

Planning Committee
21 October 2015

Irvine, 21 October 2015 - At a Meeting of the Planning Committee of North Ayrshire Council at 2.00 p.m.

Present

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

In Attendance

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

Chair

Councillor Brown in the Chair.

Apologies for Absence

Robert Barr and 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 Councillors Code of Conduct.

2. Minutes

The accuracy of the Minutes of the Committee held on 16 September 2015 was confirmed and the Minutes signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

2.1 15/00200/PPM: Blackshaw Farm, West Kilbride

At its meeting on 16 September 2015, the Committee agreed the application for planning permission for the erection of six wind turbines and associated infrastructure on a site at Blackshaw Farm, West Kilbride, be continued to the next meeting.

The Committee was advised that a number of issues were still outstanding and that the application would be presented to the meeting on 11 November 2015 for consideration.

Noted.

3. Isle of Arran: 15/00467/PP: The Manse, Margnaheglish Road, Brodick

The General Trustees' Secretary's Department Church Of Scotland have applied for the removal of condition 5 of planning permission CH/01/93/0256 to remove occupancy restriction relating to the Manse, Margnaheglish Road, Brodick. One representation had been received, as detailed in the report.

The Committee, having considered the terms of the representation, agreed to grant the application.

4. Notice under Section 179 of the Town and Country Planning (Scotland) Act 1997: land at 15-40 Station Drive, Springside

Submitted report by Executive Director (Economy and Communities) on the proposal to serve a Notice under Section 179 of the Town and Country Planning (Scotland) Act 1997 requiring proper maintenance of land at the site of the former properties known as No. 15-40 Station Drive, Springside.

The land is situated at the eastern end of Station Drive, Springside. The buildings on the site have been demolished. The site is adjoined by residential properties to the west, a cycle path to the south and open country to the east and north. The condition of the land due to the accumulation of refuse and litter has a significant adverse impact on the amenity of the local area.

It had been recommended that planning permission be approved in 2010 for the development of the site for 35 houses, subject to the applicant entering into a Section 75 agreement to provide play facilities. The developer did not enter into an agreement, and in 2013 the application was refused. There have not been any subsequent applications for any development of the site.

The Council has received several complaints regarding the site. An inspection of the land on the 12 May 2015, revealed that refuse had been dumped on site and that there had been an accumulation of litter. The owner of the land, TJCR Developments Ltd, was requested in writing to clear the site and confirm their intentions within 21 days. No response was received. Further correspondence has been sent to the owner, but to date, there has been no response.

The Committee agreed, in the interest of the amenity of the area, to approve the serving of a Notice under Section 179 of the Town and Country Planning (Scotland) Act 1997 ("Wasteland Notice") in relation to the land at No. 15-40 Station Drive, Springside requiring steps to be taken to abate the adverse affect of the condition of the land.

5. Notice under Section 145 of the Town and Country Planning (Scotland) Act 1997: Blairpark Farm, Dalry

Submitted report by Executive Director (Economy and Communities) on the proposal to serve a Notice under Section 145 of the Town and Country Planning (Scotland) Act 1997 requiring compliance with conditions attached to a planning permission (ref: 11/00139/PP) in respect of Blairpark Farm, Dalry.

Planning permission was granted on 18 May 2011 (ref: 11/00139/PP) for the use of part of a vacant agricultural building, at Blairpark Farm, as a milk distribution business. The permission was granted subject to conditions. Condition 3, 4 and 5 of the permission required the implementation of a landscaping scheme, the widening of the access road and radii at the junction of the access road and the A760 and the implementation of visibility splays. The conditions were imposed in the interests of the amenity of the area and to meet the requirements of the Council as Roads Authority. These conditions have either not been partially or fully complied with and are found to be in breach.

The owner was advised by letter dated 3 September 2015 that formal enforcement action was being considered. No response was received. A site inspection on the 18 September 2015 revealed that the conditions had not been met.

The Committee agreed, in the interests of the amenity of the area and with respect to road safety and the requirements of the Council as Roads Authority, to issue a Breach of Condition Notice in respect of Blairpark Farm, Dalry requiring the following with regard to planning permission dated 18 May 2011 (ref: 11/00139/PP):

- (i) Carry out the approved landscaping scheme as required by Condition 3;
- (ii) Implement the required alterations to the junction, namely widen the first 15m of the access at the junction with the A760 to 6m in width and alter the radii of the junction to 6m as required by Condition 4; and
- (iii) Provide and maintain on land within the applicant's control, such that there is no obstruction to visibility above a height of 1.05metre measured above the adjacent carriageway level as required by Condition 5.

The meeting ended at 2.15 p.m.