
NORTH AYRSHIRE COUNCIL

12th January 2021

Audit and Scrutiny Committee

Title:	Planning Services Update re: Former Seafield School, Eglinton Road, Ardrossan
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Purpose:	Update the Committee as requested
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Recommendation:	That the Committee note Planning Services' update and progress with direct action
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1. Executive Summary

- 1.1 The Committee considered a petition in relation to Seafield House, Ardrossan at its meeting of 26th March 2019. The Committee agreed actions including a request to be updated on progress. The matter was subsequently reported to the Committee in August 2020, when a further request was made to be updated on progress.
- 1.2 The Planning Committee granted authority for the issue of a Notice (an Amenity Notice) under Section 179 of the Town and Country Planning (Scotland) Act 1997.
- 1.3 The Notice was to require: (i) the removal of all litter and refuse from the site; (ii) movement all demolition rubble to the north of the Seafield Stables building, the rubble to be stored so that it is not above the height of the boundary wall with Witches Lynn; and (iii) the boarding of all window and door openings with exterior grade plywood or similar in Seafield House and Seafield Stables, with the exception of those opening on the first floor of the eastern wing of the House (the fire damaged area.)
- 1.4 The Notice was issued 24th September 2019. The Notice took effect on the 24th October 2019 as an appeal against the Notice had not been made. The compliance period for the Notice expired on the 5th December 2019.
- 1.5 The requirements of the Notice were met in September 2020, which included litter and refuse removed from the site, the rubble moved as required, and the openings boarded, although the boarding on the windows was again vandalised within days.

2. Background

- 2.1 The property was last used as a residential school. It has been vacant since at least June 2015. The property was subject of a fire in October 2017 which damaged the eastern wing of the property. The property and the former stable block have been the subject of vandalism. Windows on both properties have been smashed.

- 2.2 A Planning Authority cannot compel a landowner to develop a site. The powers available to a Council, as Planning Authority, were set out in the report to the Committee of 26th March 2019. It was in this context that the Committee agreed the actions including that Planning Services seek authority from the Planning Committee for the issue of notices available under the powers available to the Planning Authority, as considered necessary and including Section 179 of the Town and Country Planning (Scotland) Act.
- 2.3 The Planning Committee authorised the issue of such a Notice at its meeting of 4th September 2019. The Notice was issued on 24th September 2019. The Notice took effect on the 24th October 2019 as an appeal against the Notice had not been made. The compliance period for the Notice expired on the 5th December 2019.
- 2.4 The Notice required: (i) the removal of all litter and refuse from the site; (ii) movement all demolition rubble to the north of the Seafield Stables building, the rubble to be stored so that it is not above the height of the boundary wall with Witches Lynn; and (iii) the boarding of all window and door openings with exterior grade plywood or similar in Seafield House and Seafield Stables, with the exception of those opening on the first floor of the eastern wing of the House (the fire damaged area.)
- 2.5 S.135 of the Act allows a Planning Authority to take direction action where any steps required by an Amenity Notice, have not been met within the time specified. The Council, as Planning Authority, may enter the land, take those steps and recover from the person, who is the then owner, any expenses reasonably incurred.
- 2.6 Planning Services sought quotes for the work and also informed the landowner of impending direct action. In the week leading to the 9th September 2020, the landowner carried out the works. The refuse was cleared, and the rubble stockpiled to the north of the stable building, as per the requirements of the Notice. It is also understood the windows were boarded. However, these were almost immediately vandalised. Local reports suggest the boards had been broken by the 12th September 2020. There have been further reports of vandalism and unauthorised entry since that date. Planning Services has made the owner aware of this matter and sought further steps to secure the property.
- 2.7 Given that the Notice was complied with, should the condition of the land be considered to harm amenity a further Notice would be required. The matter has also been passed to Building Services for consideration. Building Standards has powers in respect of safety of the premises and can seek the bricking up of windows, or similar, which could provide longer lasting cover of the windows.
- 2.8 Building Standards has contacted the landowner to request that the boards on the windows be re-secured on several occasions, which has been carried out by the landowner. Discussions in relation to bricking up the windows have also taken place and the landowners have verbally stated that they plan to start such works in the New Year. However, to date this work has not commenced on site.
- 2.9 In the last few months, it is understood the Ardrossan Community Sports Hub (ACSH) has taken a lease of the gymnasium within the school grounds. ACSH has carried out some works, including the erection of a fence in front of the main building. These works are ongoing, but the fence may help separate users of the gymnasium

from the empty buildings. An occupant of the gymnasium should also provide additional surveillance of the listed buildings.

- 2.10 The Council, as Planning Authority, has powers under the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 to compulsorily purchase a listed building in urgent need of repair. The Committee asked for this to be explored and considered such action and the issue of a 'Repairs Notice' as a precursor at the meeting of 10th September 2019. The Committee decided that no further action should be taken at that time in respect of the service of a Repairs Notice.

3. Proposals

- 3.1 That the Committee note Planning Services actions to date in respect of the property.
- 3.2 That the Committee note the Notice was complied with.

4. Implications/Socio-economic Duty

Financial

- 4.1 The Planning Committee has considered the potential cost to the Council and the scope for the Council to seek to recover its costs.

Human Resources

- 4.2 None.

Legal

- 4.3 The proposed action would be in accordance with the relevant Planning Acts.

Equality/Socio-economic

- 4.4 None

Environmental and Sustainability

- 4.5 None

Key Priorities

- 4.6 Protecting and enhancing the environment for future generations.

Community Wealth Building

- 4.7 Potential for direct action to be carried out by local companies.

5. Consultation

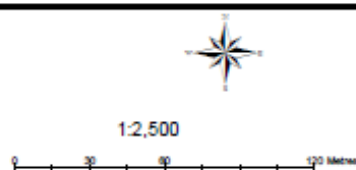
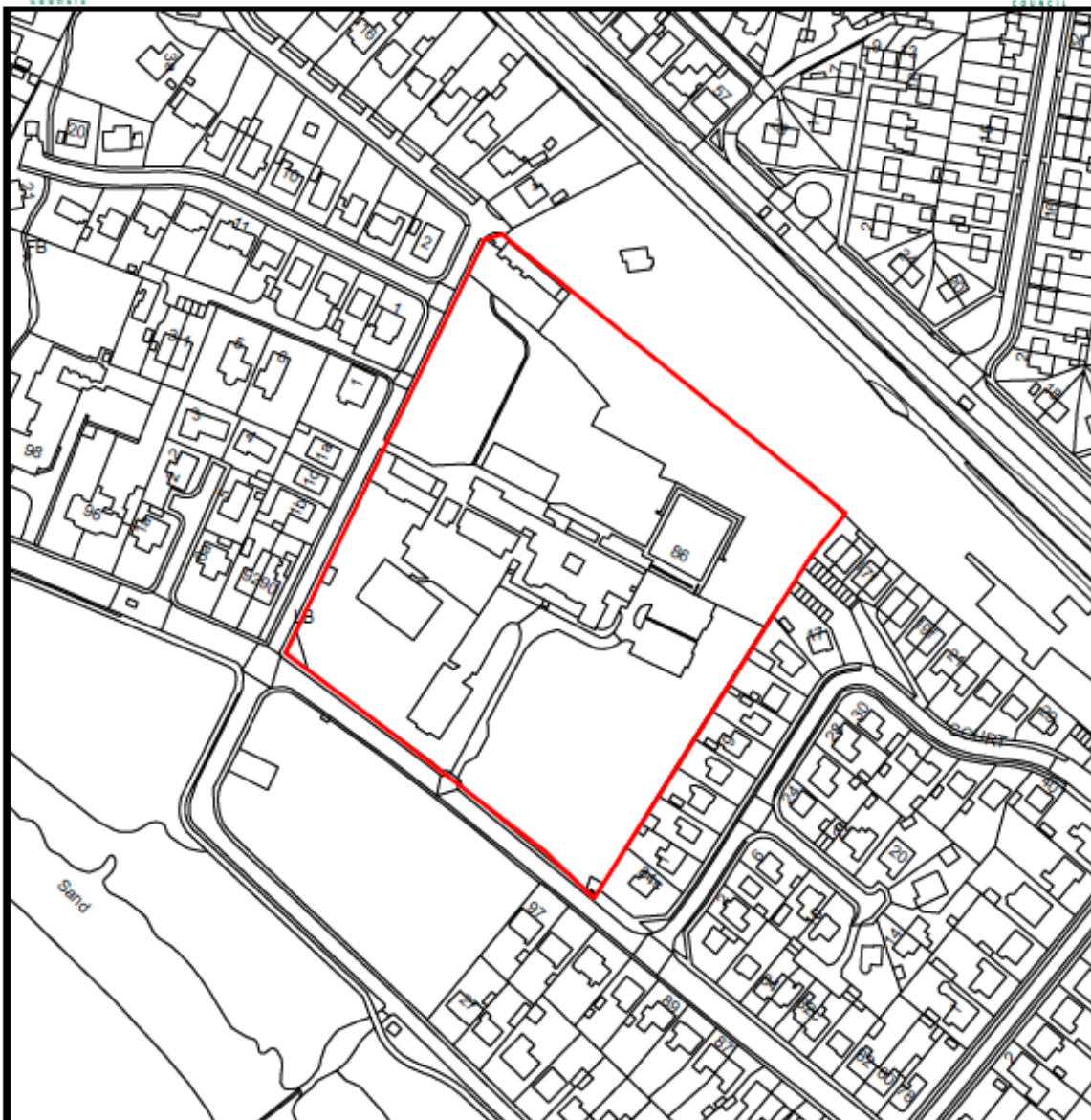
- 5.1 None

RUSSELL McCUTCHEON
Executive Director (Place)

For further information please contact **Iain Davies, Senior Development Management Officer**, on **01294 324 320**.

Background Papers

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