

Planning Committee
23 March 2016

Irvine, 23 March 2016 - At a Meeting of the Planning Committee of North Ayrshire Council at 2.00 p.m.

Present

Matthew Brown, John Ferguson, Robert Barr, John Bell, Ian Clarkson, Ronnie McNicol, Tom Marshall and Robert Steel..

In Attendance

J. Miller, Senior Manager (Planning) (Economy and Communities); A. Craig, Team Manager (Litigation) and A. Little, Committee Services Officer (Chief Executive's).

Chair

Councillor Brown.

Apologies for Absence

John Bruce.

1. Declarations of Interest

There were no declarations of interest by Members in terms of Standing Order 10 and Section 5 of the Code of Conduct for Councillors.

2. Minutes

The accuracy of the Minutes of meetings of the Committee held on 2 March 2016 and 9 March 2016 were confirmed and the Minutes signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

2.1 Matter Arising from Meeting on 9 March 2016

16/00124/PP - site to the north east of Wee Minnemoer, Millport, Isle of Cumbrae

At the meeting on 9 March 2016, the Committee agreed that the application be called in and determined by the Planning Committee and not by officers under delegated powers.

The Committee was advised that a site visit had been requested to allow Members to view the site and surrounding area and that arrangements would be made for the site visit to take place, prior to consideration of the application by the Committee on 27 April 2016.

Noted.

3. Kilbirnie and Beith

15/00778/PPM: Site to east of West Bankside Farm, Kilbirnie

Muir Homes Limited, Muir House, Belleknowes Industrial Estate has applied for planning permission for the erection of 200 dwellinghouses including the formation of associated roads, footpaths, SuDS pond and open spaces at the site to the east of West Bankside Farm, Kilbirnie. Seventeen letters of representation were received, as detailed in the report. The Committee was also advised of an objection received from Councillor Dickson in respect of road and traffic issues and noted that these issues had already been considered within the report.

The Committee agreed to continue consideration of the application to a future meeting to allow for further discussion with the developer in relation to (i) road and traffic issues at Largs Road, Kilbirnie; and (ii) the proposed suitability of the housetypes along the Largs Road frontage within the proposed development.

4. Notice under Section 127 of the Town and Country Planning (Scotland) Act 1997:96 Greenock Road, Largs

Submitted report by the Executive Director (Economy & Communities) seeking authority to serve a Notice under Section 127 of the Town and Country Planning (Scotland) Act 1997 requiring cessation of the use of the land for the siting of an unauthorised timber clad container housing biomass boiler and fuel store.

An application for planning permission was received in October 2014 for the siting of a self contained biomass boiler and fuel store within a timber clad steel container located to the side of the hotel (ref: 14/00606/PP) at 96 Greenock Road, Largs, also known as the Willowbank Hotel. The application was withdrawn on 12 November 2014. Prior to the withdrawal of the application it was noted that the development had already been undertaken. The application had been the subject of both consultation and neighbour notification. Environmental Health had expressed serious reservations regarding the development. Four objections were also received from members of the public.

The applicants stated that they would re-submit a retrospective application addressing the concerns of Environmental Health. Despite repeated requests, a new application has not been received. The container with the biomass boiler and fuel store remains at the property.

The Committee agreed to grant authority for the service of a Notice under Section 127 of the Town and Country Planning (Scotland) Act 1997 requiring cessation of the use of the land for the siting of an unauthorised timber clad container housing biomass boiler and fuel store at 96 Greenock Road, Largs.

5. Notice under Section 145 of the Town and Country Planning (Scotland) Act 1997: 115 Bank Street, Irvine

Submitted report by the Executive Director (Economy & Communities) seeking authority to serve a Notice under Section 145 of the Town and Country Planning (Scotland) Act 1997 requiring compliance with a condition attached to a planning permission (ref: 13/00083/PP).

Planning permission was granted on 17 June 2003 (ref: 03/00083/PP) for the erection of an extension to an existing garage/workshop to form a separate car repair business. The permission was granted subject to several conditions including Condition 3, which requires that the garage business shall not operate between the hours of 6.00 pm on any day and 8.00 am the following day except on Sundays, when the business shall only operate between the hours of 10.00 am and 6.00 pm. The Council first received complaints that the condition was not being complied with in November 2012. Since that date there has been sporadic non-compliance with the condition.

The owner of the property has been contacted by letter and contacted on several occasions and requested to fully comply with the requirements of the condition attached to the planning permission. Whilst this action has resulted in periods of compliance, the Council continues to receive complaints that the business is operating outwith the permitted hours.

In the interests of the amenity of the area, it was proposed to issue a Breach of Condition Notice requiring the following in respect of planning permission dated 17 June 2003 (ref: 03/00083/PP): (i) Operate the garage business only within the following hours; 08.00 to 18.00 Monday to Saturday and 10.00 to 18.00 Sundays as required by Condition 3. It was proposed that the compliance period be within 6 weeks from the date of issue of the Notice.

The Committee was advised that the owner of the property has now made contact with the Council and discussions were ongoing.

The Committee agreed to continue consideration of the Notice to the meeting on 27 April 2016.

6. Draft Planning Delivery Advice: Housing and Infrastructure

Submitted report by the Executive Director (Economy and Communities) on the Council's response to the Draft Planning Delivery Advice: Housing and Infrastructure.

The Scottish Government directs Scotland's planning system through national policy and guidance. In February 2016, the Scottish Government invited planning authorities and developers to comment on a new draft advice document, 'Draft Planning Delivery Advice: Housing and Infrastructure'. The report provided general background to the advice at Sections 3.2 (Development Plans that Deliver), 3.4 (Planning to deliver homes) and 3.6 (Planning for Infrastructure) of the report, followed by the proposed responses to the advice.

The Committee agreed to the submission of the report as the Council's formal response on the Draft Planning Delivery Advice.

The meeting ended at 2.55 p.m.