

Planning Committee
10 August 2016

Irvine, 10 August 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, John Bruce, Ian Clarkson, Joe Cullinane, Ronnie McNicol, Tom Marshall and Robert Steel.

In Attendance

J. Miller, Senior Manager (Planning) (Economy and Communities); C. Andrews, Senior Manager (Legal Services) and A. Little, Committee Services Officer (Chief Executive's).

Chair

Councillor Brown in the Chair.

1. Declarations of Interest

In terms of Standing Order 10 and Section 5 of the Code of Conduct for Councillors, Councillor Cullinane, as one of the complainers regarding the site at 61 Glenapp Place, Kilwinning, declared an interest in Agenda Item 7 (Notice under Section 179 of the Town and Country Planning (Scotland) Act 1997: 61 Glenapp Place, Kilwinning) and took no part in its determination.

2. Minutes

The accuracy of the Minutes of meeting of the Committee held on 1 June and the Special Meeting held on 4 July 2016 were confirmed and the Minutes signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

3. Isle of Arran

3.1 15/00768/PP: Carradale, Shiskine

Mr Galbraith, Carradale, Shiskine, Isle of Arran has applied for the removal of condition 1 of planning permission N/01/96/0713/PP relating to occupancy restriction in respect of Carradale, Shiskine, Isle of Arran.

The Committee agreed to grant the application.

3.2 16/00545/PP: Cottages 1, 3 & 4, Kilmichael Country House Hotel, Brodick

Mr Botterill, Kilmichael Country House Hotel, Brodick, Isle of Arran has applied for an amendment to planning permission N/05/00248/PP for a change of use from holiday letting cottages (cottages 1, 3 and 4) to permanent dwellinghouses in respect of condition 7 of planning permission N/05/00248/PP. One letter of support was received as detailed in the report.

Councillor Brown, seconded by Councillor Ferguson, moved that the application be continued to the next meeting to allow for further discussion to take place with the applicant on a range of options in respect of the application.

As an amendment, Councillor Bruce, seconded by Councillor Marshall, moved that in addition to the motion, a site visit take place prior to the next meeting to allow the Committee to observe the site and surrounding area.

Councillor Brown agreed to accept the amendment. There being no further amendment, the amendment was declared carried.

The Committee agreed to continue the application to the next meeting to allow a site visit to take place and for further discussion to take place with the applicant on a range of other options in respect of the application.

4. Ardrossan, Saltcoats and Stevenson

16/00350/PPM: Ardrossan Marina, Dock Road, Ardrossan

Irvine Bay URC, Ayrshire Innovation Centre, 13 Irvine Innovation and Industry, 2 Cockburn Place, Irvine have applied for a renewal of unexpired planning permission 11/00766/PPM to extend Ardrossan Marina, comprising a new breakwater, marina facilities building, improved access arrangements, car parking and boat storage, a new pedestrian link bridge and a drop off car park facility. One letter of objection was received as detailed in the report.

Councillor Barr, seconded by Councillor McNicol, moved that the application be refused.

As an amendment, Councillor Ferguson, seconded by Councillor Cullinane, moved that the application be granted subject to the conditions detailed in the report.

On a division, there voted for the amendment 6 and for the motion 4 and the amendment was declared carried.

Accordingly, the Committee agreed to grant the application, subject to the following conditions:-

1. That, unless otherwise provided for by the terms of this permission, the applicant shall construct and operate the development in accordance with the provisions of the application, the submitted plans and, where necessary, shall implement recommended mitigation measures contained in the Environmental Statement and ES Addendum to the satisfaction of North Ayrshire Council as Planning Authority.
2. That prior to the commencement of the development the applicant shall submit for the written approval of North Ayrshire Council as Planning Authority a customer and staff parking management plan with the aim of preventing the use of adjacent and nearby public roads, and parking bays within Mariners View by vehicles associated with the Marina use. The management plan should also include details of enforcement measures to secure compliance.
3. That prior to the commencement of the development the applicant shall submit for the written approval of North Ayrshire Council as Planning Authority full details of (i) the proposed facilities building, (ii) the pedestrian link bridge, (iii) the proposed fencing around the secure compound within the drop-off car park, and (iv) provision for storage of refuse containers within the drop-off car park.
4. That prior to the commencement of the development the applicant shall submit information to demonstrate to the satisfaction of North Ayrshire Council as Planning Authority that the proposed facilities building has been designed to be protected against a 1:200 year extreme still water level derived from the Coastal Flood Boundary Method (3.61mAOD).
5. That no construction shall take place during the bird breeding season unless the use of nest sites within the application site is prevented prior to the commencement of the bird breeding season
6. That prior to the commencement of the development the applicant shall submit for the written approval of North Ayrshire Council as Planning Authority (i) details of alternative nest sites, comprising a minimum of 5 nest boxes, to be provided in locations unaffected by the development, and (ii) proposals for the incorporation of new black guillemot nest sites within the breakwater structure.
7. That, prior to the commencement of the development, hereby approved, confirmation shall be submitted in writing to North Ayrshire Council as Planning Authority and certified by a suitably qualified person that a scheme to treat the surface water arising from the site has been prepared in accordance with the principles and practices contained in 'The SuDS Manual' (CIRIA report C753, published November 2015). Thereafter, the certified scheme shall be implemented prior to the completion of the development and maintained thereafter to the satisfaction of North Ayrshire Council as Planning Authority.

8. That the presence of any significant unsuspected contamination that becomes evident during the development of the site shall be brought to the attention of Environmental Health. Thereafter a suitable investigation strategy as agreed with North Ayrshire Council shall be implemented and any necessary remediation works carried out prior to any further development taking place on the site, all to the satisfaction of North Ayrshire Council as Planning Authority.
9. That the applicant shall ensure that vehicular access is maintained to the 'Inner Roll-on/Roll-off berth' at Winton Pier at all times and that prior to the commencement of the development shall submit for the written approval of North Ayrshire Council as Planning Authority an amended layout plan of the car park/boat storage area to indicate the proposed vehicular route between the berth and the main harbour access road.
10. That prior to the commencement of the development the applicant shall submit for the written approval of North Ayrshire Council as Planning Authority full details of the proposed drop-off car park, including surface treatment, ground levels, access control barrier, and drainage proposals, and that prior to the use of the berths hereby approved, the drop-off car park shall be fully constructed to the satisfaction of North Ayrshire Council as Planning Authority.

5. Irvine and Kilwinning

16/00510/PP: East Park, Quarry Road

North Ayrshire Council, Cunninghame House, Irvine has applied for the erection of a 2 storey office building to include the formation of an access road and the provision of parking at East Park, Quarry Road, Irvine. Representations were received as detailed in the report.

At its meeting on 4 July 2016, the Planning Committee agreed that this application be determined by the Committee and not by officers under delegated powers.

Discussion took place on a number of areas in relation to the application, including:-

- the availability of existing office accommodation throughout North Ayrshire;
- no further requirement for neighbour notification for people living on Quarry Road, Irvine about future development proposals as they would be more than 20m from the next application site;
- the phased masterplan which identified a number of community, business and leisure opportunities;
- proposals for cycle paths, walkways and road safety measures, such as a pelican crossing at the junction of East Road and Quarry Road that had been highlighted during the community consultation process; and
- consideration of the masterplan as a whole and not in a piecemeal manner.

Councillor Barr, seconded by Councillor McNicol, moved that the application be refused.

As an amendment, Councillor Marshall, seconded by Councillor Steel, moved that the application be continued to a future meeting to allow the application to be considered in light of the whole plan for the site.

In light of the amendment, Councillor Barr withdrew his motion. The amendment then became the substantive motion.

As an amendment to the motion, Councillor Ferguson, seconded by Councillor Bruce, moved that the application be granted, subject to the conditions as detailed in the report.

On a division, there voted for the amendment 6 and for the motion 4 and the amendment was declared carried.

Accordingly, the Committee agreed to grant the application, subject to the following conditions:-

1. That, prior to the commencement of the development hereby approved, details of the external finishes to be used on the building, car park and pedestrian areas shall be submitted for the written approval of North Ayrshire Council as Planning Authority.
2. That visibility splays of 4.5 metres by 35 metres, in both directions, shall be provided and maintained at the junction with the public road. No item with a height greater than 1.05 metre above adjacent carriageway level shall be located within these sightline triangles.
3. That, prior to the commencement of civil engineering and building operations, the applicant shall implement the recommendations made within Section 6 of the 'Ground Investigation Interpretive Report, Quarry Road, Irvine 117448/JAS/230316 v2' by Grontmij and dated 29th April 2016, which shall be certified by a suitably qualified person upon completion, all to the satisfaction of North Ayrshire Council as Planning Authority.

6. North Coast and Cumbrae

6.1 16/00559/PP: 38 Main Street, Largs

James McGonigle, 2 Warrenpark Road, Largs has applied for a change of use from Class 1 (retail) to Class 2 (financial and professional) in respect of 38 Main Street, Largs. One letter of objection was received as detailed in the report.

At its meeting on 4 July 2016, the Planning Committee agreed that this application be determined by the Committee and not by officers under delegated powers.

Councillor Marshall, seconded by Councillor Barr, moved that the application be refused on the grounds that there are sufficient Class 2 businesses in Largs town centre.

As an amendment, Councillor Ferguson, moved that the application be granted. There being no seconder, the amendment fell. There being no amendment, the motion was declared carried.

Accordingly, the Committee agreed to refuse the application on the grounds that the proposed development would be contrary to Policy TC2 of the Adopted North Ayrshire Council Local Development Plan in that it would be prejudicial to the vitality and viability of the Core Shopping Area due to an over-provision of non-retail uses in the Town Centre.

6.2 16/00268/PP: Hunterston Construction Yard, Fairlie

Clydeport Operations Limited, 16 Robertson Street, Glasgow have applied under Section 42 of the Town and Country Planning (Scotland) Act 1997 to delete Condition 1 of planning permission 11/00230/PPM to remove the temporary restriction on the use of the site at Hunterston Construction Yard, Fairlie. Three objections and a representations were received, as detailed in the report. A letter of support was received and circulated at the meeting.

Councillor Barr, moved that the application be refused. There being no seconder, the motion fell.

Councillor Marshall, seconded by Councillor Steel, moved that the application be continued to a future meeting to allow the Committee to visit the site. There being no amendment, the motion was declared carried.

Accordingly, the Committee agreed to continue consideration of the application to a future meeting to allow for a site visit to take place to Hunterston Construction Yard.

7. Notice under Section 179 of the Town and Country Planning (Scotland) Act 1997: 61 Glenapp Place, Kilwinning

Submitted report by the Executive Director (Economy & Communities) on a Notice under Section 179 of the Town and Country Planning (Scotland) Act 1997 requiring proper maintenance of land for the abatement of the adverse impact on the local area.

The Council has received several complaints regarding the site. An inspection of the land in June 2016, revealed that the residential property has an accumulation of refuse and waste in the garden ground and the rear ground floor window has been smashed. The owner of the property was requested in writing to clear the site and confirm intentions for the site. No response was received. Further correspondence has been sent to the owner, but to date, there has been no response.

It is considered that the condition of the property is having a significant adverse impact on the amenity of the area. The area where the refuse is located is visible from the public footpath and adjacent residential properties.

The Committee agreed to (a) approve the serving of a Notice under Section 179 of the Town and Country planning (Scotland) Act 1997 requiring the removal of all refuse from the grounds of the property; and (b) request the Executive Director (Place) to make safe and board up the smashed window of the property.

8. North Ayrshire Local Development Plan: Action Programme

Submitted report by the Executive Director (Economy & Communities) on the revised Local Development Plan Action Programme which listed actions to deliver the proposals of the Local Development Plan, the lead agencies to undertake and actions and the timescales for completion, as outlined in Appendix 1 to the report.

The Committee agreed to (a) note progress on the implementation of North Ayrshire Local Development Plan to date; and (b) adopt and publish the Action Programme as detailed at Appendix 1 to the report.

The meeting ended at 3.45 p.m.