

Planning Committee
21 September 2016

Irvine, 21 September 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); A. Craig, Team Manager (Litigation) (Legal Services) and A. Little, Committee Services Officer (Chief Executive's).

Chair

Councillor Brown in the Chair.

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 31 August 2016 were confirmed and the Minutes signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

3. Garnock Valley

16/00814/PPP: Site to the East of 1 Kirkland Crescent, Dalry

Mr W Ahmed, 17 Ayr Road, Glasgow has applied for planning permission in principle for a residential development to the east of 1 Kirkland Crescent, Dalry.

Councillor Barr, seconded by Councillor Bruce, moved to refuse the application.

Following discussion on the character of the location, transport and traffic issues and access arrangements to the site, Councillor Barr withdrew his motion.

Councillor Barr, seconded by Councillor Steel, moved that the application be continued to the next meeting to allow the Committee to observe the site and surrounding area.

There being no amendment the motion was declared carried.

The Committee agreed to continue the application to the next meeting to allow the Committee to visit the site and surrounding area.

4. Irvine and Kilwinning

16/00807/PP: Elderbank Primary School, St. Kilda Bank, Irvine

North Ayrshire Council, (Property Management and Investment), Cunninghame House, Irvine has applied for the removal of Condition 4 of permission no. N/12/00228/PPM to delete the requirement for the provision of an overspill car park at Elderbank Primary School, St. Kilda Bank, Irvine.

The Committee agreed to grant the application to remove Condition 4 of permission no. N/12/00228/PPM to delete the requirement for the provision of an overspill car park at Elderbank Primary School, St. Kilda Bank, Irvine.

5. Notice under Section 179 of the Town and Country Planning (Scotland) Act 1997: 42A Hamilton Street, Saltcoats KA21 5DS

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 property, 42A Hamilton Street, Saltcoats comprises an upper floor flat of a mid-terrace property with associated rear garden ground which opens onto Park Road. The rear elevation of the garden comprises a high rendered wall with an opening in which is sited a shed. The rest of the opening next to the shed had been covered by a gate. The former gate access has collapsed and there has been an accumulation of waste at the western end of the garden, including the remains of the gate. The side elevation of the garage has been exposed by the collapse of the gate and the side door of the garage is hanging on its hinges. The front elevation of the garage has had graffiti sprayed on the door which has also become rusted. The garden ground is overgrown and screened by the large rear extension to the north and the side of the property to the south. It is therefore considered that the adverse impact is primarily on Park Road to the west. The land is visible from Park Road and nearby residential properties on Eglinton Place. The condition of the land, due to the accumulation of refuse and the rear window, has a significant adverse impact on the amenity of the local area.

The Council has received several complaints regarding the site. An inspection of the land in May 2016, revealed the condition of the site and the owner of the land was requested in writing to clear the site and secure to prevent further deterioration. A response was not received. Further inspections were carried out in July 2016 where it was noted that no action had been taken and the condition of the land remained the same. Further letters were sent to the owner requesting clearance, however, no response has been received.

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 requiring the owner to (i) remove all refuse, including the remains of the gate, from the land to the south of the garage; (ii) re-affix the side door of the garage; and (iii) paint a recessive colour the garage door on the elevation facing onto Park Road.

6. Revocation Order of Tree Preservation Order, Millport No 1

Submitted report by the Chief Executive on the proposed Revocation Order of Tree Preservation Order Millport No 1 in respect of trees at the rear boundary of private gardens at Nos 22 - 28 Bute Terrace, Millport.

At the Planning Committee on 27 April 2016, the Committee agreed to serve a Revocation Order of Tree Preservation Order Millport No 1 on the basis that the circumstances which supported the original designation had materially changed. The trees collectively form a wooded strip running along a section of Howard Street and on either side of Church Hill. The Tree Preservation Order was designated by Cunninghame District Council in 1991. All of the trees affected by the Order fall within Millport Conservation Area and, accordingly, receive a degree of statutory protection in addition to the protection afforded by the Order. A Revocation Order was served on the owners of the affected land with the effective date of 20 July 2016. A public notice was published concurrently in the Largs and Millport Weekly News and provided details of the period and process for public objections and representations. The Revocation Order remains in force until 20 January 2017 after which date it will expire unless it is confirmed by the Committee. The statutory period for receipt of objections and representations ended on 17th August 2016. No objections or representations were received.

The Committee considered that as Tree Preservation Order Millport No 1 was no longer merited as the circumstances which supported the original designation of the Order had materially changed it was agreed that the Revocation Order is confirmed without modification.

The meeting ended at 2.30 p.m.