
NORTH AYRSHIRE COUNCIL

4 September 2019

Planning Committee

Title: Notice under Section 179 of the Town and Country Planning (Scotland) Act 1997: former Seafield School, Eglinton Road, Ardrossan

Purpose: To seek approval to serve a Notice under Section 179 of the Town and Country Planning (Scotland) Act 1997 requiring proposed maintenance of the land for the abatement of the adverse impact on the local area.

Recommendation: That the Committee grants authority for the service of a Notice under Section 179 of the Town and Country Planning (Scotland) Act 1997 to abate the adverse impact on the land on the local area.

1. Executive Summary

- 1.1 This report recommends the service of a Notice under Section 179 of the Town and Country Planning (Scotland) Act 1997 ("Amenity Notice") in relation to the land at the former Seafield School, also known as Seafield House, Eglinton Road, Ardrossan. The site includes two Category B Listed Buildings known as Seafield House and Seafield Stables. An Amenity Notice allows the Council as Planning Authority to serve on the owner, lessee and occupier of the land, which is adversely affecting the amenity of any part of the area, a notice requiring steps to be taken to abate the adverse effect of the condition of the land.
- 1.2 Both Seafield House and Seafield Stables have been subject to vandalism and unauthorised entry. The windows in both properties have been smashed. Internal features have been smashed with some pulled outside the buildings with dumping having occurred in the property grounds. The owners have been instructed by the Council to board any smashed window and secure and make the buildings wind and water tight. They were also instructed to demolish modern extensions which had been built onto Seafield House. These extensions were demolished in the summer of 2017 with the rubble left on site. Seafield House, was the subject of a fire in 2017. This fire was largely contained in the eastern wing of the building. However, the roof of that section of the building has collapsed.
- 1.3 Although many windows have been boarded, not all have been, and smashed windows remain visible on both Seafield House and Seafield Stables. The demolition rubble is spread around Seafield House to both the east and west. There remains rubbish and refuse dumped within the grounds and mixed in with the rubble. Whilst the retention of

rubble on site for future development can be good practice, there is no imminent prospect of redevelopment of the site and the Council has requested that it be moved to north of the Stables to make it less prominent. The Council has also requested that all windows be boarded and that the rubbish and refuse be removed. To date these works have not been done.

- 1.4 The condition of the land is considered to have an adverse impact on amenity.

2. Background

- 2.1 The site is a vacant former school site with vacant buildings within it. The two most prominent buildings within the site are Category B Listed Buildings. Primary access to the site is from Eglinton Road to the south. The land is identified in the Local Development Plan as part of the settlement of Ardrossan.
- 2.2 The site comprises an area of approximately 3.44 hectares. There are four buildings within the site. In the centre, the Category B Listed Building known as Seafield House. On the western edge of the site, the Category B Listed Building known as Seafield Stables. On the eastern edge of the site, a modern gymnasium building. In the northern corner is a building known as Seafield Cottage which was formerly the kennels of Seafield House.
- 2.3 The site was last used as a school but has been vacant since approximately June 2015. The gymnasium was granted planning permission in 2016 to be used as a health and fitness centre, separate from the wider site, and is currently in use as such. The site is within the settlement of Ardrossan in a prominent location on the western access to the town. The southern end of the site, between Seafield House and Eglinton Road is relatively flat, with the site rising to the north from behind Seafield House. There are residential properties to the east and west of the site.
- 2.4 The Council, as Planning Authority, has received several complaints regarding the site and has been monitoring the site since first receiving complaints in summer 2016. The property has also attracted anti-social behaviour. The owners were advised to demolish the modern extensions of Seafield House. This work was to provide less cover for unauthorised entry and provide better surveillance across the site. They were also advised to secure all door and window openings. They have been continuously advised to secure window and door openings when it has come to the Council's attention that the windows were unsecured.
- 2.5 The Council, as Planning Authority, has also been seeking development proposals from the owner to secure the long-term future of the site. The owners have stated that they would consider redevelopment for residential purposes. However, no plans have been forthcoming since Planning Officers first met them in April 2017.
- 2.6 Complaints about the site have continued to be received including a petition which was considered by the Audit and Scrutiny Committee at the meeting of 26th March 2019. The Audit and Scrutiny Committee resolved that the Council undertake certain actions in relation to the site. These actions included that the service of an Amenity Notice be considered, if the condition of the site continues to harm local amenity.
- 2.7 Following the meeting of the Audit and Scrutiny Committee, Planning Officers again both met with the owners and have written to them advising that the smashed

windows should be secured. They have also been advised to move the demolition rubble to the north of the Stables and clear the site of all other rubbish and refuse. To date the works have not been carried out. Whilst most windows are boarded, some remain uncovered, the rubble has not been moved and the rubbish and refuse remain on site. It was agreed with the owners that a follow-up meeting would be held to consider progress on the site. To date the owners have not responded to the Officer's request for this meeting.

- 2.8 Given the above, it is considered that the owner has been given adequate opportunity to alleviate the harm caused by the condition of the land. The required works have not been undertaken and the condition of the land continues to cause harm to local amenity.

3. Proposals

- 3.1 The condition of the land is having a significant adverse impact upon the amenity of the area. The site is within a residential area and on a prominent main road in Ardrossan.
- 3.2 In the interest of the amenity of the area, it is recommended that Committee approves the serving of a Notice under Section 179 of the Town and Country planning (Scotland) Act 1997 requiring the following;
- (i) Remove all litter and refuse from the site;
 - (ii) Move all demolition rubble to the north of Seafield Stables. The rubble is to be stored so that it is not above the height of the boundary wall with Witches Lynn;
 - (iii) Board all windows and door openings in Seafield House and Seafield Stables, except for those openings on the first floor of the eastern wing of Seafield House. All openings to be boarded with exterior grade plywood or similar.
- 3.3 It is proposed that the owner would be given 6 weeks from the date of any Notice taking effect in which to carry out the requirements.

4. Implications/Socio-economic Duty

Financial

- 4.1 Should any requirement of the Notice not be complied with following expiry of the compliance period, the Council as planning authority may enter the land and carry out such steps in order to achieve compliance with the requirements of the Notice. The Council may then seek to recover from the person(s) who was the then the owner or lessee any expenses reasonably incurred during the carrying out of these works. Cleansing has been made aware of the condition of the land and the possibility of the Council carrying out the works itself. The estimated cost of any works is to be advised.

Human Resources

- 4.2 None

Legal

- 4.3 The proposed Amenity Notice is in accordance with Statutory Regulations.

Equality/Socio-economic

- 4.4 None

Environmental and Sustainability

- 4.5 None

Key Priorities

- 4.6 The proposed Amenity Notice supports the Council Plan priority - "Vibrant, welcoming and attractive places,"

Community Wealth Building

- 4.7 Any direct action taken under the Planning Acts can support progressive procurement.

5. Consultation

- 5.1 Finance has been advised of the report in terms of its budgetary provision.



RUSSELL McCUTCHEON
Executive Director (Place)

For further information please contact **Iain Davies, Senior Development Management Officer**, on 01294 324320.

Background Papers

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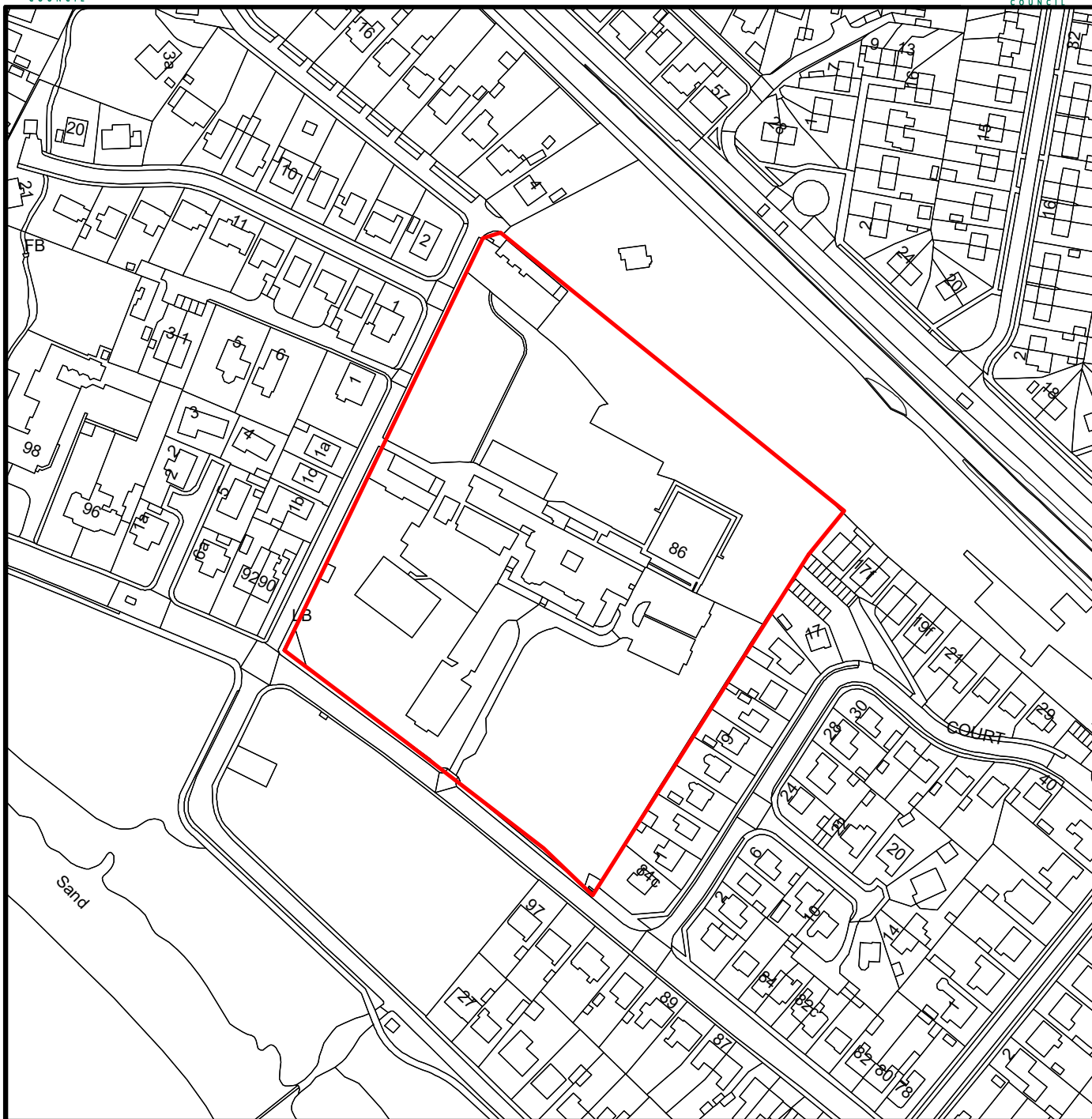


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Former Seafield School, Eglinton Road, Ardrossan KA22 8NL



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