

Planning Committee
5 December 2012

IRVINE, 5 December 2012 - At a Meeting of the Planning Committee of North Ayrshire Council at 2.00 p.m.

Present

Matthew Brown, John Ferguson, Robert Barr, John Bruce, Joe Cullinane and Tom Marshall.

In Attendance

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

Chair

Councillor Brown in the Chair.

Apologies for Absence

John Bell, Ronnie McNicol, Jim Montgomerie and Robert Steel.

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 Minutes of the previous meeting of the Planning Committee held on 14 November 2012 were signed in accordance with paragraph 7(1) of Schedule 7 of the Local Government (Scotland) Act 1973.

3. Ardrossan, Saltcoats and Stevenston

12/00614/PP: Ardrossan: 8 Harbour Street

Irvine Bay Developments Limited, 43 Ardrossan Road, Saltcoats, have applied for the renewal of unexpired planning permission N/08/00055/PP for alterations, partial demolition and extension to existing two storey building to form GP surgery and dental surgery with associated access and car park at 8 Harbour Street, Ardrossan.

The Committee agreed to grant planning permission 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 exact details of:(i) the facing brick finish to the walls of the extensions hereby approved; this shall include displaying a sample panel of the chosen brick alongside the existing building; (ii) all hard surfaces including footpaths and parking areas; (iii) a method statement for all works to the fabric of the listed building indicating conservation/repair works; and (iv) the junction of the new street façade and the existing building indicating how the new façade reconciles with the cornices and string courses on the existing building.

2. That prior to the commencement of the use of the development hereby approved, the applicant shall: (i) submit for the written approval of North Ayrshire Council as Planning Authority proposals for the provision of a footway link from the development to Princes Street and the extension of the existing lay-by on Harbour Street adjacent to the development to create a dropping-off point; and (ii) implement the approved footway link and extended lay-by on Harbour Street, all to the satisfaction of North Ayrshire Council as Planning Authority.

3. That prior to the commencement of the use of the development hereby approved, the applicants shall (i) provide a yellow half box junction at the entrance to the development; (ii) erect appropriate pedestrian signs directing pedestrians/cyclists to the railway station, bus stops, taxis and national cycleway; and (iii) implement the recommendations of the Travel Plan submitted in support of the application, 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 a revised scheme of landscaping, which shall take account of the comments of the Council's Countryside Liaison Officer in relation to the submitted landscaping proposals.

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.

4. Irvine/Kilwinning

12/00603/ADC: Irvine: 33 Kilwinning Road

Poster Plus Digital Ltd, 53 Beresford Terrace, Ayr, have applied for planning permission for the erection of a double sided lightbox sign mounted on the monopole at 33 Kilwinning Road, Irvine.

The Committee agreed to refuse the application on the following ground:-

1. That the proposed advertisements would be contrary to Policy TC8 of the Approved Advertisement Policy, and criteria (a) and (b) of the Development Control Statement contained within the Adopted North Ayrshire Local Plan (excluding Isle of Arran) in that the illuminated signbox would have a significant detrimental impact on the amenity of the area by reason of its size, height and visual appearance when viewed from Kilwinning Road and the surrounding areas of housing.

5. Notice Under Section 43 of The Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997: 12 Crichton Street, Millport

Submitted report by the Solicitor to the Council on the serving of a Repairs Notice under Section 43 of The Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 requiring works necessary for the proper preservation of the building at 12 Crichton Street, Millport, Isle of Cumbrae.

The Senior Planning Services Manager advised that further information had now been received from the owner of the property in relation to the disrepair and asked that the application be continued to allow Planning Officers to monitor progress.

The Committee agreed to continue consideration of this item.

6. Notices Under Section 179 of The Town and Country Planning (Scotland) Act 1997

6.1 Beith: Land at 2-6 Mitchell Street

Submitted report by the Solicitor to the Council on the serving of a Wasteland Notice under Section 179 of The Town and Country Planning (Scotland) Act 1997 requiring proper maintenance and the abatement of the adverse impact on the visual appearance of the local area, in relation to land at 2-6 Mitchell Street, Beith.

The land comprises the site of the former 'Coach House' pub at the western end of Mitchell Street on its southern side. The land is situated within the Beith conservation area and has been vacant for several years. Demolition rubble from the building which previously occupied the site was removed early in 2011. Since that time, vegetation has grown and the dumping of refuse has take place, resulting in an accumulation of refuse and litter on the land.

In 2009, a Wasteland Notice was served on the owner of the land in relation to demolition rubble and builders' refuse. This Notice was complied with by early 2011 and the last of the refuse was removed. There are 2 current Planning Permissions which have been granted for the development of the site for (i) the erection of 2 semi-detached townhouses (on 7 March 2008); and (ii) the formation of a car park (on 13 April 2011). Both permissions remain valid but neither has been commenced.

Complaints were subsequently received and a further inspection carried out on 21 June 2012. A letter was issued to the owner, care of their agent, on 26 June 2012 advising of the concerns regarding the state of the land and in particular in relation to the rubbish accumulating on the site. The letter requested the owner to take steps to remove the refuse and provide written confirmation of their intentions within 28 days of the date of the letter. No response was received. A further inspection, on 17 October 2012, revealed that no work had been carried out to improve the appearance of the land.

A letter dated 22 October 2012 was sent to the owner advising that the refuse dumped on the land remained in situ. The letter advised that if no response was received the Council would have no option but to consider formal enforcement action. No response was received. A further inspection of the site on 21 November 2012, revealed that the land had not been cleared and that the rubbish and refuse remained on site.

In order to improve the condition of the land at 2-6 Mitchell Street, Beith, it is proposed that a Notice be served under Section 179 of the Town and Country Planning (Scotland) Act 1997 giving the owner one month to secure the removal of all rubbish and refuse from the land.

The Committee agreed to authorise the serving of a Wasteland Notice under Section 179 of The Town and Country Planning (Scotland) Act 1997 requiring the proper maintenance and the abatement of the adverse impact on the visual appearance of the local area, on the land at 2-6 Mitchell Street, Beith.

6.2 Beith: Land at 3-5 Mitchell Street

Submitted report by the Solicitor to the Council on the serving of a Wasteland Notice under Section 179 of The Town and Country Planning (Scotland) Act 1997 requiring proper maintenance and the abatement of the adverse impact on the visual appearance of the local area, in relation to land at 3-5 Mitchell Street, Beith.

The land comprises an 'L' shaped site on the northern side of Mitchell Street. To the west the land is bounded by the rear of 4-8 Wilson Street and a landscaped area, formerly 2 Wilson Street. To the east, the land is bounded by the 'Our Lady of Perpetual Succour' church. The land is situated adjacent to the Beith conservation area, which ends on the southern side of Mitchell Street. The land is in the same ownership as 4-8 Wilson Street, which was served with a Wasteland Notice on 10 April 2008. Despite some of the works required by the 2008 Notice having been carried out, the condition of that property has deteriorated and that Notice remains

extant. The land has been vacant for several years with building rubble refuse left on the site. A fence has been erected around the site which has, in part, broken down and this has allowed rubbish and litter to accumulate resulting in an accumulation of refuse and litter on the land.

Complaints were subsequently received about the condition of the land and an inspection carried out on 21 June 2012. A letter was issued to the owner at all known addresses on 26 June 2012 advising of the concerns and in particular in relation to the poor condition of the land, being covered in rubble. The letter requested that the land be cleared within 6 weeks of the date of the letter and that the fence be either repaired or removed. On 5 July 2012, a phone call was received from the owner stating that he planned to carry out works to both 3-5 Mitchell Street and the adjacent 4-8 Wilson Street during August 2012. The owner was asked to confirm his intentions in writing. No written confirmation was received.

An inspection of the land, carried out on 13 August 2012, revealed that no work had been carried out to improve the appearance of the land. On 16 August 2012 the owner was contacted and intimated that he had been ill and that it was his intention to continue with the development of 3-5 Mitchell Street and 4-8 Wilson Street. The owner was again asked to e-mail proposals and timescales and this correspondence was received on 20 August 2012 asking that the Regeneration Team contact him with regard to the redevelopment of the site.

An e-mail was subsequently sent to the owner on 22 August clarifying that the Council was concerned with the immediate condition of the building at 4-8 Wilson Street and the site to the rear, known as 3-5 Mitchell Street and that complaints had been received regarding the safety of the broken fence and asking that they be attended to immediately.

A further email dated 27 August 2012 was sent to the owner from the Regeneration Team regarding improvements to Wilson Street in terms of the Local Development Action Plan and asking that if he had any proposals for the future use of the properties, he would be able to discuss these in more detail.

A further inspection of the site on 17 October 2012, revealed that the land remained covered in rubble and litter. Further efforts to contact the owner by telephone failed and a letter was sent on 22 October 2012. A subsequent inspection on 21 November 2012 revealed that the land had still not been cleared and that the fence remained broken.

In order to improve the condition of the land at 3-5 Mitchell Street, Beith, it is proposed that a Notice be served under Section 179 of the Town and Country Planning (Scotland) Act 1997 giving the owner one month to secure the (i) removal of all building rubble and all other refuse and litter from the land; and (ii) repair and maintenance of the timber fence around the boundary of the land.

The Committee agreed to authorise the serving of a Wasteland Notice under Section 179 of The Town and Country Planning (Scotland) Act 1997 requiring the proper maintenance and the abatement of the adverse impact on the visual appearance of the local area, on the land at 3-5 Mitchell Street, Beith.

The meeting ended at 2.10 p.m.