of water resources, water catchment areas, land drainage or flood protection interests or create water pollution problems;
- (vi) result in the destruction of any areas of peat which are considered to be of significant ecological value.

Reason for Policy ENV17

- to safeguard those features and elements of the rural environment which are of prime importance to the economy and appearance of the area.

Policy ENV18

The Council will actively seek to preserve and supplement existing broadleaf and native tree species throughout East Ayrshire. In particular, the Council will:

- (i) strongly encourage the protection and positive management of remaining areas of ancient and semi-natural woodland. The retention and positive management of existing hedgerows and any proposals for new hedgerow planting will be supported;

- (i) protect those individual, groups and areas of trees which contribute significantly to the landscape quality of both the built and rural environment, through the serving of Tree Preservation Orders;
- (iii) encourage the development of Community Woodlands within, in close proximity to, and forming linkages between, area settlements;
- (iv) where considered appropriate, encourage tree planting of broadleaf or native species at the approaches to the built up areas and along strategic and tourist route corridors throughout the area; and
- (v) encourage individual landowners to increase the amount of amenity, particularly broadleaf and native tree species on their land.

Policy ENV19

The Council will encourage the Forestry Authority and other woodland owners to ensure that their planting proposals are sensitive and sympathetic to the environment and are of benefit to residents of the area as well as visitors. In particular, the Council will:

- (i) encourage the Forestry Authority in its consideration of planting schemes, to seek sensitive woodland and forestry planting of a type, scale, design and species mix that is in sympathy with the particular landforms and landscape character of the area in which it is proposed;
- (ii) ensure, in its consultations with the Forestry Authority, that future forestry proposals do not have an adverse effect on areas of nature conservation or natural and built heritage interest; and
- (iii) encourage the Forestry Authority, and other woodland owners, to take due account of the possible recreational use of afforested areas in the design of future forestry schemes. The provision of picnic areas, viewing points etc and the educational use of the afforested areas for nature or

wildlife purposes should also be fully investigated.

Reason for Policies ENV18 and 19

- to preserve and extend existing tree cover throughout the area and to develop woodland and forestry areas as an important recreational resource

Environment Protection Policies

Policy ENV 20

The Council will ensure, wherever possible, that the environmental quality of the main strategic access and tourist routes throughout East Ayrshire is not compromised by inappropriate, unacceptable or insensitive development. All developers whose proposals lie adjacent to these routes will be required to demonstrate to the Council that their developments are adequately screened and landscaped so as to minimise any adverse impact they may otherwise have on their environmental setting.

Reason for Policy ENV 20

- to help improve the quality of the rural environment for road users and visitors to the area.

Policy ENV21

The Council will ensure that all new development proposals:

- (i) are free from significant flood risk from any source;
- (ii) do not themselves materially increase the probability of flooding elsewhere;
- (iii) do not add to the area of land which requires protection by flood prevention measures;
- (iv) do not take place on, or affect the ability of functional flood plains to attenuate the affects of flooding by storing flood water;
- (v) do not compromise major options for future river management;

- (vi) do not give rise, through the introduction of necessary flood prevention measures, to any deterioration in the ecological status of the particular watercourse or body affected by the development; and
- (vii) meet all of the relevant provisions of Scottish Planning Policy (SPP), including the requirements of the Risk Framework detailed in the document.

Land raising, with compensatory storage, which permanently elevates a site above the functional flood plain of a water course, or elsewhere where flooding is an issue, will not generally be considered appropriate.

Developments which do not meet these requirements will not be supported by the Council. However, developments in the undeveloped functional flood plain could be considered acceptable in certain circumstances where a development location is essential for operational reasons and a lower risk location is not achievable, and for some recreational, sporting, amenity and nature conservation uses.

Policy ENV22

The Council will require any developer wishing to develop land which is located in areas identified as being at 'medium to high' flood risk (1:200 or greater annual probability of watercourse flooding) or which has been known to flood in the past, the proposal first having satisfied the provisions of policy ENV 21, to fully investigate the implications of flood risk on their proposals and on adjoining land and property upstream, downstream and directly adjacent to the proposed development. A precautionary approach to new development, to err on the side of caution in decision making where flood risk is an issue, will be pursued by the Council with regard to development in such areas.

Developers are expected to incorporate appropriate flood prevention and flood management measures into the design of their proposals so as to remove or mitigate any adverse effects from flooding that may be experienced. In this regard, developers should give consideration to the contribution that sensitively designed Sustainable Drainage Systems (SUDS) can make in offsetting any flood risk posed by their developments and to avoid the culverting of

water courses unless there is no possible alternative. In addition, the Council will generally be supportive of measures to open up existing culverts as a means of reducing flood risk.

Developers will be expected to enter into agreements with the Council under Section 75 of the Town and Country Planning (Scotland) Act 1997, to provide and finance any necessary flood prevention infrastructure that may be required in association with their proposed developments.

Note: The issue of new development in functional flood plains is addressed in policy ENV21 above.

Reason for Policies ENV21 and 22

- to prevent further development which would have a significant probability of being affected by flooding or which would increase the probability of flooding elsewhere.

Policy ENV23

In cases where a development is proposed on land which is known or suspected to be contaminated, the Council will require the developer to investigate and identify the nature of the contamination and to detail the remedial measures to be undertaken to treat or remove that contamination, as an integral part of any submitted planning application. In this regard, developers will be required to carry out a Risk Assessment of the development site as detailed in PAN33 (revised 2000): Development of Contaminated Land, Annex 1.

Reason for Policy ENV23

- to ensure that development does not give rise to problems of public health and safety or increase the risk of pollution of the water environment.

Policy ENV24

The Council will presume against any developments which:

- (i) have an adverse effect on the water environment by increasing levels of pollution or detrimentally impact upon water quality, aquatic habitats for wildlife or recreational amenity; and
- (ii) have an adverse effect on groundwater or major aquifers.

The Council supports the source control and passive treatment measures recommended by the Scottish Environment Protection Agency in its 'Guide to Sustainable Urban Drainage' and will support new developments with innovative methods of surface water disposal and treatment which meet the standards of SEPA and the Water Authority.

Where necessary, the Council shall require applicants to submit supplementary drainage information to assist in the determination of planning applications.

Reason for Policy ENV24

- to preserve and protect the environmental quality and landscape, recreation and nature conservation potential of rivers, burns and other watercourses

Policy ENV25

The Council will require all developers to ensure that their proposals have minimal adverse impact on air quality and will require air quality assessments to be undertaken in respect of any proposed developments which it considers may significantly impact on air quality, as considered appropriate. The Council will also ensure that any new development will have minimum adverse effects on the physical environment and the amenity of an area as a result of light and noise pollution. Appropriate conditions and Section 75 Agreements will be attached to individual planning consents to ensure that environmental impacts caused by air, light and noise pollution are minimised wherever possible.

Reason for Policy ENV25

- to ensure that development does not give rise to problems of nuisance or impact adversely on the amenity of the area

Policy ENV26

The Council will presume against any new development which is located in areas demonstrated or proven to be directly adversely affected by existing noise or other polluting activities, or within safety zones around recognised hazardous installations.

Reason for Policy ENV26

- to ensure that new development is not located within potentially dangerous areas or areas adversely affected by existing nuisance or polluting activities.

ENVIRONMENT PROPOSALS

PROP 19

The Council will, in collaboration with the Ayrshire Joint Planning Unit, the other Ayrshire Councils, the Forestry Authority and other relevant agencies, ensure that all forestry and woodland proposals are implemented in full accordance with the provisions of the Ayrshire and Arran Woodlands Strategy.

PROP20

The Council will designate new conservation areas and amend the boundaries of other conservation areas as considered appropriate.

PROP 21

The Council will prepare Conservation Area Appraisals and introduce Article 4 Directions for the Council's Conservation Areas, as appropriate.

PROP 22

In considering applications for new development, the Council will consult the Scottish Environment Protection Agency to ensure that the proposals

- (i) accord with the criteria set out in the Groundwater Protection Strategy adopted by the Agency.
- (ii) in relation to development proposals in areas of known flood risk, the proposals are acceptable in terms of the SEPA / Planning Authority Protocol on Flooding Issues.

PROP 23

The Council will, with the assistance of the Scottish Environment Protection Agency, establish and implement a Flood Management Strategy to identify local areas within East Ayrshire that require flood protection. The Council, in conjunction with SEPA, will also prepare a series of comprehensive trigger maps identifying those areas within which formal consultation on proposed developments between the two bodies will be carried out, as regards flooding related matters.

PROP 24

The Council will work with its partners in the Coalfield Environmental Initiative, in order to improve the quality of the environment for those local communities that are, or have been, most affected by present or past mining activities.

PROP 25

The Council will, subject to the necessary finance being available, carry out environmental improvements to those main 'A' class access and tourist routes for which it is responsible. The Scottish Government is also recommended to carry out environmental improvement works along the A77 and A76 Trunk Road corridors to improve the environmental quality of these routes for the travelling public.

PROP 26

The Council will work in collaboration with local communities to prepare and implement Environmental Improvement Plans for those areas suffering especially from problems of poverty, decline and exclusion.

PROP 27

In considering applications for new development within the established consultation distances for installations handling notifiable substances, including pipelines, established by the Health and Safety Executive, the Council will consult the Executive about risks to the proposed development from the notifiable installation in accordance with Circular 5/1993.

PROP 28

The Council will work in collaboration with the Ayrshire Joint Planning Unit, the other Ayrshire Councils and other relevant agencies to develop and promote a Green Network for Ayrshire and to prepare a Woodlands In and Around Towns Strategy to promote environmental regeneration and recreational access within and between communities in the Core Investment Area and Investment Corridors. With regard to the promotion of Green Networks, the Council will, in collaboration with East Ayrshire Woodlands, Scottish Natural Heritage and Greenspace Scotland, develop and implement a Green Network Action Plan for East Ayrshire.

PROP 29

The Council will revise and update all its existing design guidance to better reflect the provisions of all recent national planning advice and guidance relating to design matters. New design guidance will be produced, as considered necessary and appropriate, to provide supplementary support for any policies in the plan where elements of design are recognised as significant considerations.

PROP 30

The Council will work in collaboration with the Ayrshire Joint Planning Unit and North

and South Ayrshire Councils, to explore the concept of a landscape protection area being created for the Core Investment Area.



Wiltshire
COUNCIL

Planning & Building Control Division

Design Guidance

2

Wiltshire Planning
Design Guidance

New Residential Development

EAST AYRSHIRE PLANNING: DESIGN GUIDANCE

Design of the built environment can affect the overall perception of an area formed by both its inhabitants and visitors. By ensuring that all development is based on good design practice and incorporates sensitive design features in keeping with good design principles, the quality of life for residents and future developers can be greatly enhanced and improved.

East Ayrshire contains numerous examples of high quality well-designed buildings. This document aims to build on the best elements of the built environment found in East Ayrshire by formulating a series of design policies aimed at making East Ayrshire a more attractive place in which to live and invest. The intention of the design policies is not to restrict development, but to ensure that all development proposed is of the highest quality of design, in keeping with and sympathetic to the character and appearance of the area in which it is proposed.

This document comprises a series of design policies under each of the following headings:

- 1 Householder Development**
- 2 New Residential Development**
- 3 New Residential Development in the Countryside**
- 4 Listed Buildings and Buildings within Conservation Areas**
- 5 Shop Front Development**
- 6 The Display of Advertisements**

DESIGN GUIDANCE: NEW RESIDENTIAL DEVELOPMENT

The Planning and Building Control Division has produced this guidance with a view to ensuring that the highest standards of design are achieved throughout East Ayrshire. Good design enhances and protects the quality of the built environment and developers are strongly encouraged to take this guidance into account when preparing and formulating their development proposals.

This guidance forms part of and supplements the policies of the East Ayrshire Local Plan and will be used by the Council in its assessment of all planning applications. It should be noted that not every policy contained in this document applies for each and every development.

All new residential development will require to comply with relevant policies of the East Ayrshire Local Plan, copies of which are available from the Planning and Building Control Division. The advice given in “Fitting New Housing Development in the Landscape”, found in Planning Advice Note No 44, has also been adopted by the Council as a material consideration in the determination of all new residential development applications.

INTRODUCTION

Housing has a greater impact upon on the built environment and local communities than almost any other land use, with housing being found in all East Ayrshire communities and throughout the rural area. Housing styles and design over the ages act as historical markers identifying a particular locality, and housing of all types provide secure and enjoyable places in which to live. A competitive housing market has led to the widespread use by developers of standard house types within suburban residential layouts and this has often had the effect of reducing the individual identity and visual quality of many of East Ayrshire’s settlements. The following design guidance relates to the rehabilitation / conversion of older properties into residential use as well as new build developments.

1. General Principles

The Council shall require developers to observe the following principles when preparing house and layout designs:-

- (a) **Locality** - designs will be required to conform, compliment and harmonise with the landscape character of the area, the design of surrounding buildings and the general appearance of the settlements in which the development site is located, particularly in terms of scale, form, materials and finish.
- (b) **Good Design** - all new housing schemes shall be prepared using best architectural practice in their detailing, scale and proportion, and be interesting and distinctive, exploiting and reflecting local features to advantage. Innovative design of a high quality will be encouraged.
- (c) **Maximising Opportunities** - All housing layout design and the design of individual housing plots shall maximise the use of public and private open space around houses for those outdoor activities associated with modern living. Safe and convenient connection shall be made between the various elements of a housing layout, linking housing areas to public open space by means of leisure walks and making appropriate pedestrian links to bus stops, local shops, schools and other facilities.
- (d) **Energy Efficiency** - Developers should aim for best practice in terms of energy conservation. This can be done by:-

 - (i) Using the landscape and landform, double glazing and tree planting to protect buildings from wind thereby reducing heat loss.
 - (ii) Using solar heating systems.

- (e) Traffic Circulation – New housing estates should be designed in such a way that any new distributor route serving the development is of the requisite standard to facilitate its use as a public bus route.

2. Types of Residential Development

(a) Individual or small scale, gap or infill development

- (i) Where it is considered necessary to establish compatibility and integration of a proposed gap or infill development with the existing street form, the Council will ask for drawn street elevations to accompany appropriate planning applications.



Examples of Compatible Gap/Development Infill

- (ii) Layouts and house types for proposed individual or small scale residential development of infill or gap sites will require to reflect and respect the built form of the surrounding area, and aim to integrate with existing surrounding land uses and communities.
- (iii) House design of infill or gap site residential development shall recognise and reflect the scale, design features, rhythm of doors and windows, storey height, density and materials of surrounding buildings.

(b) Larger Scale Developments

- (i) Sites on the edge of towns should be designed carefully in order to create an attractive introduction to the settlement and to enhance impressions of the town. New developments should also ensure that any characteristic skylines or sympathetic building massing within existing settlements are not compromised or disturbed.



Sympathetic Edge of Town Development

- (ii) The siting of roads and buildings should respect existing topography and landform by following existing ground contours.
- (iii) Large housing areas shall be laid out to encourage identity and community. A sense of place should be created using distinctive housing designs, good use of the natural features of the development site and the formation of new attractive open space and public amenity features through sensitive landscaping and planting. The creative interplay of open space and built form will be required to provide interest and shape to any new development proposed.
- (iv) To avoid large anonymous areas of houses of similar style and house type within any one particular area, it is recommended that within

large housing sites there should be individual housing neighbourhoods designed in cohesive groups of no more than 50 to 75 dwellings, with each being distinctive in design. Individual housing areas shall be physically separated from each other but fully integrated with neighbouring housing areas through the use of appropriate landscaping, planting and the creation of areas of recreational or amenity open space.

- (v) Consideration should be given to introducing different storey heights in any housing layout and, where appropriate, introducing sites for other appropriate and associated land uses. Community and local shopping facilities should be provided to add interest to the area and to provide an integrated range of services for local populations.



Varied Storey Heights

- (vi) Sensitive planting shall be used to mould the development into the landscape at key points. Massed planting using whips and forestry transplants may provide an acceptable alternative to the provision of individual decorative trees and this should be given due consideration in the preparation of overall layout plans for the development.

- (vii) Wherever possible, developers should ensure that proposed housing faces the main approach roads within a development and that the main approach road to housing estates is not dominated by rear garden fencing. Where rear garden fencing does face onto main approach roads, developers should attempt to soften this by landscaping and tree planting.
- (viii) All new residential developments should reflect and respect the landform characteristics of the area in which they are proposed and should be designed so as to minimise the extent of any earth shaping, land engineering operations that may be required.

3. Housing Layout

(a) General

The Council will require the design of housing layouts to incorporate and co-ordinate all elements of built form i.e. houses, garages, boundaries, driveways, roads and landscaping, to create a safe and pleasant living environment which meets modern standards.

(b) Roads

Road and parking layouts shall require to comply with East Ayrshire Council's Roads Division Guidelines and shall incorporate traffic calming measures where considered appropriate. Measures should also be taken to distinguish between and to improve the visual impact of road and parking surfaces through the use of appropriate materials and markings.

(c) Shared Pedestrian/Vehicle Surfaces

Where proposals conform to the Council's Roads Guidelines, the Council will be supportive of the introduction of shared surfaces into residential developments, these being roads without footways that are shared by pedestrians and vehicles. This type of road must form part of an overall design concept. Shared surfaces should comprise short loops and culs de sac each serving a small number of dwellings in order that travel distances are kept short to discourage speeding. These roads should be paved in distinctive materials so that all road users are aware of the shared nature of the road.



Shared Pedestrian / Vehicle Surfaces

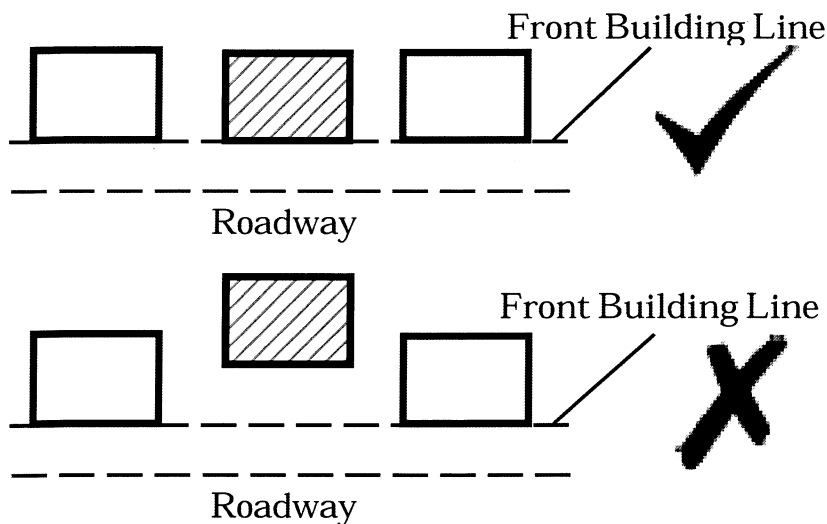
(d) Footpaths

- (i) Where appropriate, the provision of remote footpaths, that is, footpaths located away from an adopted roadway, may be specified by the Council. This will be required where it is not possible to locate a footpath alongside a road or, where it is considered appropriate to follow a particular desire line formed by existing paths, tracks or bridleways. Remote footpaths may also be required to link with other existing footpath networks outwith the proposed development site.

- (ii) Wherever possible, Public Rights of Way shall be incorporated into new housing developments. If this is not feasible, permission for any diversion shall be sought from the Council with the diversion following, as close as possible, the line of the existing right of way.

(e) Building Lines

- (i) Front building lines, wherever possible, should respect and reflect those of adjacent properties. On new sites where there are no existing building lines to provide guidance, the Council will encourage the provision of a 6m (minimum) building line to secure appropriate levels of residential amenity.



- (ii) On new individual serviced plots no dwellinghouse should be constructed within 1.5 metre of the side boundary of any plot adjoining another in order to preserve a minimum 3 metres separation distance between houses. Where a dwellinghouse is proposed with no provision made for the erection of an integral or attached garage, a minimum width of 3 metres should be reserved to one side of the dwellinghouse to allow for vehicular access to any garage that may be built at a future time to the side or rear of the dwellinghouse.

4. **Housing Mix**

In general, housing layouts shall include a variety of house types of differing sizes suitable for a wide range of households.

5. **Crime**

Good layout design can reduce the opportunity for crime and attention to layout and design of new housing development can reinforce social relationships, assist surveillance and thus deter criminals. By taking account of crime prevention along with other considerations such as landscape, topography and urban form, safe and attractive housing areas can also be created.

Developers are therefore advised to take cognisance of the recommendations contained in Planning Advice Note 46 – “Planning for Crime Prevention” and the Council will assess all planning applications for new residential development against advice contained in the document. The main principles of this document relating to new housing development are set out below.

PAN 46 : Summary Advice

In order to create a neighbourhood identity for an area, the following symbolic and physical measures should be considered. These measures make intruders aware they are entering a particular estate and are more likely to be detected as a stranger:-

- The definition of external boundaries of the development with walls, railings, narrowed entrances and landscaping
- The introduction of different road surface textures
- The introduction of traffic calming
- The design of layouts encouraging community interaction



Good Surveillance Opportunities

Other specific measures that can be taken to assist in crime prevention are set out below:-

- Housing should be grouped in clusters or back to back increasing surveillance. Footpaths running to the rear of housing should be avoided.
- The number of access routes into a housing development should be limited as these increase the opportunity for intruders to enter the area. Through routes should be avoided as it is more difficult to supervise their use.
- Separate pedestrian routes linking housing areas to facilities such as schools and shops should be short, direct, have an open aspect, be well lit and have a good level of surveillance.
- Play areas should be small scale and sited close to dwellings in order to afford the maximum opportunity for surveillance.
- Parking for residents and visitors should not be in large communal areas or areas located away from housing with limited surveillance. Wherever possible, houses should be allocated spaces within the curtilage of the house or immediately to the front.

6. Accessibility and Safety for all

Well designed residential development can greatly assist in providing an improved living environment for all, including those with mobility and sensory disabilities, elderly people and those with young children. In the first instance, developers should consult with the Building Control section of the Council's Department of Development Services to ensure that development proposals fully comply with Building Standards (Scotland) Regulations 1990, as amended, particularly those relating to disabled access to dwellings. In addition to this, housing developers should consider incorporating the following as an integral part of their design proposals:-

- (a)** Pedestrian routes should be wide enough to allow prams, double pushchairs and wheelchairs to pass.
- (b)** Footway surfaces should be smooth, even, slip resistant and have minimal slopes.
- (c)** Kerbs should be dropped at all crossing points.
- (d)** Ramps (1:12 maximum gradient) should be provided in addition to steps where appropriate.
- (e)** Handrails should be provided at both sides of ramps and steps. They should be of contrasting colour, continue between flights of steps and continue 300mm beyond the top and bottom step to assist the visually impaired.
- (f)** House entry points should be installed in such a way as to allow use by both able and disabled people. Doorways should be wide enough for prams/double pushchairs/wheelchairs.
- (g)** Communal drying areas and bin areas should be designed to be utilised by people with limited mobility.
- (h)** Landscaping should be planted and maintained so that it does not extend onto pedestrian routes.

- (i) The possibility of constructing residential development which meets with Barrier Free Housing Standards should be investigated.
- (j) Effective modern safety features such as alarm and low pressure sprinkler systems should be introduced wherever possible, especially in new special needs and high density housing developments.

7. Privacy and Overshadowing

- (a) Privacy – New housing development should not result in an unacceptable invasion of privacy or overlooking of properties adjoining the site. The minimum distance between windows of habitable rooms (i.e. living rooms, dining rooms and bedrooms) in facing houses should not be less than 18m. This may be relaxed where windows are at an angle to each other.
- (b) Overshadowing – The height and position of houses must not have an oppressive, overshadowing or visually intrusive impact on neighbouring properties.

8. House Design

(a) General

The use of architectural attachments on new dwellings shall be kept to a minimum and particular attention should be paid to the design and proportion of windows and doors.

(b) Roofs

Roofs shall be double pitched with a slope of at least 30° on new housing within urban areas only. Roofing materials will require to be in keeping with the character and appearance of the surrounding area.

(c) Walls and External Finishes

- (i) Local traditional materials have, historically, been stone and painted wet dash render and the use of these materials is encouraged by the Council. Dry dash render and facing brick may be permitted but the type and colours chosen should reflect those traditionally used in the



Drydash Render Reflecting those Traditionally used in the Locality

- locality.
- (ii) A limited range of no more than two elevational or surface material finishes will be acceptable on any one house. The limited use of suitable contrasting coloured materials within a single street to add interest will be encouraged.
- (iii) Underbuilding should be minimised by careful siting of the major axis of the house along the contours of the land.

9. Car Parking Provision

(a) Car Parking Standards

Parking standards for new residential development depends on the size of dwellings (i.e. the number of bedrooms). Appropriate standards are set out in the following table for allocated and unallocated parking

spaces appropriate to various house types and sizes. **Allocated spaces** are contained wholly within the curtilage of a dwelling and can consist either of garages and lock ups, driveways in front of garages or individual spaces with lockable bollards. These spaces relate solely to specific dwellings and are reserved for the exclusive use of residents of the dwelling or their visitors.



Allocated and Unallocated Car Parking Spaces

Unallocated spaces are those considered to be for the use of either residents or visitors on a “first come, first served” basis. These spaces do not relate directly to any particular dwellings. To avoid haphazard and obstructive parking, the maximum distance from any dwelling to the nearest allocated or unallocated space should not exceed 30m.

Residential Development Car Parking Provision

Housing Size of Dwelling (no of bedrooms)	Detached / Semi Detached		Terraced Housing / Flats	
	Allocated Spaces	Unallocated Spaces	Allocated Spaces	Unallocated Spaces
1	1	0.25	0	1.25
2 or 3	2	0.25	1	0.65
4 or more	3	0.1	2	0.5
Redevelopment and Refurbishment	1 space per dwelling		In certain circumstances a lower provision of 0.8 spaces/ dwelling (0.5 where the building façade is retained) may be allowed, to be agreed by the Area Engineer	

Private sheltered housing and Housing Associations	0.2 - 0.5 spaces per dwelling + 0.3 spaces visitor parking per dwelling + 1 space per warden	Provision dependent on size of units, degree of communal facilities and location of development
Amenity Housing	0.5 spaces per dwelling and 0.3 spaces per visitor parking per dwelling	
Local Authority Sheltered Housing	0.25 spaces per dwelling + 1 space per warden	Includes provision for visitors
Old People's Homes /Children's Homes	1 space per 4 residents	Includes provision for staff and visitors
Student Flats	1 space per 7 students, 1 space per 3 staff +1 space per warden	Allowance should be made for future provision of parking assessed on the basis of possible subsequent occupation as mainstream housing
Halls of Residence	1 space per 4 beds. 1 space per 3 part time staff + 1 space per resident staff	

Note 1: Parking provision referred to in this table are manoeuvrable spaces i.e. capable of being used without the need to move other vehicles.

Note 2: Manoeuvrable parking spaces shall be provided in all shared surface roads.

(b) Driveways

- (i) Developers should refer to the Councils Roads Guidelines for specifications relating to driveway dimensions, which differ with the size of house proposed (i.e. number of bedrooms) and the width of the carriageway. Where a second or third parking space is required within the curtilage of a building, these spaces should be located to allow the garage and all other parking spaces to be accessed directly from the road without the need to remove vehicles already parked in the driveway.

- (ii) Materials used in the finish of driveways will require to be compatible with the finish of driveways serving surrounding houses.

(c) Garages

- (i) The provision of a garage constructed at the same time as the new house to which it relates is encouraged. Where this is not possible, a space for a future garage should be provided within the plots of end terraces, semi-detached and detached houses.
- (ii) Both integral and free standing garages serving new housing developments will be considered acceptable by the Council. Garages shall have dual pitched roofs and, wherever possible, be finished with materials matching the associated house. Freestanding garages should not project forward of the front building line of the dwelling house that they serve. Wooden garages may be considered acceptable but only where these are located behind the rear building line of the dwellinghouse.
- (iii) Developers are advised to prepare and have, in written agreement from the planning authority, a model garage design as part of their overall proposals which can be used as a model for purchasers who wish to construct a garage in future.

10. Boundary Walls & Fences

- (a) Boundary walls and hedging forward of the front building line of a dwellinghouse shall not exceed 1m in height and the use of timber fencing in this location will be discouraged.

- (b) Rear and side boundary treatments behind the front building line shall generally be no greater than 1.8m in height. Walls, hedging and timber board fencing are all acceptable materials. However the materials used shall be compatible with the area in which they are located.

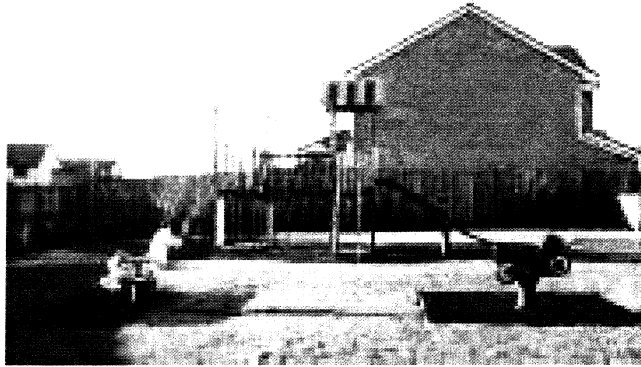
11. Public Open Space and Landscaping

(a) General

- (i) The provision of open space is an essential component of a modern housing layout. Minimum standards of public open space provision are detailed below. The Council encourages developers to consider open space provision as an integral part of the housing layout design, looking carefully at the opportunities provided by existing topographical and landscape features. Developers will be expected to follow the standards of public open space provision indicated in Schedule 3 of the East Ayrshire Local Plan as detailed below:-

Public Open Space Standards

1. Overall minimum open space provision - 300m² per 10 houses. Provision consists of:
 - Active Recreational Open Space (comprising equipped children's play areas, games pitches and other specialist facilities)
 - Amenity Open Space (comprising planted areas, seating areas, landscaped areas, leisure footpaths, etc)
2. Open space provision for developments of less than 30 houses is at the discretion of the Council and developers may not be required to provide any element of active recreational open space as described in 1 above.



Active Recreational Open Space

3. All developments of more than 30 houses will require to comply with the 300m² per 10 houses standard detailed above.
4. All developments of over 350 houses will require to incorporate open space to meet the National Playing Field Standard of 2.43 ha per 1,000 people, including a minimum of 1.5ha of purposely designed public park land incorporating areas for active and passive recreation and children's play.

- (ii) Wherever possible, areas of open space within a development should be connected with other existing or planned areas of open space in the vicinity of the development site in order to provide interesting open spaces and circular walks of varying distances or routes. Play areas, seats and leisure footpaths should also be provided in major open spaces as appropriate. All new play areas shall conform to relevant Health and Safety regulations. These can be obtained from the Councils Department of Community Services.

(b) Design of Open Space and Landscaping

- (i) It is recommended that developers employ a Landscape Architect chartered by the Landscape Institute, to prepare designs for all open spaces and landscaping.
- (ii) Public open space and landscape plans shall be included as an integral part of the detailed planning application and should indicate the location of open space areas, play areas, footpaths and proposed seating areas, as well as planting densities and species of trees and shrubs.



Well Organised and Maintained Amenity Open Space

- (iii) Developers will be required, where considered appropriate by the Council, to undertake advance structural planting and landscaping for large housing developments.
- (iv) Developers should ensure that areas of open space are of a size and configuration that is easily maintainable. Larger areas of well located, consolidated open space should be provided in preference to a series of smaller individual areas scattered throughout the proposed development site.

(c) Existing Landscape Features

On any application site the Council will seek to preserve features which contribute to the natural biodiversity of the area and, where necessary, maintenance and enhancement works will require to be carried out. The loss of such features will only be acceptable where the developer can demonstrate conclusively, to the satisfaction of the Council, that there are no reasonable alternatives to their removal. If existing woodland, single important trees, hedgerows and bushes require to be removed in order to facilitate the development, this should be done outwith the bird nesting period.

(d) Maintenance

Developers will require to make proper arrangements in advance of planting for the maintenance of hard and soft landscaped areas in perpetuity and be expected to take direct responsibility for maintenance, including plant replacement, for at least 12 months after planting. Advice regarding future maintenance should be sought from the Council's Department of Community Services (Outdoor Services Division). To facilitate future landscape and open space maintenance the Council may request the developers to make an Agreement under Section 75 of the Town and Country Planning (Scotland) Act 1997. Where a factor is proposed to secure long-term maintenance, full details of the factor and the arrangements they intend to put in place will require to be submitted.

12. Private Open Space

- (a)** The overall pattern of development with relation to plot coverage should be comparable to that of surrounding houses. The minimum proportion of garden ground to building shall be 60:40 for every plot. A minimum distance of 1.5m shall generally be kept between any

dwelling and the side boundaries of the plot on which it is to be constructed.

- (b) Developers will be expected to follow the standards of private open space provision indicated in Schedule 4 of the East Ayrshire Local Plan as detailed below:-

Private Open Space Standards

Private open space comprises all land within the curtilage of a dwelling house with the exception of land occupied by driveways, garages or parking spaces.

For each terraced, semi-detached or detached house, at least 60% of the total plot area should be reserved as private open space.

A proportion of all private open space should be secluded in nature and be provided to the following standards:-

- Detached & Semi-Detached Houses: 1.5 x ground floor area of house (minimum 100m²)
- Terraced Houses: 1.5 x ground floor area of house (minimum 70m²)
- Flats: 25m² per bedroom
- Nursing Homes: 15m² per bedspace
- Special Needs Housing:
 - 25m² per 1 bedroom unit
 - 40m² per 2 bedroom unit

- (c) In general, gardens shall be orientated to obtain maximum sunlight and care should be taken to ensure that gardens are not overlooked by adjacent properties to an unacceptable degree.
- (d) Housing areas should be designed and individual plots laid out so as to avoid difficult and narrow corners within allocated garden ground.
- (e) When an existing building is converted to flats, the developer in the first instance shall seek to provide private open space to meet the required standards. If it can be demonstrated that the provision of private open space is not reasonably possible and may prejudice an otherwise acceptable development then the Council may consider waiving this requirement particularly in town centre or brownfield locations.

SCHEDULE 1 GUIDING PRINCIPLES FOR SUSTAINABLE DEVELOPMENT

ECONOMIC RESOURCES

Strategic locations for economic development will be safeguarded and enhanced.

An effective supply of land for economic development to meet future investment needs will be identified.

Existing business and industrial land allocations considered surplus to requirements will be reviewed and reallocated to alternative uses.

COMMUNITY REGENERATION

Efficient use will be made of vacant and derelict land and buildings.

Previously developed land will be promoted in preference to greenfield land.

Recreational and amenity open space will be safeguarded and enhanced.

Sites for local community needs will be identified and promoted.

Developments will require to be of good quality design and reflect where appropriate local character and materials.

ENVIRONMENTAL QUALITY

The quality of the natural and built heritage will be conserved and enhanced.

Important cultural heritage resources will be safeguarded.

Development will require to respect the landscape character of the area and not result in visual damage or intrusion.

Development should not lead to unacceptable damage to priority species and habitats.

New development will be expected to take account of the impact of climate change.

New development will be located where there is no unacceptable risk from flooding, tidal inundation, coastal erosion or ground instability.

Development proposals should not have an adverse effect on land, air and water quality or nuisance by way of smell, noise or light.

New development should not intrude into Health and Safety Executive safeguard zones if this would lead to increased risk or hazard.

The assets and amenity of the coast and coastal waters shall be protected from harmful development.

Non renewable resources will be used prudently.

Proposals that promote the reuse and recycling of resources will be encouraged.

IMPROVING ACCESSIBILITY

Areas of economic development will require to be accessible by a range of transport modes.

Increased use of public transport will be promoted and encouraged through the development of public transport corridors.

The use of non- road based freight transport will be encouraged.

Traffic relief to communities on main routes will be promoted.

In the selection of locations for future development preference will be given to areas that are, or have the potential to be, well integrated with walking, cycling and public transport networks.

Transport Assessments/Green Travel Plans will be required for all significant trip generating land uses.

DEVELOPMENT OBLIGATIONS

Developers will be expected to mitigate the significant adverse impacts of their developments and to ensure the costs involved are not borne locally.

New investment should maximise the use of existing service infrastructure.

Where new developments are proposed, developers will be expected to contribute towards overcoming any existing infrastructure constraints.

Developers will be encouraged to apply the principles of energy efficiency and to utilise renewable energy sources within the layout and design of proposals.

Developers should consult with Architecture & Design Scotland and all appropriate amenity bodies on any significant development proposals.