

Planning Committee
29 June 2010

IRVINE, 29 June 2010 - At a Meeting of the Planning Committee of North Ayrshire Council at 2.00 p.m.

Present

Elizabeth McLardy, Margie Currie, Robert Barr, Matthew Brown, John Ferguson, Ronnie McNicol, Pat McPhee, John Moffat and Ryan Oldfather.

In Attendance

I.T. Mackay, Solicitor to the Council, K. Thomas, Manager Protective Services, J. Miller, Chief Development Management Officer, J. Murdoch, Senior Environmental Health Officer, J. Law, Solicitor and D. Hammond, Planning Officer (Corporate Services); K. Dyson, Communications Officer and M. Anderson, Committee Services Officer (Chief Executive's Service).

Chair

Councillor McLardy in the Chair (Agenda Items 1 - 3.2 and 5-6) and Councillor Currie in the Chair (Agenda Item 4).

Apologies for Absence

David Munn and Robert Rae.

1. Declarations of Interest

Councillor McLardy declared an interest in Agenda Item 4, vacated the Chair and withdrew from the meeting for that item of business. Councillor Currie assumed the Chair for Agenda Item 4.

2. Isle of Arran

10/00191/PPP: Whiting Bay: Site to North of Tor-Alvey

D. Hedley, Invercloy House, Brodick, Isle of Arran, has applied for planning permission in principle for the erection of a detached dwellinghouse on a site to the north of Tor-Alvey, Whiting Bay, Isle of Arran. 5 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 the following conditions:-

1. 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; and the existing and proposed site levels shall be obtained before the development is commenced. For clarification, the dwellinghouse shall have a maximum of one-and-a-half storey and its building line shall respect the building line of the adjacent properties.
2. That, prior to the occupation of the dwellinghouse, hereby approved, a turning area to enable vehicles to enter and exit in a forward gear, in accordance with the Roads Development Guidelines, shall be provided within the curtilage of the site, to the satisfaction of North Ayrshire Council as Planning Authority.
3. That, prior to the occupation of the dwellinghouse, 3 no. parking spaces shall be provided and retained, to the satisfaction of North Ayrshire Council as Planning Authority. For the avoidance of doubt, a garage will constitute one space and must be retained for its original use.
4. That all drainage arrangements shall be to the satisfaction of North Ayrshire Council as Planning Authority and prior to the commencement of the development hereby approved, the applicant shall submit for the written approval of North Ayrshire Council as Planning Authority exact details of proposals for the disposal of foul and surface water drainage from the development.
5. 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 unless otherwise agreed in writing 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.
6. That, prior to the commencement of the development, a site investigation report shall be submitted giving full details of the extent of contamination within the site, including Japanese Knotweed. The report shall be prepared by a suitably qualified consultant following a detailed programme of site investigation. It shall contain a proposed scheme of remediation for all aspects of contamination within the site for the written approval of North Ayrshire Council as Planning Authority. Thereafter, the remediation measures as may be approved shall be undertaken prior to the commencement of building operations and the developer shall appoint a suitably qualified person to certify that the contamination has been fully remediated and that Japanese Knotweed has been fully eradicated from the application site, all to the satisfaction of North Ayrshire Council as Planning Authority.

3. Irvine/Kilwinning

3.1 10/00228/PP: Irvine: Shewalton Road: Shewalton Sand Quarry: Units 1-5

William Tracey Ltd, 49 Burnbrae Road, Linwood Industrial Estate, Linwood, Renfrewshire, have applied for planning permission for the modification of conditions 1 & 2 of planning consent 99/00329/PP and retrospective permission for the installation of site infrastructure, including workshop, site office and welfare facility and weighbridge, at Units 1-5, Shewalton Sand Quarry, Shewalton Road, Irvine. 1 representation has been received, as detailed in the report.

The Chief Development Manager Officer advised of the receipt of an objection from Irvine Community Council and a consultation response from Infrastructure and Design (Roads), and responded to the issues contained therein.

Members expressed concern about the operation of the existing uses on wider site and its environs. The Chief Development Management Officer undertook to provide a report to a future meeting of the Committee on this matter.

The Committee, having considered the terms of the objection and representation, agreed to grant the application subject to the following conditions:-

1. That a minimum of 80% of the waste materials used in the process shall be sourced from within the North Ayrshire Council area.
2. That, within one month of the date of this permission, full details of the arrangements for the collection and dispersal of surface water shall be submitted for the approval in writing of North Ayrshire Council as Planning Authority and any new works shall be implemented within one month of their approval.
3. That the open storage of waste materials shall be restricted to the bays and the skips designated for plasterboard and scrap metal, as indicated on Drawing No. 76.0317/SR/PA/03 date March 2010, and the open storage of waste materials shall not exceed a height of 3 metres, unless otherwise agreed in writing by North Ayrshire Council as Planning Authority.
4. That, within one month of the date of this permission, details of wheel washing facilities shall be submitted to, and agreed in writing with, North Ayrshire as Planning Authority and thereafter the approved wheel washing facilities shall be installed within one month of the date of approval of the details.

5. That the planning permission hereby grant shall permit the storage and sorting for recycling of mixed residual civic amenity site waste, wood/biomass wood, waste electrical and electronic equipment (WEEE) and paper in addition to the materials specified in condition (1) attached to planning permission ref. no. 99/00329/PP.

6. That the netting located as shown on Drawing No76.0317/SR/PA/03 shall be retained at all times.

3.2 10/00231/PPM: Irvine: Site at Fleming Terrace/Queen Road/Vineburgh Avenue and Old Caley Road

Cunninghame Housing Association Limited, 82-84 Glasgow Street, Ardrossan, have applied for planning permission for the erection of 94 dwellinghouses with associated parking, streetscape and landscaping works on a site at Fleming Terrace / Queen Road / Vineburgh Avenue and Old Caley Road, Irvine.

The Chief Development Management Officer advised of the receipt of a representation from Strathclyde Passenger Transport and responded to the issues contained therein.

The Chief Development Management Officer further advised of the proposed addition of a condition, to provide for the maintenance of bus routes during the construction of the proposed development.

The Committee, having considered the terms of the representation, agreed to 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 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.

3. 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.
4. 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.
5. That all boundary and screen fences shall be erected prior to the occupation of the dwelling within the plot to which they relate.
6. That, prior to the commencement of the development, hereby approved, details of how the bus route passing through the site is to remain available during the construction phase(s) shall be submitted to, and approved by North Ayrshire Council as Planning Authority. Thereafter, such details that may be approved shall remain available during the construction phase(s) to the satisfaction of North Ayrshire Council as Planning Authority.
7. 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.

4. North Coast and Cumbraes

09/00584/PP: West Kilbride: Seamill: 31 Ardrossan Road: The Merrick Hotel

R. Waugh, per Thomson Dawes, Chartered Architects, 21 Portland Road, Kilmarnock, have applied for planning permission for the formation of decking to the rear for the consumption of food and beverages and the repositioning of the exit door at the Merrick Hotel, 31 Ardrossan Road, Seamill, West Kilbride. 6 objections and 12 letters of support have been received, as detailed in previous reports to the Committee.

Members discussed the weight which should be attached to material considerations, including that of the amenity of the local area and the commercial viability of the business in question.

Councillor McNicol, seconded by Councillor Brown, moved that the application be approved, subject to conditions in respect of the operation of the decking and maintenance of the leylandii cypress trees of the site, such approval to be granted on the basis that the issue of employment associated with the business was sufficient to outweigh the provisions of the Development Plan, subject to satisfactory conditions to minimise the impact of the use of the decking on the amenity of the adjacent residential properties.

As an amendment, Councillor Moffat, seconded by Councillor Barr, moved that the application be refused for the reasons contained in the Officer's report.

On a division, there voted for the amendment 3 and for the motion 5, and the motion was declared carried.

Accordingly, the Committee, having considered the terms of the objections and letters of support, agreed to grant the application, subject to the following conditions:-

1. That, within one month of the date of approval, the applicant shall submit details of management procedures to ensure that the use of the decking area shall be managed in such a manner as to minimise disruption to adjoining residents.
2. That the use of the decking shall be limited only to the consumption of food and drinks, with a maximum capacity of 40 persons (seated).
3. That doors between the deck and the hotel premises shall remain closed at all times to avoid sound break out from the hotel onto the decking area.
4. That seating on the deck shall be used only between 1100 and 2200 hours on any day. Outwith the permitted times, the deck shall be used only for access to the rear of the hotel premises.
5. That the height of the boundary hedge shall be maintained at a maximum of 4.27 metres (14 feet). Any part of the hedgerow which becomes damaged, diseased or dies shall be replaced with other plants of a similar size and species and retained thereafter.

5. South Ayrshire Council Main Issues Report: Consultation Response

Submitted report by the Solicitor to the Council of the consultation response to South Ayrshire Council's Main Issues Report.

South Ayrshire Council recently embarked upon the preparation process for its new Local Development Plan, which will replace the existing Structure Plan and South Ayrshire Local Plan. Consultation responses have been invited on South Ayrshire Council's Main Issues Report (MIR) before the deadline of 12 July 2010.

Appendix 1 to the report set out North Ayrshire Council's draft consultation response in respect of the Main Issues Report. The draft response includes comment on South Ayrshire Council's proposals in relation to Glasgow Prestwick Airport, housing and infrastructure, particularly:-

- the potential for joint lobbying of the Scottish Government for transport upgrades between the Central Belt and Ayrshire;
- support for South Ayrshire Council's aspiration for expansion of operations at Glasgow Prestwick Airport, but noting potential for knock-on effects on North Ayrshire as a result of, for example, new flight paths or the impact on increased rail passenger traffic; and
- concerns regarding proposals for allocating additional housing land as a result of depressed housing completions, which could result in an considerable oversupply of housing land in South Ayrshire and which could, in turn, impact on housing demand and land values within North Ayrshire.

The Committee agreed to (a) approve the draft response set out in Appendix 1 to the report, for issue to South Ayrshire Council; and (b) note that a copy of South Ayrshire Council's Main Issues Report, together with the approved consultation response, would be placed in the Members' Lounge for reference.

The Meeting ended at 2.45 p.m.