

Planning Committee
12 January 2010

IRVINE, 12 January 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, Ian Clarkson, John Ferguson, Ronnie McNicol, Pat McPhee, John Moffat and David Munn .

In Attendance

R. Forrest, Planning Services Manager, J. Miller, Chief Development Management Officer, A. Craig, Senior Solicitor and J. Law, Solicitor (Legal and Protective); and M. Anderson, Committee Services Officer (Chief Executive's Service).

Chair

Councillor McLardy in the Chair.

Apologies for Absence

Robert Rae.

1. Declarations of Interest

There were no declarations of interest by Members in terms of Standing Order 16.

2. Ardrossan, Saltcoats and Stevenston

09/00759/PP: Ardrossan: Site to South West of Robertson's Sub Station

Ductwork Services Limited, 31 Bowfield Road, West Kilbride, have applied for planning permission for the erection of a portal frame storage shed on a site to the south west of Robertson's Sub Station, Inches Road, Ardrossan.

The Committee agreed to grant the application subject to 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 full details/samples of the proposed external finishes.

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, prior to the commencement of the use hereby approved, the improvements to Inches Road, as indicated on drawing no 08133-09 Rev B, shall be fully implemented to the satisfaction of North Ayrshire Council as Planning Authority.

4. 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.

3. Irvine/Kilwinning

09/00757/PP: Irvine: Tournament Cafe, Eglinton Country Park

North Ayrshire Council, Educational Services, have applied for planning permission for the erection of an extension to the Tournament cafe to provide additional kitchen accommodation and ancillary spaces at Eglinton Country Park, Irvine.

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

1. 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.

2. That no development shall take place until there has been submitted to and approved by North Ayrshire Council as Planning Authority details of measures for the protection of affected trees during the course of the development, such measures shall be in place prior to the commencement of any construction works.

4. Consultation on the Local Authority Public Information Notices (Electronic Publication) (Scotland) Order 2010

Submitted report by the Assistant Chief Executive (Legal and Protective) on proposals by the Scottish Government to enable statutory advertisements to be published electronically and to seek agreement to respond to the consultation paper.

A consultation exercise is being carried out by the Public Service Reform Directorate of the Scottish Government on proposals to amend current statutory procedures in relation to publicity for statutory and public information notices (PINS). The proposals would enable local authorities to publish notices for many types of planning and associated applications electronically as an alternative to the current statutory requirement for notices to be published in a local newspaper.

The cost of PINS varies across Scotland depending on the charges set by the local newspaper. In North Ayrshire, an applicant is charged £200 to cover the cost of placing a PIN in a local newspaper, with a lower figure of £60 applicable on Arran. The entire cost of some PINS, such as those for listed building consent applications, is borne by the local authority.

The Scottish Government has proposed that a PINs portal be created to provide a single on-line location for viewing public notices for the whole of Scotland. Local authorities would still have discretion on a case by case basis to determine where a traditional advert in a local newspaper would be preferable to an on-line advertisement.

Appendix 1 to the report set out a proposed consultation response. It recognises that the proposals would result in improved efficiency in terms of disseminating information contained in PINs and would result in cost savings. However, care would require to be taken to ensure that those unable to access information electronically are not disadvantaged.

The Committee agreed (a) to approve the consultation response set out in Appendix 1 to the report; and (b) that the Assistant Chief Executive (Legal and Protective) report to a future meeting of the Committee on the operation of the proposals, if adopted.

5. The North Ayrshire Council (Reid Terrace/Canal Street, Saltcoats) (Stopping Up) Order 2009

Submitted report by Assistant Chief Executive (Legal and Protective) on the proposed confirmation, without modification, of The North Ayrshire Council (Reid Terrace/Canal Street, Saltcoats) (Stopping Up) Order 2009.

At its meeting on 3 November 2009, the Planning Committee granted planning permission to Cunninghame Housing Association Limited for a residential development comprising 40 dwellinghouses at Reid Terrace/Canal Street, Saltcoats, including the formation of a new access road. The Committee also agreed to promote a Stopping Up Order under Sections 207 and 208 of the Town and Country Planning (Scotland) Act 1997 for the Stopping Up of Reid Terrace and the public footpath running through the site from Canal Street into the adjacent public open space area to the north of the site.

The Order was advertised on 27 November 2009 and the period allowed for objections expired on 25 December 2009. No objections were received. As the Order was not opposed, it can now be confirmed by the Council.

The Committee agree to confirm, without modification, The North Ayrshire Council (Reid Terrace/Canal Street, Saltcoats) (Stopping Up) Order 2009.

6. Urgent Item

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

6.1 Section 75 Agreements

Councillor Barr made reference to anecdotal evidence of difficulties experienced by applicants being refused mortgages where planning permission for the property in question is subject to a Section 75 Agreement.

The Chief Development Management Officer explained the purpose of Section 75 Agreements and that the alternative of a planning condition did not offer the same safeguards.

The Committee agreed that the Assistant Chief Executive (Legal and Protective) write to the individual concerned and to the lending banks to establish the circumstances in which they may be reluctant to lend.

The Meeting ended at 2.25 p.m.