

**simplified planning zone**

# **1 info**

**montgomerie park, irvine**

**delivering places through innovation**



North Ayrshire Council  
Comhairle Siorrachd Àir a Tuath

# contents

## 1 SPZ info

### A. our place

why an SPZ?

### B. i-build

who gets involved?

### C. u-build

when can building start?

## 2 SPZ consent

### A. our place

where is the site?

### B. i-build

how will the Council help?

### C. u-build

what is required?

The SPZ has been split into 2 parts. Part 1 provides standard **information** on SPZs whilst part 2 provides specific details about what we will **consent** for Montgomerie Park. Both parts have been divided into **our place**, **i-build** and **u-build** and are as easy to read as A,B,C.

# our place

## why an SPZ?

### advantages

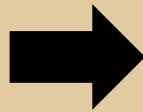
- **proactive** approach by the Council to place making and speed of delivery with development ready land.
- **certainty** for anybody wishing to develop sites, as well as the community, as to what will be allowed by the Council.
- **simple** process to help attract investment to the area.

A large, white, sans-serif capital letter 'A' is centered on a solid gold background. The letter is simple and bold, with a slight shadow or drop effect.

# legals...the small print

- **provisions** - this Simplified Planning Zone (SPZ) scheme has been prepared in line with provisions of Sections 49 and 50 and Schedule 5 of the Town and Country Planning (Scotland) Act 1997 (the 1997 Act) as amended by the Planning Etc. (Scotland) Act 2006 and the Town and Country Planning (Simplified Planning Zones) (Scotland) Regulations 1995 (the Regulations).
- **no planning application required** - detailed designs need only demonstrate compliance with the scheme, and its design conditions.
- **other consents** - the SPZ scheme only grants planning permission. It is the developer's responsibility to ensure compliance with all other relevant legislation. For example, separate approval will be required from the Council for building warrants and Roads Construction Consent.
- **permitted development** - nothing in this SPZ removes, cancels, or otherwise makes void consent granted by The Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (as amended).

10 years



this is how long the provisions of the SPZ scheme will be valid for from the date of its adoption.

## SPZ definition

a SPZ is where, for a particular area, the local authority puts in place a SPZ scheme. this is a document which sets out, and gives, authorisation for the type of development the Council wishes to see developed in that area, along with conditions and design criteria that must be complied with.

the Council will engage with the community and statutory consultees before finalising the scheme.

when proposals comply with the SPZ scheme there is no need for the developer to apply for planning permission, as the principles have been thought through and the consent is put in place upfront by the Council.

# i-build

## who gets involved?

### roles

- **everyone** has a role from the council to the community, including statutory consultees.

the SPZ follows an inclusive approach. this means that the local community can feel reassured that all the right checks and consultations have been put in place before any development begins.

# B

# around the table

## **council**

### **lead role in place making**

- commits to creating development ready sites and setting the design requirements

## **consultees**

### **expertise**

- offer views on the draft SPZ scheme to shape the consent and conditions -

## **community**

### **offer ideas and comments**

- opportunity to feed-in local knowledge and ideas as well as voice any concerns



## **customer developer or individual**

- liaises with the Council and responds to the design requirement – either directly or through an architect or design team.

## **architect / design team designs**

- works to create the best design outcome which clearly meets the requirements in the SPZ scheme.

**u-build**

**when can building start?**

**as soon as...**

**C**

# forms

- pre-development notification
- commencement
- completion

only  
**3**



# forms

## developers notify the council at 3 key stages

### pre-development notification

prior to the commencement of development, under the provisions of the SPZ Scheme, it is the developer's responsibility to notify the local planning authority using the **pre-development notification form**.

it is important that accurate information is provided to allow the council to ensure that development is in accordance with the SPZ's conditions and for monitoring.

the council will acknowledge the notification and respond regarding the suitability of any additional information within 14 days.

if the Council does not respond in writing, or request further information (with specified reasons), within this period it will be deemed that the pre-notification requirement has been fulfilled.

### development commencement

developers are required to complete and return the **development commencement form** to the planning authority as soon as practical after commencing works under the provisions of this SPZ Scheme.

### completion

developers are required to complete and return the **completion notification form** as soon as practicable after the completion of any development permitted by the SPZ.

**SPZ Pre-development notification form (page 1 of 4)**

**1. Contact Details**

**Developer**

Contact Name

Company/organisation

Address

Post Code

Telephone number

Email:

**Agent (if applicable)**

Contact Name

Company/organisation

Address

Post Code

Telephone number

Email:

# pre-development

# 1

## SPZ Pre-development notification form (page 2 of 4)

### 2. Location of proposed development

### 3. Details of the proposed development

### 4. Estimated date works will commence

## SPZ pre-development notification form ( page 3 of 4)

### notes for developers

completion of this form is a mandatory requirement if development is undertaken under the provisions of the SPZ scheme. It is essential that the local planning authority maintains an accurate record of the development activity so that the terms of the SPZ are complied with.

on receipt of this form, the planning authority will

- within 10 working days provide acknowledgement to the agent or developer if no agent is specified. acknowledgement of the form does not constitute the local planning authority's confirmation that the proposal is compliant with the SPZ.
- within 14 working days respond as to the suitability of the submitted information.

if developers want a formal decision from the planning authority about the proposal's compliance with the SPZ they must apply for a Certificate of Lawfulness of Proposed Use or Development under section 151 of Town and Country Planning (Scotland) Act 1997.

### 5. Submitted information

**I/we submit the following required information (please tick):**

- Site location plan  
(scale 1:1250 or 1:2500)

**Other information to comply with the pre-commencement conditions (please tick & attach):**

#### Condition

- 4 Site Layout  
(block plan 1:500 or 1:200)
- 5 Vehicle swept path
- 6 Floorplans
- 7 Elevations
- 8 Boundary treatment details
- 9 Hard & soft landscaping scheme
- 10 Details of all earth movement and proposed level changes
- 11 Drainage Strategy and Plan
- 12 Coal Mining Risk Assessment

**SPZ Pre-development notification form (page 4 of 4)**

**6. Developer declaration**

I/we

hereby give notice of the intention to carry out development under the provisions of the Montgomerie Park Simplified Planning Zone Scheme.

shall carry out the proposed work in accordance with the details included on this form and the associated scaled plans.

confirm that the development will be undertaken in accordance with the conditions and terms of the SPZ.

understand that any material variation from the details I/we have provided will require a revised pre-development notification to be made.

understand that the local planning authority may take enforcement action if it considers that the proposed development is not permitted by the SPZ, or is not in accordance with the details that have been provided herewith.

Name:

Signature:

Date:

# commencement

# 2

## SPZ Development Commencement form (page 1 of 2)

### notes for developers

a person who has commenced development for which notification has been given under the terms of the SPZ, must, as soon as practicable after starting works, give notice to North Ayrshire Council by returning this completed Notice to:

Planning Services  
North Ayrshire Council  
Cunninghame House  
Irvine  
Scotland  
KA12 8EE

01294 324 380

[ldp@north-ayrshire.gov.uk](mailto:ldp@north-ayrshire.gov.uk)

Reference Number

Previous Notification Date

Developer

Proposal

Address

Full name and address of all owners of the property/land to be developed if different from the developer

**SPZ Development Commencement form (page 2 of 2)**

Full name and address of person(s), company or body carrying out the development (if different from developer):

Full name, address and contact details of person(s), company or body appointed to oversee the carrying out of the development:

**Start Date:**

Signed

\* On behalf of .....  
(delete where inappropriate)

Date

# completion

# 3

## SPZ Completion of Development form

### Notes for developers

A person who has completed development for which notification has been given under the terms of the SPZ, must, as soon as practicable after completion, give notice to North Ayrshire Council by returning this completed Notice to:

Planning Services  
North Ayrshire Council  
Cunninghame House  
Irvine  
Scotland  
KA12 8EE

01294 324 380

[ldp@north-ayrshire.gov.uk](mailto:ldp@north-ayrshire.gov.uk)

Reference Number	<input type="text"/>
Previous Notification Date	<input type="text"/>
Developer	<input type="text"/>
Development	<input type="text"/>
Address	<input type="text"/>
Completion Date	<input type="text"/>
Signed	<input type="text"/>
Name * On behalf of...	<input type="text"/>
Date	<input type="text"/>



## completion quality

### monitoring

it is important that the council are able to monitor development activity, to allow outcomes to be measured and to achieve the SPZ scheme's primary objective of encouraging high quality and sustainable residential development.

developers must provide information using the **pre-development notification** process and submit the **commencement** and **completion of development forms**, to allow progress to be checked and any monitoring to be carried out.

### enforcement

failure to provide accurate information may lead to enforcement action being taken by the council. If the council considers that development is in breach of the SPZ scheme's provisions, or other planning permission, it may take enforcement action. any action will be undertaken at the council's discretion in accordance with its [Planning Enforcement Charter](#).

### confirmation of compliance

if prospective developers require the council's formal confirmation that a proposed development complies with the SPZ Scheme, they should apply for a Certificate of Lawfulness together with the requisite application fee (section 151 of the 1997 Act). the Council will endeavour to determine applications for a Certificate of Lawfulness in respect of the SPZ scheme within 28 days. If the application is refused, the applicant will have the normal rights of appeal.

### alteration of the scheme

north ayrshire council intends the SPZ scheme to remain unaltered for the entirety for its period of operation of 10 years. however, it has the right to propose alterations to the scheme including to add, remove or otherwise alter the planning controls (under the provisions of Section 53 of the 1997 Act). any alterations will be subject to further public consultation and will only come into effect 12 months from the date of adoption of any changes.

almost there...

# thanks

## contact details

Planning Services  
North Ayrshire Council  
Cunninghame House  
Irvine  
Scotland  
KA12 8EE

Call 01294 324380  
[ldp@north-ayrshire.gov.uk](mailto:ldp@north-ayrshire.gov.uk)

# back page



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