

Planning Committee
24 January 2012

IRVINE, 24 January 2012 - At a Meeting of the Planning Committee of North Ayrshire Council at 2.00 p.m.

Present

Elizabeth McLardy, Margie Currie, Robert Barr, Ian Clarkson, John Ferguson, William Gibson, Ronnie McNicol, Pat McPhee and John Moffat.

In Attendance

R. Forrest, Planning Services Manager, and A. Craig, Senior Solicitor (Corporate Services); and A. Wattie and P. Shiach, Committee Services Officer (Chief Executive's Service).

Chair

Councillor McLardy in the Chair.

Apologies for Absence

Matthew Brown.

1. Declarations of Interest

Councillor Gibson declared a non pecuniary interest in Agenda Items 5.2 and 6.2, as a Director of Cunninghame Housing Association and took no part in the determination of these applications.

2. Minutes

The Minutes of the previous meeting of the Committee held on 13 December 2011 were signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

3. Isle of Arran

11/00630/PPM: Lamlash: Site to South of 4 Benlister Road

John Thomson Construction Ltd. have applied for planning permission for the erection of 56 dwellings (affordable housing) and the formation of a new access, new road and parking within the development and landscaping on a site to the south of 4 Benlister Road, Lamlash, Isle of Arran. 6 objections have been received, as detailed in the report.

The Committee, having considered the terms of the objections, agreed to grant the application subject to (a) the applicant and the relevant bodies entering into a Section 75 Agreement to ensure that the residential development provides for affordable housing; (b) the applicant entering into a Section 75 Agreement or other suitable arrangement deemed appropriate by the Council to provide a commuted sum for the upgrading of existing play facilities in the locality; and (c) the following conditions:-

1. That, prior to the commencement of the development, the applicant shall submit for the written approval of North Ayrshire Council as Planning Authority, exact details of all external finishes to the dwellings, hard surfaces including parking areas and all boundary, plot and other enclosures. Thereafter, any such details of the boundary, plot and other enclosures which may be agreed shall be implemented prior to the occupation of the dwellings and thereafter maintained, all to the satisfaction of North Ayrshire Council as Planning Authority.

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

3. That prior to the commencement of the development, hereby approved, details of a scheme to treat the surface water arising from the site in accordance with the principles and practices contained in CIRIA's "Sustainable Urban Drainage Systems Manual", published in March 2007, shall be submitted to, and approved by North Ayrshire Council as Planning Authority. Thereafter any scheme that may be approved shall be implemented prior to the completion of the development and maintained thereafter to the satisfaction of North Ayrshire Council as Planning Authority. In addition, prior to the commencement of the development, hereby approved, details of the proposed factor or management agency and a management plan, including a risk assessment for public safety, management responsibilities and maintenance schedules for the approved scheme, shall be submitted to, and approved in writing by North Ayrshire Council as Planning Authority. The 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.

4. That, no development shall take place until there has been submitted to and approved by North Ayrshire Council as Planning Authority, a scheme of landscaping, which shall include details of species, planting densities, soil treatment and aftercare and shall include indications of all existing trees and hedgerows on the land and details of any to be retained together with measures for their protection in the course of the development.

5. 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.

6. That, prior to the occupation of any of the dwellings 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, including 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.

7. That, if required, no development shall take place until an inspection has been carried out by a suitably qualified person to determine whether any trees or plants on the site are used by roosting or hibernating bats. If required appropriate licenses shall be obtained and any mitigation measures deemed necessary undertaken to the satisfaction of North Ayrshire Council as Planning Authority; the results of the Bat Survey shall be submitted for the written approval of North Ayrshire Council as Planning Authority prior to the commencement of the development.

8. That the presence of any significant unsuspected contamination that becomes evident during the development of the site shall be brought to the attention of Environmental Health. Thereafter a suitable investigation strategy as agreed with North Ayrshire Council shall be implemented and any necessary remediation works carried out prior to any further development taking place on the site, all to the satisfaction of North Ayrshire Council as Planning Authority.

9. That, prior to the commencement of the development, details of the bin storage areas, shall be submitted for the written approval of North Ayrshire Council as Planning Authority. For the avoidance of doubt, the bin storage areas shall be located to the rear of each dwellinghouse with each property able to accommodate 3 x 240 litre wheeled bins.

10. That, prior to the commencement of development, details of the restoration of the ditch to its original size and capacity and suitable access for maintenance along the ditch, shall be submitted for the written approval of North Ayrshire Council as Planning Authority, which area for access for maintenance shall be a minimum 2 metre wide zone, unless otherwise approved in writing by North Ayrshire Council as Planning Authority.

11. That the parking provision, hereby approved, shall be amended in the event of any alteration to the proposed tenure of the approved housing to the satisfaction of North Ayrshire Council as Planning Authority. The loop road shall be built to an adoptable standard, unless otherwise approved in writing, by North Ayrshire Council as Planning Authority.

4. Ardrossan, Saltcoats and Stevenston

11/00771/PP: Ardrossan: 1A Park Road

The Committee agreed that the application be withdrawn pending receipt of the application fee.

5. Irvine/Kilwinning

5.1 11/00775/PP: Irvine: 59C Seaton Terrace

North Ayrshire Council Housing Services, Cunninghame House, Irvine, have applied for planning permission for the conversion of the former children's residential unit to form 3 no amenity houses at 59C Seaton Terrace, Irvine.

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

1. That, prior to the commencement of the development hereby approved, details of the boundary fencing to be erected shall be submitted for the written approval of North Ayrshire Council as Planning Authority.

5.2 11/00625/PPM: Irvine: Site at Old Caley Road

Cunninghame Housing Association Limited, 82 Glasgow Street, Ardrossan, have applied for planning permission for the erection of 63 dwellinghouses with associated landscaping and parking, including demolition of 76 cottage flats, on a site at Old Caley Road, Irvine.

The Committee was advised of the requirement for a Stopping Up Order and road realignment and that it was a pre-requisite of the Stopping Up Order that planning permission be granted. The location of the proposed realignment was indicated to Members.

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

1. That, prior to the occupation of the first house hereby approved, full details of the proposed play and landscaping areas shown on the approved site plan, which shall include details of: equipment, benches, means of enclosure, species, planting densities, soil treatment and aftercare, shall be submitted for the approval in writing of North Ayrshire Council as Planning Authority.
2. That, prior to the occupation of any of the dwellinghouses and where Council adoption of play areas and 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 future management plan, including long term design objectives, management responsibilities and maintenance schedules for all play areas and open space areas. The 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.
3. That, prior to the commencement of the development, hereby approved, confirmation that a scheme to treat the surface water arising from the site has been prepared in accordance with the principles and practices contained in CIRIA's "Sustainable Urban Drainage Systems Manual", published in March 2007, such a scheme shall be self certified by a suitably qualified person, a copy of which shall be submitted to North Ayrshire Council as Planning Authority. Thereafter, the certified scheme shall be implemented prior to the completion of the development and maintained thereafter to the satisfaction of North Ayrshire Council as Planning Authority.

4. That the presence of any significant unsuspected contamination, which becomes evident during the development of the site, shall be brought to the attention of North Ayrshire Council's Environmental Health section. Thereafter, a suitable investigation strategy shall be submitted, for approval, and any findings carried out all to the satisfaction of North Ayrshire Council as Planning Authority.

5. That details of the boundary enclosures shall be agreed in writing with North Ayrshire Council as Planning Authority prior to the commencement of any works. Thereafter, any such details, which may be agreed, shall be implemented prior to the occupation of each house and thereafter maintained all to the satisfaction of North Ayrshire Council as Planning Authority. Individual boundary and screen fences shall be erected prior to the occupation of the dwelling within the plot to which they relate.

6. All driveways shall have a minimum width of 2.75m, be accessed via drop kerb footway crossings, as detailed in sections 5.2 and 10.8 (and Fig 10.16) of North Ayrshire Council's adopted Roads Development Guidelines and have a maximum overall access gradient of 10%. The first two meters of driveways shall be hard surfaced and the design of access/driveways shall be such that no surface water issues onto the public road.

7. Provision of a bus route and associated bus stops along Old Caley Road, allowing continuous operation of the route throughout the development process, or a suitable agreed alternative, shall be maintained. Details of these arrangements shall be submitted and approved by North Ayrshire Council as Planning Authority prior to any disruption to the existing arrangements.

6. North Coast and Cumbraes

6.1 11/00821/PP: Largs: 9 Sinclair Terrace

Eric Head, 9 Sinclair Terrace, Largs, has applied for planning permission for a proposed change of use from open space to form garden ground at that address. 2 objections have been received, as detailed in the report.

The Committee, having considered the terms of the objections, agreed that consideration of the application be continued to allow a site inspection to be undertaken prior to its final determination.

6.2 11/00709/PP: Largs: Flatt Road: Site to South of Flatt Farm Cottage

Cunninghame Housing Association Ltd., 82/84 Glasgow Street, Ardrossan, have applied for planning permission for the erection of 26 dwelling flats with associated road and parking infrastructure on a site to the south of Flatt Farm Cottage, Flatt Road, Largs. 56 objections and 2 petitions have been received, as detailed in the report.

The Committee, having considered the terms of the objections, agreed to grant the application subject to (a) the applicants entering into a Section 75 Agreement or other arrangement deemed suitable by the Council to provide a commuted sum for the provision of or updating of play facilities in the locality; and (b) the following conditions:-

1. That prior to the commencement of the development the applicant shall submit for the written approval of North Ayrshire Council as Planning Authority exact details or samples of: (i) all external finishes to the buildings; all hard surfaces including parking areas and footpaths; (iii) all boundary and internal enclosures; and (iii) the proposed bin store enclosures.
2. That visibility splays of 2.5 metres x 35 metres in both directions at the junction of the access with the public road shall be provided and maintained on land within the applicant's control, such that there is no obstruction to visibility above a height of 1.05 metre measured above the adjacent carriageway level to the satisfaction of North Ayrshire Council as Planning Authority.
3. That all road radii within the site shall be constructed in accordance with the Roads Development Guide, to the satisfaction of North Ayrshire Council as Planning Authority.
4. That prior to the occupation of any of the flats, a pedestrian safety barrier shall be provided where the existing footpath meets the proposed adopted footway, to the satisfaction of North Ayrshire Council as Planning Authority.
5. That prior to the occupation of any of the flats hereby approved, the parking spaces shown on the plans hereby approved shall be formed to the satisfaction of North Ayrshire Council as Planning Authority.
6. That prior to the occupation of any of the flats hereby approved, foul drainage from the development shall be connected to the public sewerage system, to the satisfaction of North Ayrshire Council as Planning Authority.
7. That prior to the commencement of the development, hereby approved, details of a scheme to treat the surface water arising from the site in accordance with the principles and practices contained in CIRIA's "Sustainable Urban Drainage Systems Manual", published in March 2007, shall be submitted to, and approved by North Ayrshire Council as Planning Authority. Thereafter any scheme that may be approved shall be implemented prior to the completion of the development and maintained thereafter to the satisfaction of North Ayrshire Council as Planning Authority.

8. That prior to the commencement of the development, the applicant shall submit for the written approval of North Ayrshire Council as Planning Authority a Drainage Assessment which shall be prepared in accordance with the SUDS Working Party Guidelines "Drainage Assessment, a Guide for Scotland" and shall address the following: the effects of a 1 in 200 year storm and run off plus climate change, the effects of differing storm intensities over and above the ten year return, the extents of differing flood conditions, shown on a plan to ensure that no water enters the buildings or restricts the movement of emergency vehicles including an assessment of flow routing of surface water through the site, a strategy for dealing with any field drainage affected by the works and the maintenance regime for surface water drainage measures. All calculations shall be approved and certified by a suitably qualified person and any works required as a result of the drainage assessment shall be undertaken prior to the occupation of the flats hereby approved to the satisfaction of North Ayrshire Council as Planning Authority.

9. That prior to their occupation, the proposed flats shall be provided with a public water supply, to the satisfaction of North Ayrshire Council as Planning Authority.

10. That prior to the commencement of the development, hereby approved, the applicants shall undertake a desk study of the application site, (including the 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 as advocated by PAN 33 and BS10175: 2001. Remediation proposals shall also be presented in relation to any significant findings. All documentation shall be verified by a suitably qualified Environmental Consultant and submitted to North Ayrshire Council as Planning Authority. Any required remediation measures shall be undertaken, prior to the commencement of the development to the satisfaction of North Ayrshire Council as Planning Authority. 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 an agreed remediation scheme.

11. That no development shall take place until there has been submitted to and approved by North Ayrshire Council as Planning Authority a scheme of landscaping, which shall include details of species, planting densities, soil treatment and aftercare and shall include indications of all existing trees and hedgerows on the land and details of any to be retained together with measures for their protection in the course of the development.

12. 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.

The Meeting ended at 2.35 p.m.