

Infrastructure and Environment Services Committee
5 June 1996

Irvine, 5 June 1996 - At a meeting of the Infrastructure and Environment Services Committee of North Ayrshire Council at 2.00 p.m.

Present

Samuel Gooding, David Munn, Patrick Browne, Jack Carson, Ian Clarkson, James Clements, Margaret Highet, Elizabeth McLardy, Robert Reilly and George Steven.

In Attendance

The Chief Executive, The Director of Planning, Roads and the Environment, Dr. Jack McCorkell (Head of Planning and Environment), Neil Buchan (Head of Roads), Alastair Herbert (Head of Accountancy Services) and Sandra Bale (Administration Officer).

Chair

Mr. Gooding in the Chair

Apologies for Absence

John Donn, Thomas Morris and John Sillars.

1. Minutes Confirmed

The Minutes of the Meeting of the Committee held on 24 April 1996, copies of which had previously been circulated, were confirmed.

2. Ayrshire Joint Structure Plan Committee

Submitted the annexed report (Appendix I & E 1) of the Ayrshire Joint Structure Plan Committee, being the Minutes of their Meeting held on 28 March 1996.

The Committee agreed to adopt the report.

3. National Planning Policy Guideline 8: 'Retailing'

Submitted report by the Director of Planning, Roads and Environment on the implications of the Scottish Office National Planning Policy Guideline 8: Retailing.

The final NPPG8 adopts a discretionary approach to guiding Planning Authorities to assess how applications for retail developments outwith established town centres should be decided. The Secretary of State now requires to be notified and consulted on retail development proposals which are in excess of 20,000 sq. metres of gross retail floor space. This represents a significant reduction from the previous 40,000 sq. metre threshold. NPPG8 recognises the importance of small businesses and town centres. With regard to amusement centres in town centres, NPPG8 states that it is when considering the application under the Gaming Act that the local

authority can take account of social considerations and emphasises that they have the discretion to refuse a permit even if planning permission has been granted.

Taking account of the guidelines set out in NPPG8, it is important to ensure that opportunities for retail development in North Ayrshire are not compromised by major developments within the boundaries of any adjoining authority. The Joint Ayrshire Policy on out of town shopping will be dealt with as part of the Ayrshire Structure Plan.

NPPG8 notes that local authorities may require to review their car parking standards in certain circumstances and these will be reviewed as appropriate.

After discussion the Committee agreed (a) to note National Planning Policy Guideline 8: Retailing, issued by the Scottish Office; (b) that a Retail Strategy for North Ayrshire requires to be prepared and agreed within the context of the Ayrshire Structure Plan; and (c) to review the policies on retailing incorporated within the various Local Plans at the earliest opportunity and in particular to ensure that the contents of the NPPG8 are reflected in the Policy Statement for operation to the Irvine/Kilwinning Local Plan.

4. Ayrshire Export Partnership

Submitted report by the Director of Planning, Roads and the Environment on proposed participation in the Ayrshire Export Partnership.

The proposed Ayrshire Export Partnership will comprise North, South and East Ayrshire Councils, Enterprise Ayrshire and the Ayrshire Chamber of Commerce and Industry. The aim is to co-ordinate export support from existing organisations more effectively and in that way improve service to companies.

The Economic Development Revenue Budget contains provision for assisting companies to prepare for exporting and, through the international trade programme, for supporting companies participating in trade missions or exhibitions in export markets. North Ayrshire Council can achieve the most effective return from its expenditure in support of export activities through participation in the Ayrshire Export Partnership.

The Committee agreed (a) that North Ayrshire Council will participate in the Ayrshire Export Partnership; and (b) to adopt the Statement of Services and Operating Arrangements prepared for this export partnership.

5. West of Scotland Loan Fund

Submitted report by the Director of Planning, Roads and the Environment on proposed participation in the West of Scotland Loan Fund Limited.

The Strathclyde European Partnership granted an extension of the application for European Regional Development Fund assistance until 30 June 1996 to permit the

formation of a new company to act on behalf of the various Councils.

The Committee agreed (a) that North Ayrshire Council become members of the West of Scotland Loan Fund Limited, a company limited by guarantee, which is being formed for the purpose of administering business loans in the West of Scotland; and (b) to endorse the proposed Memorandum and Articles of Association.

6. Roads Management and Maintenance: Revenue Budget Programme

Submitted report by the Director of Planning, Roads and the Environment on the proposed programmes of roads works for 1996/97.

A detailed programme of works, covering carriageway screeding/surface dressing, carriageway resurfacing and footway resurfacing has been drawn up, using the methodology as approved by the Committee on 24 April 1996. The funding has been distributed throughout all areas of North Ayrshire. The total amount of work able to be undertaken will, however, be dependent on the returned tender prices being in line with estimated costs and the level of income received by the Directorate for various services carried out during the year.

The Committee (a) noted the content of the report; and (b) agreed the programme as detailed.

7. Annual Report for 1995 of Strathclyde Water Services

Submitted report by the Director of Planning, Roads and the Environment on the annual report for 1995 of Strathclyde Water Services.

The Committee agreed to write to the West of Scotland Water stressing the high standards achieved by Strathclyde Water Services and confirming that the Council expects West of Scotland Water to maintain these standards by ensuring ongoing investment in water and sewerage infrastructures.

8. Isle of Arran Local Plan: Brodick Village Centre/Whitehouse Special Study Areas

Submitted report by the Director of Planning, Roads and the Environment on a proposal to appoint a Sub-Committee to consider the Brodick Village Centre/Whitehouse Special Study Areas.

The Isle of Arran Local Plan adopted on 23 August 1994, identified Brodick Village Centre and Whitehouse, Lamlash as special study areas. Following the public consultation process and the determination of a major planning application for part of the Brodick Village Centre Area, the studies require to be formally concluded.

The Committee agreed to remit to a Sub-Committee comprising the Chair, Vice Chair and Mr. Sillars to consider the Brodick Village Centre and Whitehouse, Lamlash

Special Studies as statements of current policy and report.

9. North Coast and Cumbraes Replacement Local Plan: Public Local Inquiry

Submitted report by the Director of Planning, Roads and the Environment on the findings of the Public Local Inquiry into the unresolved objections to the North Coast and Cumbraes Replacement Local Plan as produced by the Scottish Office Inquiry Reporters Unit.

The Committee agreed (a) to note the findings of the report at this time; (b) to appoint a Sub-Committee comprising the Chair, Vice-Chair and Councillors Highet, McLardy, Rae and Wilkinson to consider modifications to the Plan and report; and (c) to make copies of the Public Local Inquiry Report or relevant extracts available to all parties to the Inquiry and within the local library.

10. Irvine/Kilwinning & Garnock Valley Local Plan: Commencement of Review

Submitted report by the Director of Planning, Roads and the Environment on the need to commence preparation of Replacement Local Plans for Irvine/Kilwinning and the Garnock Valley.

The Committee agreed (a) to appoint Local Plan Sub-Committees, for both Irvine/Kilwinning and for the Garnock Valley, with each comprising the Chair, Vice-Chair and Local Members; and (b) to authorise the Director of Planning, Roads and the Environment (i) to commence preparation of Replacement Local Plans for the two areas; and (ii) to place the required notification in the local press.

11. Stevenston: 51-67 New Street: Development Brief

Submitted report by the Director of Planning, Roads and the Environment on the proposed Development Brief for private housing at 51-67 New Street, Stevenston.

In November 1995, Cunninghame District Council made a Compulsory Purchase Order affecting the Housing Action Area for demolition at 51-67 New Street, Stevenston and agreed to prepare a Planning Brief for the site. The proposal involves the demolition of the properties to provide a cleared site for development purposes and private housing is the favoured option.

The Committee was keen to ensure that demolition would be undertaken without delay. After discussion the Committee (a) approved the Development Brief for private housing at 51-67 New Street, Stevenston; and (b) agreed to seek assurances from the Director of Housing that the properties will be demolished at the earliest possible date.

12. Outstanding Applications for Planning Permission for Determination

(a) 01/96/0111: Sliddery: Moor Road (Plots 1 & 2)

Carol and William McAllister per R.N. Brass, Invercloy House, Brodick, Isle of Arran have applied for outline planning permission for the erection of two dwellinghouses at Moor Road (Plots 1 & 2), Sliddery, Isle of Arran.

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

- i. that the approval of North Ayrshire Council as Planning Authority with regard to the siting, design and external appearance of, landscaping and means of access to the proposed development shall be obtained before the development is commenced;
- ii. that a two metre wide verge shall be provided along the entire frontage of the site (except the area of the lay-by) with Moor Road with no obstruction to visibility over one metre above the adjacent carriageway level within the verge area;
- iii. that the lay-by shall be surfaced in a bituminous material to the satisfaction of North Ayrshire Council as Planning Authority;
- iv. that the roadside ditch shall be piped under the lay-by, to the satisfaction of North Ayrshire Council as Planning Authority; and
- v. that foul drainage shall not be discharged to the roadside ditch and that prior to the commencement of the development details of the proposed method of treatment and disposal of foul drainage shall be discussed with the Scottish Environment Protection Agency and then submitted for the written approval of North Ayrshire Council as Planning Authority.

(b) 01/96/0165: Stevenston: Hawkhill Farm

Capitol Projects Limited, 32 Park Square West, Leeds have applied for planning permission for Phase 2 of Hawkhill Farm development to include two non-food retail units (in detail) and a garden nursery (in outline).

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

- i. That the approval of North Ayrshire Council as Planning Authority with regard to: (a) the siting, design and external appearance of, landscaping and means of access to the proposed garden nursery; and (b) the programming of the proposed buildings and associated service roads and car parking shall be obtained before the development is commenced.
- ii. That the retail units shall be restricted to the sale of DIY, furniture, electrical and gardening goods.
- iii. That the sale of electrical goods shall be limited to a maximum net floorspace of 7,000 sq ft.
- iv. That there shall be no obstruction to visibility above a height of 1.05 metres above the adjacent carriageway level within the sightline envelopes, to the satisfaction of North Ayrshire Council as Planning Authority.
- v. That a 45 metre forward visibility sightline shall be provided and maintained around the right angled bend, to the satisfaction of North Ayrshire Council as Planning Authority.

- vi. That a flush kerb shall be provided across the carriageway at the access road turning head to delineate between the prospectively adoptable carriageway and the private accesses, to the satisfaction of North Ayrshire Council as Planning Authority.
- vii. That the gates at the entrance to the service yard shall open in to the site rather than out towards the carriageway.
- viii. That within three months of the date of this permission, full details of the proposed landscaping scheme shown on the approved site plan, which shall include details of species, planting densities, soil treatment and aftercare, shall be submitted for the approval in writing of North Ayrshire Council as Planning Authority.
- ix. That all planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting season and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which, within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless North Ayrshire Council as Planning Authority gives written consent to any variation.

(c) 01/96/0166: Irvine: 16A Sloan Avenue

Neil Hawthorn has applied for planning permission for the sub-division of a vacant shop and alteration and change of use of part of the shop at 16A Sloan Avenue, Irvine to use for non-ferrous metal trading purposes.

The Committee agreed, subject to following the requisite advertising procedure and no relevant objections being received, to grant the application subject to the following conditions:

- i. That the use hereby permitted shall not operate between the hours of 5.30 p.m. in any one day or 8.00 a.m. the following day, Monday to Saturdays and not at all on a Sunday.
- ii. That all unloading/loading of metals shall take place within the building.
- iii. That there shall be no external storage of metals, materials, waste, plant or equipment and the parking area shall be used for parking of vehicles only.
- iv. That no plant or machinery shall be installed or used and no process shall be carried out from within the building which would detract from the amenity of the area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit.
- v. That the volume of metals being traded within the building shall not exceed 5 tonnes in any one week.
- vi. That the roller shutters shall be kept down at all times except when raised to allow vehicle access and egress.
- vii. That notwithstanding the permission granted by Article 3 of and Classes 23 to 26 of Part 8 of Schedule 1 of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (or any Order revoking or re-enacting that Order) the express consent of North Ayrshire Council as Planning Authority shall be required in respect of any development for industrial or warehouse purposes.
- viii. That notwithstanding the provisions of Article 10 of the Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984 (or any Order revoking or re-enacting that Order) the express consent of North Ayrshire Council as Planning Authority shall be required in respect of any advertisement on the site, being the land and buildings.

ix. That the premises shall be used for the purposes of non-ferrous metal trading purposes and for no other purpose.

13. Building (Scotland) Acts 1959/70: Determination of Applications for Building Warrant

Submitted reports by the Director of Planning, Roads and the Environment on the following applications:

- (a) Irvine: 3 Merryvale Road: BW/95/0900
- (b) Irvine: 25 Braefoot, Girdle Toll: BW/95/0060.

In each case the information submitted with the application does not comply with the Building Standards (Scotland) Regulations 1990 as amended.

The Committee agreed to refuse each application on the grounds that it does not comply with the Building Standards (Scotland) Regulations 1990 as amended.

14. Building (Scotland) Acts 1959/70: Requests for Relaxation

Submitted reports by the Director of Planning, Roads and Environment on the requests for relaxation in respect of the following applications:

- (a) Saltcoats: 68 Middlepart Crescent: Regulation 9, Technical Standard S26 (the width of a private stair must be no more than 800 mm): BW/96/0352.

The Committee agreed to grant the application subject to the condition that a clear width of at least 650 mm shall be maintained over the staircase.

- (b) Saltcoats: 68 Middlepart Crescent: Regulation 9, Technical Standards S2.18 (the width of a landing must be not less than the maximum width between handrails of associated stair and must be clear of any permanent obstruction): BW/96/0352.

The Committee agreed to grant the application subject to the condition that a clear width of 360 mm shall be available at the top tread when the stairlift is in the stowed and parked position.

- (c) Ardrossan: 46 Princes Street: Regulation 9, Technical Standard D2.03 (a separating floor between a cafe and a maisonette above must be constructed from non-combustible materials): BW/96/0046.

The Committee agreed to grant the application subject to the condition that the separating floor shall be upgraded to achieve sixty minutes fire resistance from the underside.

- (d) Ardrossan: 46 Princes Street: Regulation 9, Technical Standard T3.01 (a cafe with seating capacity exceeding 20 persons must be provided with full disabled WC facilities): BW/96/0046.

The Committee agreed to grant the application subject to the condition that the female WC compartment shall be equipped to Ambulant Disabled Standard in accordance with BS5810 1979.

(e) Dreghorn: 34-36 Main Street: Regulation 9, Technical Standard D2.3 (non-combustibility of separating floor and part of landing within stair enclosure): BW/96/0199.

The Committee agreed to grant the application subject to the condition that the underside of the floor shall be upgraded to provide 60 minutes fire resistance.

(f) Dreghorn: 34-36 Main Street: Regulation 9, Technical Standard D2.15 (roof timber penetrating separating wall at bathroom/stairway enclosure): BW/96/0199.

The Committee agreed to grant the application subject to the condition that the roof timbers where passing the separating wall shall be beam filled and fire stopped.

(g) Beith: Balgray Whisky Bond (Warehouse 36): Regulation 9, Technical Standard D2.1 (maximum area of single storey buildings in purpose group 7A (high hazard storage) should be 200 metres squared with an automatic fire control system): BW/96/0335.

The Committee agreed to grant the application subject to the condition that the area shall be limited to 2,320 metres squared, the cubic capacity restricted to 18,000 cubic metres and the building fitted with an Automatic Sprinkler System in accordance with the Rules for Automatic Sprinkler Systems Installations 1990 issued by the Loss Prevention Council.

15. Irvine Oldhall West: Proposed Clinical Waste Treatment Plant

Submitted report by the Director of Planning, Roads and Environment on representations made to the Scottish Environmental Protection Agency on an application for a clinical waste incineration facility at Oldhall West, Irvine.

On 6 February 1995, Irvine Development Corporation issued a Certificate of Authorised Development (Ref. No. DC.559C) for "Erection of a Pet Crematorium and Clinical Waste Incineration Facility at plots 16-20 Oldhall, Irvine. The incineration process involved requires to be authorised under Part I of the Environmental Protection Act 1990. An application for this authorisation was submitted to HMIPI in mid March 1996 and was duly transferred to the Scottish Environmental Protection Agency on 1st April 1996.

The design and external appearance of the building which is subject to the application for authorisation, does not conform to the plans which relate to the Certificate of Authorised Development (Ref. DC559C) issued by Irvine Development Corporation in lieu of planning permission.

The proposed incinerator will have a design throughput capacity of 24 tonnes per day with an average hourly throughput over a 24 hour working day of 1 tonne/hour. Information accompanying the application for authorisation states that the assessed

emission rates are below the existing guideline levels.

The Committee homologated the action taken by the Director of Planning, Roads and the Environment in making representations to SEPA (a) on the inconsistency between the plans submitted to SEPA for authorisation and those which have already been approved by Irvine Development Corporation as a Certificate of Authorised Development in lieu of planning permission; and (b) seeking the assurance of SEPA that the pollutant levels shall not exceed those set out in the relevant process guidance notes.

16. Food and Environment Protection Act 1985: Appointment of Investigating/Enforcement Officers

Submitted report by the Director of Planning, Roads and the Environment on the appointment of Investigating/Enforcement Officers in terms of the Food and Environment Protection Act 1985.

The Committee agreed to homologate the Director of Planning, Roads and the Environment's response to the Scottish Office nominating the following Environmental Health Officers and Investigating/Enforcement Officers in terms of the Act:-

Kevin Thomas, Kevin McMunn, John Fulton, Robert Ferrol, Susan Gallacher, Audrey Glen, Bert Johnstone and Hugh McGhee.

17. Speed Limit Legislation

Submitted report by the Director of Planning, Roads and the Environment on legislation and Scottish Office Guidance on the establishment of speed limits.

Guidance on the general aspects of speed limits has been provided by the Secretary of State/Department of Transport. Current advice is contained in the Scottish Office's "Circular 1/93 - Speed Limits - Guidance for Roads Authorities". This provides advice and criteria to ensure a degree of consistency in the limits applied throughout the country. The criteria are mandatory for trunk roads and are recommended for decisions concerning speed limits on local roads. In terms of Scottish Office Circular 8/92, a national series of trials of variable limits is being conducted by the Scottish Office/Department of Transport, whereby lower speeds can be imposed temporarily at certain times of day to the particular benefit of vulnerable road user groups such as children outside schools.

After discussion the Committee agreed that (a) the appropriate Scottish Office criteria be used in the assessment or review of speed restriction proposals; and (b) in response to members concerns the Director of Planning, Roads and Environment be instructed to investigate and report further on (i) the question of promoting 30mph speed limit orders at the following locations in conjunction with the erection of suitable advance warning speed limit signs

- Loadingbank, Kilbirnie

- Glencairn Street, Stevenston
- Bank Street, Irvine
- The Dirrans, Kilwinning,

and (ii) the possibility

- introducing speed restrictions on Beith ring road
- having stricter enforcement of traffic restrictions by the Police in Beith's pedestrianised area
- arranging ongoing monitoring of air quality in Irvine High Street

18. Standing Orders Relating to Contracts: Standing Restricted List

Submitted report by the Director of Planning, Roads and the Environment on the preparation of a list of contractors for environmental and construction work.

The Committee agreed that the invitations to tender for any contract for the execution of work shall be limited to persons whose names appear on the list prepared by the Architectural Services Manager.

19. Microbiological Services: Service Level Agreement with North Ayrshire and Arran National Health Service Trust

Submitted report by the Director of Planning, Roads and the Environment on a proposed contract with North Ayrshire and Arran National Health Service Trust for a microbiological service.

The Committee agreed that North Ayrshire Council enter into a contract with North Ayrshire and Arran National Health Service Trust, who will provide the Council with a comprehensive microbiological service from 1 April 1996 to 31 March 1998.

20. Scottish Council (Development and Industry): Membership 1996/97

Submitted report by the Director of Planning, Roads and the Environment on membership of the Scottish Council Development and Industry.

The Committee agreed that North Ayrshire Council become corporate members of the Scottish Council Development and Industry for 1996/97 at a cost of £224.

21. The Irish Sea Forum: Membership

Submitted report by the Director of Planning, Roads and the Environment on membership of the Irish Sea Forum.

The Committee agreed that North Ayrshire Council take up membership of the Irish

Sea Forum.

22. Clydeport Operations Limited: Hunterston Terminal

Submitted report by the Chief Executive on a request from Clydeport Operations Limited to meet with North Ayrshire Council on a regular basis to discuss operations and developments at Hunterston Terminal.

The Committee agreed (a) to meet with Clydeport Operations Limited as and when required; and (b) to appoint the Chair, the Vice-Chair and Elizabeth McLardy to attend these meetings.

23. Urgent Items

The Chair agreed that the following items be considered as a matter of urgency.

24. Scottish Nuclear: Hunterston Local Liaison Committee

Submitted report by the Chief Executive on North Ayrshire Council's representation on the Hunterston Local Liaison Committee.

The Committee agreed to appoint the Chair, the Vice-Chair, Margaret Highet, Elizabeth McLardy and Robert Rae to the Hunterston Local Liaison Committee.

25. Irvine: The Vines and Irvine Meadow Football Ground/James Crescent

Councillor Carson raised the matter of an area at The Vines, Irvine which is undeveloped at present and which requires to be secured and cleaned up. He also referred to a further area at Irvine Meadow Football Ground/James Crescent which requires to be cleaned up.

The Committee agreed to authorise the Director of Planning, Roads and the Environment to take appropriate action including if necessary the service of Notices under Section 63 of the Town and Country Planning (Scotland) Act 1972 to secure improvement of the area.

The meeting ended at 3.10 p.m.