

Planning Committee
26 February 2014

IRVINE, 26 February 2014 - At a Meeting of the Planning Committee of North Ayrshire Council at 2.00 p.m.

Present

John Ferguson, Robert Barr, John Bell, John Bruce, Joe Cullinane, Ronnie McNicol, Tom Marshall, Jim Montgomerie and Robert Steel.

In Attendance

J. Miller, Senior Manager (Planning, Transportation and Regeneration) (Development and Environment); and J. Law, Solicitor (Contracts and Licensing) and D. McCaw, Committee Services Officer (Chief Executive's Service).

Chair

Councillor Ferguson in the Chair.

Apologies for Absence

Matthew Brown.

1. Declarations of Interest

There were no declarations of interest by Members in terms of Standing Order 16 and Section 5 of the Code of Conduct for Councillors.

2. Minutes

The accuracy of the Minutes of the meeting of the Committee held on 5 February 2014 was confirmed and the Minutes signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

3. North Coast and Cumbraes

12/00159/PPM: Site to North of Fairlie Primary School

Dawn Homes Limited, 220 West George Street, Glasgow, have applied for (a) a variation to the terms of Condition 1 to permit the development to commence prior to the upgrading of the culvert between the application site and the Firth of Clyde and (b) an amendment to Conditions 2, 3 and 4 and deletion of Condition 6, to reflect (i) additional information submitted by the applicants with regard to drainage and (ii) the comments of SEPA. One objection and one letter of representation have been received, as detailed in the report.

The Senior Manager (Planning, Transportation and Regeneration) circulated at the meeting a summary of the matters raised in one further representation and a further letter of objection received, together with responses to those issues.

The Committee, having considered the terms of the objection and representations, agreed (a) to the following revised conditions:-

1. That no development, excavation or tree felling works shall commence until the proposed temporary attenuation feature comprising the provision of on-site storage to attenuate surface water discharges to greenfield run-off rate and the installation of a sediment trap as indicated in the revised proposals dated 27th November 2013, submitted by T Lawrie & Partners, Consulting Engineers have been fully implemented and arrangements made for the inspection and maintenance of the works, to the satisfaction of North Ayrshire Council as Planning Authority; the temporary attenuation feature hereby approved shall remain in place and in effective operation until such times as the capacity of the Keppen Burn channel between the application site and the Firth of Clyde is sufficiently increased as to allow surface water from the application site during a 1 in 200 year storm event to be discharged to the Keppen Burn without attenuation and without increasing the flood risk elsewhere, to the satisfaction of North Ayrshire Council as Planning Authority.

2. That the flood management measures recommended in the Flood Risk Assessment by Kaya Consulting Limited accompanying the documents and plans submitted by T Lawrie & Partners Consulting Engineers dated 27th November 2013 shall be fully implemented and no development shall take place until the following information has been submitted in relation to flood risk: (i) confirmation of channel characteristics to enable verification of discharge capacities; (ii) proposals for an appropriate inspection and management regime to be put in place with regard to the proposed sediment trap in the Keppen Burn; and (iii) a programme for the implementation of the flood management measures, all to the satisfaction of North Ayrshire Council as Planning Authority.

3. That prior to the implementation of the attenuation measures referred to in Condition 1, the applicant shall submit for the written approval of North Ayrshire Council as Planning Authority proposals to ensure the proper safety, including proposals for enclosures and fencing and maintenance of the attenuation feature and sediment trap, including inspection and cleaning; the proposals shall include details of the proposed factor or other agency that will be responsible for the maintenance and safety of the attenuation feature and sediment trap, all to the satisfaction of North Ayrshire Council as Planning Authority.

4. That prior to the commencement of the development, the applicants shall submit for the written approval of North Ayrshire Council as Planning Authority: (i) a programme for the installation of the cut-off drain shown on drawing number 1103-104 submitted by T Lawrie & Partners Consulting Engineers on 27th November, 2013; (ii) proposals for providing access to and for the regular maintenance of the cut-off drain by a factor; (iii) the proposed factoring arrangements for the maintenance of the cut-off drain and (iv) proposals for managing the additional volume of water as part of the surface design, all to the satisfaction of North Ayrshire Council as Planning Authority.

5. That prior to the occupation of any of the residential units hereby approved, foul drainage from the development shall be connected to the public sewerage system.
6. That the development hereby approved shall be provided with a public mains water supply prior to the occupation of any of the residential units hereby approved.
7. That the proposed access shall join the trunk road at a new junction which shall be constructed by the applicants to a standard as described in the Department of Transport Advice Note TA 41/95 (Vehicular Access to All Purpose Trunk Roads) (as amended in Scotland) complying with Layout 5. The junction shall be constructed in accordance with details that shall be submitted to and approved by North Ayrshire Council as Planning Authority, after consultation with Transport Scotland, before any part of the development is commenced.
8. That there shall be no drainage connections to the trunk road drainage system.
9. That visibility splays shall be provided and maintained on each side of the new access to the A78, to the satisfaction of North Ayrshire Council as Planning Authority. These splays are the triangles of ground bounded on 2 sides by the first 4.5m of the centre line of the access road (the set back dimension) and the nearside trunk road carriageway measured 70m (the Y dimension) in both directions from the intersection of the access with the trunk road. In a vertical plane, nothing shall obscure visibility measured from a driver's eye height of between 1.05m and 2m positioned at the set back dimension to an object height of between 0.26m and 1.05m anywhere along the Y dimension.
10. That prior to the commencement of the development hereby approved revised proposals shall be submitted for the access to the flats and two dwellings to the north of the site access road, which shall be served by a short road built to an adoptable standard, all to the satisfaction of North Ayrshire Council as Planning Authority .
11. That driveways shall have a minimum length of 6m measured from the rear of the service strip.
12. That all internal junction radii shall be designed to accommodate general service vehicles including vehicle tracking, to the satisfaction of North Ayrshire Council as planning authority.
13. That prior to the commencement of the development the applicants shall submit for the written approval of North Ayrshire Council as Planning Authority exact details of the design and alignment of the temporary footpath from the south-east edge of the site to Castlepark Gardens, which shall be of a standard to facilitate use by both pedestrians and cyclists, shall be lit and shall be provided prior to the occupation of any of the houses on plots 1-24, all to the satisfaction of North Ayrshire Council as Planning Authority.

14. That all tree planting, seeding or turfing comprised in the landscaping proposals hereby approved 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.

15. That prior to the occupation of any of the flats or dwellinghouses and where Council adoption of open space areas is not to be pursued, there shall be submitted for approval of North Ayrshire Council as Planning Authority, details of the proposed factor or management agency and a landscape management plan which shall include retention of a green link through the site and the whorled caraway marshland north of the access road, long term design objectives, management responsibilities and maintenance schedules for all open space areas. The landscape management plan shall be carried out in accordance with the approved details unless the prior written approval of North Ayrshire Council as Planning Authority is obtained for any variation, and the agreed agency shall only be changed with the agreement of North Ayrshire Council as Planning Authority.

16. That the minimum number of trees shall be felled and no trees or hedges, other than those shown to be felled or lopped on the plans hereby approved, shall be felled or lopped without the prior written approval of North Ayrshire Council as Planning Authority.

17. That prior to any tree felling taking place, the trees shall be surveyed for the presence of bats and a report shall be submitted for the written approval of North Ayrshire Council as Planning Authority detailing the findings of the survey and any measures required to be taken prior to the felling of the trees should the presence of bats be detected, all to the satisfaction of North Ayrshire Council as Planning Authority.

18. That all tree removal, ground and vegetation clearance works shall take place outwith the main bird breeding season, i.e. outwith the period March - July inclusive, to the satisfaction of North Ayrshire Council as Planning Authority.

19. That prior to the commencement of the development, the applicants shall submit for the written approval of North Ayrshire Council as Planning Authority exact details of: (i) all external finishes to the buildings; (ii) all hard surfaces including parking areas and footpaths; (iii) all boundary and internal enclosures; (iv) the proposed bin store enclosures; (v) the finished floor levels for the flats and dwellinghouses relative to existing levels; and (vi) details of proposals for excavating the embankment to accommodate the access road to the upper level of the site.

20. That prior to the commencement of the development the applicants shall submit for the written approval of North Ayrshire Council as Planning Authority exact details of the proposed equipped play area which shall include the provision of 5 different types of play equipment, seating; details shall also be submitted with regard to the means of enclosure including 2 gated points of access/exit, surface finish, litter bin provision and maintenance and management arrangements. The approved play area proposals shall be implemented on completion of more than 75% of the houses on plots 1-24 inclusive, unless North Ayrshire Council as Planning Authority gives written consent to any variation.

21. That the developer shall secure the implementation of an archaeological watching brief, to be carried out by an archaeological organisation acceptable to North Ayrshire Council as Planning Authority, during all ground disturbance. The retained archaeological organisation shall be afforded access at all reasonable times and allowed to record, recover and report items of interest and finds. A method statement for the watching brief shall be submitted by the applicants, agreed by the West of Scotland Archaeology Service and approved by North Ayrshire Council as Planning Authority prior to commencement of the watching brief. The name of the archaeological organisation retained by the developer shall be given to North Ayrshire Council as Planning Authority and to the West of Scotland Archaeology Service in writing not less than 14 days before development commences.

22. That prior to the commencement of the development, hereby approved, the applicants shall undertake a desk study of the application site, (including a review of any previous site investigations) to assess the likelihood of contamination and assist in the design of an appropriate site investigation and subsequent suitable quantitative risk assessment. Remediation proposals shall also be presented in relation to any significant findings. All documentation shall meet the standard of BS 10175:2011, be verified by a suitably qualified Environmental Consultant and submitted for the written approval of the Environmental Health Service of North Ayrshire Council. Thereafter the presence of any significant unsuspected contamination, which becomes evident during the development of the site, shall be reported to North Ayrshire Council and treated in accordance with a remediation scheme acceptable to the Environmental Health Service of North Ayrshire Council. On completion of the proposed works written verification, detailing what has been done by way of remediation shall also be submitted to the Environmental Health Service of North Ayrshire Council.

and (b) that the Senior Manager (Planning, Transportation and Regeneration) circulate finalised details of the safety proposals, as intimated in condition 3, to the 4 Members for Ward 8.

The meeting ended at 2.15 p.m.