



North Ayrshire Council
Comhairle Siorrachd Àir a Tuath

Cunninghame House,
Irvine.

27 November 2014

Planning Committee

You are requested to attend a Meeting of the above mentioned Committee of North Ayrshire Council to be held in the Council Chambers, Cunninghame House, Irvine on **WEDNESDAY 3 DECEMBER 2014** at **2.00 p.m.** to consider the undernoted business.

Yours faithfully

Elma Murray

Chief Executive

1. Declarations of Interest

Members are requested to give notice of any declarations of interest in respect of items of business on the Agenda.

2. Minutes

The accuracy of the Minutes of meeting of the Committee held on 12 November will be confirmed and the Minutes signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973 (copy enclosed).

3. Irvine

Submit report on the following applications:

14/00640/ADC: Sainsbury's Stores Limited, Ayr Road, IRVINE

Erection of signage to External Retail Unit

4. Ardrossan, Saltcoats and Stevenston

Submit report on the following applications:

14/00509/PPP: Ardrossan Rugby Football Club , Sorbie Road, Ardrossan

Erection of clubhouse pavilion, including formation of car parking and erection of flatted development.

Planning Committee

Sederunt: Matthew Brown (Chair)
John Ferguson (Vice-Chair)
Robert Barr
John Bell
John Bruce
Joe Cullinane
Ronnie McNicol
Tom Marshall
Jim Montgomerie
Robert Steel

Chair:

Attending:

Apologies:

Meeting Ended:

Planning Committee
12 November 2014

IRVINE, 12 November 2014 - 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, Joe Cullinane, Ronnie McNicol, Tom Marshall and Robert Steel.

Also Present

Alan Hill and Peter McNamara.

In Attendance

J. Miller, Senior Manager (Planning, Transportation and Regeneration); A. Craig, Team Manager (Litigation) and D. McCaw, Committee Services Officer (Chief Executive's Service).

Chair

Councillor Brown in the Chair.

Apologies for Absence

Jim Montgomerie.

1. Declarations of Interest

There were no declarations of interest by Members in terms of Standing Order 16 and Section 5 of the Code of Conduct for Councillors.

2. Minutes

The accuracy of the Minutes of the Committee held on 22 October 2014 was confirmed and the Minutes signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

3. Garnock Valley

3.1 14/00622/ALO: Nether Crunchie, Dalry

Mhairi Blair, North Kerse, Lochwinnoch, has applied for permission for the removal of the S75 obligation with regard to the agricultural occupancy restriction at Nether Crunchie, Dalry.

Councillor Barr, seconded by Councillor Bruce, moved that the application be granted. There being no amendment, the motion was declared carried.

Accordingly, the Committee agreed to grant the application.

3.2 14/00467/PPM: Willowyard Road, Beith

Chivas Brothers Ltd, Willowyard Road, Beith, has applied for planning permission for the erection of 14 new warehouses comprising 4 triple units and 1 double unit, including new access roads and associated landscaping works on a site at Willowyard Road, Beith. Five letters of objection have been received, as detailed in the report.

A site familiarisation visit was undertaken by the Planning Committee in respect of this application.

The application was continued from the previous meeting to allow officers to seek further information on possible abatement measures in respect of the release of ethanol and an update in that regard was included within the report. The Senior Manager (Planning, Transportation and Regeneration) advised that a further letter of objection had been received in respect of this application since the Committee papers were published.

Councillor Bell intimated concerns regarding the efforts to mitigate the ethanol effects on the surrounding area.

Councillor Bell, seconded by Councillor Cullinane, moved that the application be refused. As an amendment, Councillor McNicol, seconded by Councillor Marshall, moved to grant the application, subject to the conditions outlined in Appendix 1 to the report. On a division, there voted for the motion 2 and for the amendment 6 and the amendment was declared carried.

Accordingly, the Committee, having considered the terms of the objections, agreed to grant the application subject to the following conditions:-

1. That, prior to the commencement of the development, details relating to the discharge of surface water for the site shall be submitted for the written approval of North Ayrshire Council as Planning Authority in consultation with SEPA.
2. That, prior to the commencement of the development, hereby approved, full details of tree protection measures shall be submitted for the written approval of North Ayrshire Council as Planning Authority. The details shall comply with the principles and practices contained in "BS 5837:2012 - Trees in relation to design, demolition and construction - Recommendations." Detailed plans indicating tree protection fencing to be erected, an Arboricultural Impact Assessment and an Arboricultural Method Statement shall be submitted for written approval. Thereafter, the development shall be implemented only in accordance with such details as may be approved to the satisfaction of North Ayrshire Council as Planning Authority. For the avoidance of doubt, all tree protection measures to be erected shall be maintained in a satisfactory condition for the duration of all engineering and construction operations until the completion of the development.
3. That, prior to the commencement of the development, hereby approved, 1:1250 scale plans shall be submitted for the written approval of North Ayrshire Council as Planning Authority indicating the areas of the site where new road construction is to take place through wooded areas. The 1:1250 scale plans shall

accurately indicate all trees affected by road construction works together with details of tree protection measures. As part of this exercise, road alignments and widths shall be modified as may be required in order to minimise tree loss and root damage. Thereafter, the development shall be implemented in accordance with such details as may be approved to the satisfaction of North Ayrshire Council as Planning Authority.

4. That, prior to the commencement of the development, hereby approved, details of a tree planting scheme for the site and the lower section of the Mains Burn, to include full details of ground preparation, earth mounds, drainage works, soil treatment and a full specification of species to be planted, shall be submitted for the written approval of North Ayrshire Council as Planning Authority. For the avoidance of doubt, the earth mounding and tree planting scheme shall be designed to screen the warehouses from the surrounding area and shall incorporate a mix of broadleaved and coniferous tree species. Thereafter, the scheme as may be approved shall be carried out in the first planting season following the occupation of the buildings or the completion of the development, whichever is the sooner. Any trees which, within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless North Ayrshire Council as Planning Authority gives written consent to any variation.

5. That, prior to the commencement of the development, hereby approved, details of all cut and fill operations for the development shall be submitted for the written approval of North Ayrshire Council as Planning Authority. The details shall indicate existing and finished ground levels using plans and cross section drawings. Cross sections shall be provided for each warehouse platform on both north-south and east-west axes, and shall extend beyond the site boundaries. Thereafter, the site levels shall be formed in accordance with such details as may be approved to the satisfaction of North Ayrshire Council as Planning Authority.

6. That, prior to the commencement of the development, hereby approved, details of the security fencing for the site shall be submitted for the written approval of North Ayrshire Council as Planning Authority. As part of this exercise, the alignment of the security fence shall be modified as may be required in order to minimise tree loss and root damage. Thereafter, the security fence shall be erected in accordance with such details as may be approved to the satisfaction of North Ayrshire Council as Planning Authority.

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 CIRIA "SuDS Manual (errata 2007)". 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, prior to the commencement of the development, hereby approved, an updated habitat survey shall be undertaken following an inspection of the site for the

presence of bat roosts and any other protected species. In the event of any bat roosts or protected habitats being found within the site, the report shall include a mitigation plan to conserve or replace bat roosting sites and any other habitats affected by the development. The survey shall be submitted for the written approval of North Ayrshire Council as Planning Authority prior to the commencement of the development. Any mitigation plan which may be approved shall be brought into operation prior to the commencement of site operations.

9. That, prior to the commencement of the development, hereby approved, details of the external lighting scheme shall be submitted for the written approval of North Ayrshire Council as Planning Authority. The external lighting scheme shall be designed and operated to minimise light spill and glare. Thereafter, the external lighting scheme as may be approved shall be implemented to the satisfaction of North Ayrshire Council as Planning Authority.

10. That the external finishes for all warehouses within the development, hereby approved, including roofs, walls, fire separation detailing, rainwater goods and doors, shall be coloured Olive Green (RAL 100 30 20; BS 12B27) to the satisfaction of North Ayrshire Council as Planning Authority

4. North Coast and Cumbraes: 14/00490/PP and 14/00491/CAC: 19 Cardiff Street, Millport

Co-operative Group, Co-operative HQ, 1 Angel Square, Manchester, has applied for planning permission and Conservation Area Consent for the demolition of the former workshop and the erection of a Class 1 convenience store at 19 Cardiff Street, Millport, Isle of Cumbrae. Thirty-five letters of objection have been received, including letters from Kenneth Gibson MSP, Katy Clark MP, Cumbrae Community Development Company, and one letter of support, all as detailed in the report.

Councillor Hill addressed the Committee and intimated concerns regarding the impact the new store would have on local businesses in a fragile island economy and on the terms of the retail impact assessment. In summing up, he asked the Committee to refuse the application. He further asked that if the Committee were not minded to refuse the application, that the application be continued to allow further consideration of the retail impact assessment prior to determination.

Councillor McNicol, seconded by Councillor Barr, moved to grant the application, subject to the conditions outlined in Appendix 1 to the report. As an amendment, Councillor Bruce moved that the application be refused. There being no seconder, the amendment fell. There being no amendment, the motion was declared carried.

Accordingly, the Committee, having considered the terms of the objections and letter of support, agreed (a) to grant planning permission subject to the following conditions:-

1. That, prior to the commencement of the development, the applicant shall submit for the written approval of North Ayrshire Council as Planning Authority, details of all external finishes to the walls, roof, windows and doors. There after any such details which may be approved shall be implemented and maintained to the

satisfaction of North Ayrshire Council as Planning Authority,

2. That, no development shall take place until full details of, proposed external plant including any air conditioning units, external condenser units for fridges/freezer, ventilation systems or other plant, are submitted and agreed in writing by North Ayrshire Council, as Planning Authority. There after any such details which may be approved shall be implemented and maintained to the satisfaction of North Ayrshire Council as Planning Authority, The rated noise level as defined in BS 4142 of such plant shall not exceed the existing background noise level by 5dB(A) or more at the curtilage of nearby noise sensitive premises.

3. That, no development shall take place within the development site as outlined in red on the approved plan until the developer has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted by the applicant, agreed by the West of Scotland Archaeology Service, and approved by North Ayrshire Council, as Planning Authority. Thereafter the developer shall ensure that the programme of archaeological works is fully implemented and that all recording and recovery of archaeological resources within the development site is undertaken to the satisfaction of the Planning Authority in agreement with the West of Scotland Archaeology Service.

4. That the siting and design of the waste and recycling bins shall be agreed in writing with North Ayrshire Council as Planning Authority prior to the commencement of any works. Thereafter the siting and design of the waste and recycling bins, which may be approved, shall be implemented and maintained to the satisfaction of North Ayrshire Council as Planning Authority,

5. That, prior to the commencement of the development, hereby approved, details of the surface and foul drainage/sewage disposal scheme, as certified by the relevant authority or a suitably qualified person, shall be submitted to and approved in writing by North Ayrshire Council as Planning Authority.

6. That, the building, hereby approved, shall not come into use until the approved drainage/sewage disposal scheme is operational in accordance with the details approved in writing under Condition 5.

and (b) to grant conservation area consent subject to the following condition:-

1. That, prior to the commencement of the development, hereby approved, details relating to the timescale of the development shall be submitted for the written approval of North Ayrshire Council as Planning Authority. For clarification, the erection of the new building shall be commenced within 3 months of the existing building being demolished, unless otherwise agreed in writing by North Ayrshire Council as Planning Authority.

Councillor Cullinane left the meeting.

5. Notice under Section 179 of the Town and Country Planning (Scotland) Act 1997: Land and Buildings at 2 Smith Street, Dalry

Submitted report by the Executive Director (Economy and Communities) on the proposed serving of a Notice under Section 179 of the Town and Country Planning (Scotland) Act 1997 requiring proper maintenance of the land for the abatement of the adverse impact on the local area, in relation to land and buildings at 2 Smith Street, Dalry.

The land and buildings in question have been vacant since the closure of Dalry Police Station. As a result of lack of use and maintenance, the site is overgrown with self-sown trees, weeds and has attracted fly tipping. The building is partially boarded up and has a poorly maintained appearance. The condition of the land and buildings at this prominent site has deteriorated to the extent that it is now having a significant adverse impact on the amenity of the local area. It is proposed that a Notice be served under Section 179 of the Town and Country Planning (Scotland) Act 1997 to secure the following:-

- (i) Removal from the site of all vegetation, including weeds, bushes and saplings from stone chipped areas adjacent to Smith Street and in front of the building facing New Street;
- (ii) Removal from the site of all debris, refuse, vegetation and redundant fence panels within rear and side yard areas;
- (iii) Stripping off flaking paint from fascias, soffits and bargeboards on former police station and attached cell block;
- (iv) Repainting of fascias, soffits, bargeboards and downpipes in white;
- (v) Boarding up of all first floor windows on the former police station with exterior grade plywood; and
- (vi) Painting of all window boards black, and forming dummy window frames using white paint on both the former police station and attached cell block (excluding the rear ground floor windows on police station and cell block since these are hidden from public view).

The Committee agreed to authorise the serving of a Notice under Section 179 of the Town and Country Planning (Scotland) Act 1997 requiring the proper maintenance to abate the adverse impact on the local area, in relation to land and buildings at 2 Smith Street, Dalry, as detailed in the report.

6. Notices under Section 43 of The Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 and Section 179 of the Town and Country Planning (Scotland) Act 1997: 12 Crichton Street, Millport, Isle of Cumbrae

Submitted report by the Executive Director (Economy and Communities) to (1) investigate the costs associated with the proposed serving of a repairs notice under Section 43 of The Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 requiring works necessary for the proper preservation of the building; and (2) on the proposed serving of a Notice under Section 179 of the Town and Country Planning (Scotland) Act 1997 requiring proper maintenance of the land, both in respect of 12 Crichton Street, Millport, Isle of Cumbrae.

The property in question has been vacant for several years. The condition has

deteriorated despite the Council seeking repairs to be carried out by the owner. The roof has been removed and not re-built. The disrepair of the property is worsening due to the lack of protection from wind and water ingress. To protect the listed building and the properties that adjoin the site, works are required for its proper preservation and to lessen the adverse impact the building is having on the Millport Conservation Area. It is proposed that (1) officers investigate the costs associated with the proposed serving of a repairs notice under Section 43 of The Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 requiring works necessary for the proper preservation of the building; and (2) that a Notice be served under Section 179 of the Town and Country Planning (Scotland) Act 1997 to secure improvements to the current condition of the site requiring the owner to improve the appearance of the front of the building, mainly boarding up all openings with a suitable and durable material and painting the front elevation.

The Committee agreed (a) that officers investigate the costs associated with the serving of a repairs notice under Section 43 of The Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997; and (b) to authorise the serving of a Notice under Section 179 of the Town and Country Planning (Scotland) Act 1997 to secure improvements to the current condition of the building, both in respect of 12 Crichton Street, Millport, Isle of Cumbrae.

The Meeting ended at 3.25 p.m.

NORTH AYRSHIRE COUNCIL

Agenda Item 3

Planning Committee

Planning Area

3 December 2014**Irvine/Kilwinning**

Reference

14/00640/ADC

Application

31st October 2014

Registered

Decision Due

31st December 2014

Ward

Irvine West

Recommendation**Refuse for the Reasons Contained in
Appendix 2.**

LocationSainsbury's Stores Limited,
Ayr Road
IRVINE
Ayrshire**Applicant**Sainsbury's Supermarkets Limited,
Per Turley
115 George Street
Edinburgh**Proposal**Erection of signage to External Retail Unit

1. Description

This application seeks advertisement consent for the erection of 3 internally illuminated fascia signs and 4 wall mounted signs to an independent retail unit, which was to be located within the car park area of Sainsbury's store at Ayr Road, Irvine. An application for the retail unit, which would have measured 6.6m x 2.6m and 2.5m high, was refused in November 2014.

The proposed signage comprises of 2 fascia signs measuring 2.7m x 350mm on each side of the unit and a front fascia sign measuring 6.7m x 350mm. The fascia signs would be aluminium, burgundy in colour and internally illuminated. It is also proposed to erect wall mounted signage to the front and side of the unit. The 2 signs to the front would measure 875mm x 1.35m and the signs on each side would measure 1.6m x 2m. The wall signage would be non-illuminated and again burgundy in colour.

The application site relates to the carpark of a Sainsbury's store within a commercial centre as identified in the Local Development Plan (LDP). Policy A3 (supplementary Guidance) sets out details of existing supplementary guidance which includes the Control of Advertisement Policy.

An application was refused in November 2014 for the erection of the retail unit to which the advertisements relate (Ref: 14/00627/PP). The application was refused to protect town centres from the loss of key retail and commercial uses. All development options must be assessed before out of centre sites can be considered. The proposal constituted an out of centre development where Policy TC4 (edge of centre/out of centre development) contained within the LDP was relevant. It was not considered that the proposed site had been selected after a sequential assessment of available and suitable sites/premises within the town centre. There is also another Timpson outlet within the Rivergate Mall and a similar retail use within Irvine High street which offers key cutting and shoe repairs etc. Therefore it was also considered that the applicant failed to demonstrate that the proposal would tackle a deficiency which cannot be met in the town centre.

Prior to registration, the applicant's agent was advised to withdraw these applications. It was also indicated that if the unit was relocated to a site within the store, there would be no requirement to apply for planning permission. A similar application for an independent retail unit within the exit lobby of the Tesco store at 16 Riverway Retail Park was withdrawn, following advice from Officers, as the proposal failed to meet the requirements of Policy TC 4.

2. Consultations and Representations

Applications for advertisement consent are not subject to neighbour notification. There was no requirement to advertise the application. No consultations were required to be undertaken.

3. Analysis

The proposal requires to be considered in terms of the Town and Country Planning (Control of Advertisements (Scotland) Regulations 1984) as amended. This limits consideration of proposals to grounds of amenity and public safety. Policy A3 of the Adopted LDP sets out details of existing supplementary guidance which includes the control of advertisement policy.

As noted above, planning permission was refused to site the independent retail unit within the parking area of the supermarket. Whilst it is considered that there is no public safety risk arising from the signs, in terms of amenity it is considered that the proportion of the signage in relation to the kiosk would result in clutter. The signage to the side elevations would cover 70% of the elevation and to the front approx. 37%. In addition, there would be 3 fascia signs all of which would be internally illuminated. The Council's approved Control of Advertisements guidance states that where buildings have no commercial frontage, particular care should be taken to ensure that the design of the sign is appropriate to the scale or function of the building. The proposed unit would have a footprint of approx. 17sqm and it is considered that the erection of 3 illuminated fascia signs including a large area of wall mounted signage would not be proportionate to such a small structure, and amount to clutter to the detriment of the visual amenity of the area.

The application should be refused as the proposal would be contrary to both Policy A3 and the approved Control of Advertisement Policy.

4. Full Recommendation

See Appendix 2



KAREN YEOMANS
Executive Director (Economy and Communities)

Cunninghame House, Irvine
20 November 2014

For further information please contact Mrs Fiona Knighton, Planning Officer , on
01294 324313

FK/SLP

APPENDIX 2

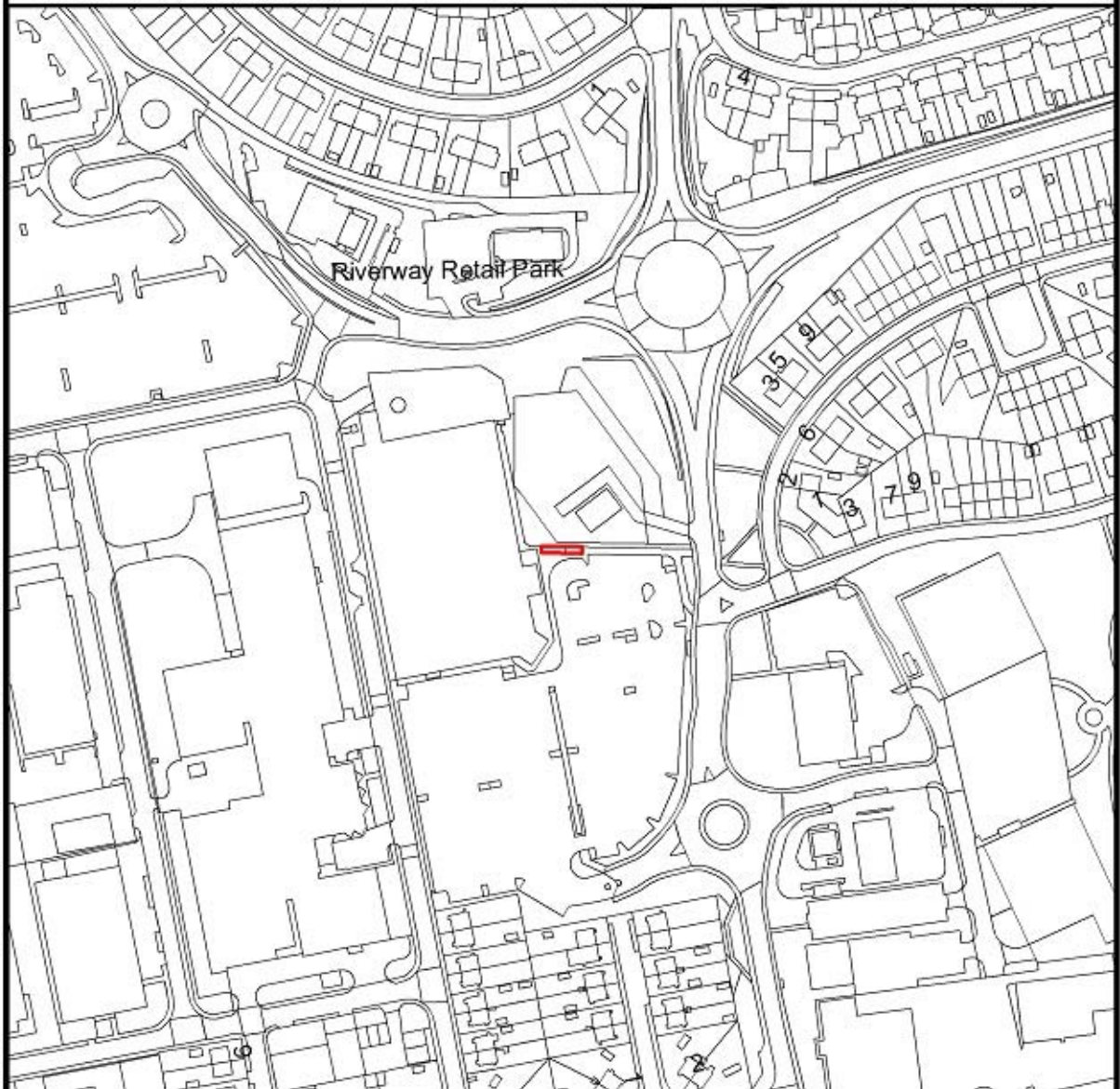
RECOMMENDATION FOR PLANNING APPLICATION REF NO 14/00640/ADC

Refuse on the following grounds:-

1. That the advertisement displays are contrary to both Policy A3 of the Approved Local Development Plan and the approved Control of Advertisements Policy of North Ayrshire Council by reason of their location, prominence and visual clutter to the detriment of the visual amenity of the area.

Committee Plans

14/00640/ADC



North Ayrshire Council
Comhairle Siorrachd Àir a Tuath

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1:2500 SCALE



NORTH AYRSHIRE COUNCIL

Agenda Item 4

Planning Committee

3 December 2014

Planning Area

**Ardrossan Saltcoats and
Stevenston**

Reference

14/00509/PPP

Application

21st August 2014

Registered

Decision Due

21st October 2014

Ward

Ardrossan And Arran

Recommendation**Grant with Conditions contained in
Appendix 1**

LocationArdrossan Rugby Football Club
Sorbie Road
Ardrossan
KA22 8AP**Applicant**Ardrossan Academy Memorial Field Trust
FAO Mr Wylie Nichol,
Memorial Field Pavilion
Sorbie Road
Ardrossan
KA22 8AP**Proposal**Erection of clubhouse pavilion, including formation
of car parking and erection of flatted development.

1. Description

This application relates to the Sports Pavilion and associated car parking area and adjacent area of open space all located within the war memorial playing fields located at the junction of Sorbie Road and High Road, Ardrossan.

The application seeks planning permission in principle for the erection of the new clubhouse pavilion and formation of associated car parking and the erection of a flatted residential development on a site of some 0.99 hectares, which is generally rectangular in shape with a 160 metre long frontage to Sorbie Road and 63 metre frontage to High Road.

The site is bounded to the North by High Road with a mix of commercial (garage), semi industrial (electricity substation) and residential properties; to the east by the remainder of the war memorial playing fields with the Laighdykes playing fields beyond; to the south by residential properties; and to the west by Sorbie Road with Ardrossan Academy and residential properties opposite.

It is proposed that the site of the existing clubhouse pavilion and associated car parking area would be developed for residential purposes on a site of some 360 square metres in area. The new clubhouse pavilion with associated parking and overspill parking area would be sited to the north of the existing pavilion, covering an area of some 630 square metres. While the application seeks planning permission in principle indicative plans have been submitted to indicate the location and scale of the proposed development.

In the adopted Local Development Plan, the application site forms part of a much larger Open Space allocation covering both the war memorial fields and the adjacent Laighdykes playing fields where policy ENV12 (development of open space) would be applicable. This policy requires that the proposals do not set an undesirable precedent for the loss of open space and/or have an unacceptable impact on the recreational or amenity value of any area of active or passive open space when considering in relation to the overall provision in the local area. In addition, where the loss of open space has a material effect on the quality, function or playing capacity of a facility, alternative provision of similar or improved community benefit and accessibility will be made available in a location convenient for its users. The application also requires to be assessed against the General Policy of the LDP which in this case are (a) Siting, design and external appearance, (b) amenity and (d) access, road layout, parking provision.

2. Consultations and Representations

The standard neighbour notification procedure was carried and the application was also advertised in the local press on 3rd September 2014 for neighbour notification purposes. Ten letters of objections were received which can be summarised as follows:

- 1) The application site is designated as Open Space in the local development plan, and the development of it will reduce the provision of already limited areas for play. The site is currently used for rugby, hockey and football training and matches and its loss would conflict with the presumption against development of Open Space in both policy ENV12 of local development plan and Scottish Planning Policy (SPP).

Response - The application site is allocated as Open Space. The proposed development of part of the site for the new clubhouse pavilion and associated car parking is a development directly related to the use of the applicant's wider open space area at this location and would not be considered contrary to the above policy guidance. The residential component of the proposal is enabling development to support and fund the new clubhouse pavilion and associated parking, and works to improve the condition of the existing playing fields which may be undertaken if sufficient income is accrued from the sale of the site for residential development. See Analysis.

- 2) The proposed development was previously refused planning permission on the grounds of being contrary to the local development plan and resulting in an unacceptable loss of green space.

Response – There has not been a previous planning application for the development of this site. The applicant did however seek the allocation of part of the site for residential flatted development in the local development plan. The Reporter considered however that the most appropriate use for the site would be to continue as Open Space but that there may be potential for a proposed residential allocation to act as an enabling development for the redevelopment of the existing pavilion. The Reporter indicated that this matter should be resolved through the submission of an application in the context of policy ENV12.

- 3) It is understood that the "trustees" have a duty to ensure that the land trusted to them is not frittered away and not to sell any parts of the site for development.

Response - This is not a material land use planning consideration however the applicants have confirmed that there is no such legal restriction.

- 4) Traffic/parking concerns particularly in relation to the proposed new access for the clubhouse pavilion.

Response - North Ayrshire Council Transportation has no objection to the proposal. The proposed level of car parking and overspill car parking spaces are considered to be acceptable as are the proposed entry and exit points to the new clubhouse pavilion.

- 5) Concerns regarding the scale of the proposed residential flatted development and the adverse impact on the light and privacy to neighbouring properties.

Response - This application is submitted for approval in principle only and these matters would be fully assessed in the consideration of a subsequent detailed application. Concerns regarding daylighting, overshadowing and privacy would be assessed during the determination of a detailed application.

- 6) The new clubhouse pavilion and associated parking would result in increase in noise and disturbance to houses on the High Road.

Response - The indicative plan submitted with the application show the proposed new clubhouse pavilion being located some 50 metres south of its boundary with High Road and some 80 metres distant from the nearest residential property. The concerns regarding noise and disturbance relate more to the coming and going of patrons for licensed functions within the premises and which would be a matter for Licensing.

- 7) The proposed residential flats would obstruct the outlook from existing residential properties.

Response - The new residential development would require to be built on the same building line as the adjacent residential properties on Sorbie Road which would distance them some 28 metres from the front elevations of properties opposite. It is considered therefore that the objections relate more to the loss of view rather than directly blocking outlook from windows and it should be noted that a loss of view is not a material planning consideration.

- 8) The submitted plans and supporting documents refer to new flood lighting, fencing and improved spectating facilities within the adjacent playing fields area. All of which are considered to be detrimental to the amenity of nearby properties.

Response – These additional facilities are outwith the planning application site boundary and not proposals for consideration at this time. The applicant is aware that depending on the scale of the proposals, there may be a requirement for planning permission.

Consultations

North Ayrshire Council Transportation - No objections subject to matters which could be addressed by condition.

Response - A condition is attached to require the parking provision for the proposed development to be in accordance with the Councils Roads Development Guide and to also include provision for coach parking.

SportScotland - No objections subject to a condition to require the new clubhouse pavilion and associated car parking to be completed prior to the demolition of the existing pavilion and the commencement of the residential development.

Response - An appropriate condition is attached in this regard.

Scottish Water - No response received to date.

3. Analysis

This application seeks planning permission in principle for the erection of a club house pavilion including the formation of car parking and the erection of a residential flatted residential development within the grounds of the War Memorial Playing Fields, Ardrossan.

The proposed development requires to be assessed against Policy ENV12 (Development of open space) of the Local Development Plan.

Policy ENV12 requires that the proposals do not set an undesirable precedent for the loss of open space and/or have an unacceptable impact on the recreational or amenity value of any area of active or passive open space when considered in relation to the overall provision in the local area. In addition, where the loss of open space has a material effect on the quality, function or playing capacity of a facility, alternative provision of similar or improved community benefit and accessibility would be made available in a location which is convenient for its users.

The application comprises two parts firstly the proposal to construct a new clubhouse pavilion and associated car parking spaces on an area of 660 square meters which is currently an area of maintained grass. It was formerly used as a hockey pitch but is now no longer in use for any formal activities or training purposes.

In terms of Policy ENV12 is not considered that the loss of this area of ground for the proposed development, which is in effect within the sports facility grounds, to support the wider recreational use of the area would conflict with the Policy.

The remaining component of the proposed development is to redevelop the area of the existing pavilion and car parking area as a flatted residential development.

The applicant submitted a supporting feasibility study which indicates firstly the need for the proposed new clubhouse pavilion and secondly that despite hoping to access various sources of funding for the new facility, there will still be a significant financial shortfall which will require to be match funded by the applicant and could only be provided through the sale of this part of the site for residential development. The applicant also indicates that funding from the sale of the residential site would be directed towards physical improvements within the War Memorial playing fields.

Pupils of Ardrossan Academy have historically had access to the playing fields during school hours and following consultation with both the Council's Educational Services and the applicants, it has been agreed that even though there is no formal agreement in place between both parties, this informal agreement will continue following the proposed new development.

Following consultation with sportScotland, with advice from North Ayrshire Council Education regarding the Council use of the pitches, sportScotland has is satisfied that the existing area of open space is no longer required as a hockey pitch as hockey is now practiced and played on the adjacent artificial pitch which offers better facilities. The applicant has further confirmed that there are no plans to use this area for any other recreational purposes particularly given that its size makes it unsuitable for use as a cricket square and it is also the clubs intention to concentrate its improved training facilities for rugby in another part of the site.

SportScotland has also received confirmation from various clubs who use the playing fields that they are satisfied that there will still be sufficient playing capacity for the various sports activities that currently take place and could take place on the remaining area of playing fields. In view of the above, sportScotland agrees that the loss of open space would not set an undesirable precedent for the loss of further open space nor would it have an unacceptable impact on the recreational or amenity value of the wider open space area.

Therefore it is considered that, in principle, the proposed development on the existing open space area would enhance the use of the remaining playing provision and comply with Policy ENV12 of the Local Development Plan.

The indicative plan and supporting statement from the applicant indicate that 21 two/three bedroom flats could be accommodated on the site.

The indicative plans show that the residential blocks would be of a similar scale and massing to neighbouring properties and would follow the building line of the adjacent property on Sorbie Road and be of similar footprint to the existing large detached and semi-detached dwellings in the immediate vicinity.

While full details of the residential development would be considered as part of a detailed planning application, the proposed scale and location of the flatted blocks would not be out of keeping with the existing residential properties.

In relation to the General Policy of the LDP it is considered that Criterion (a) relating to siting, design and external appearance would be considered in detail on the submission of a full planning application although the indicative plans submitted by the applicant for both the residential and pavilion developments demonstrate that the siting and scale of the proposals would be acceptable, in principle.

Criterion (b) amenity requires that a proposed development does not adversely impact on the amenity of neighbouring properties.

It is not considered that the proposed residential development would have any significant adverse amenity impacts and, while the new clubhouse pavilion would be closer to residential properties on High Road, there would still be approximately 80 meters separation.

With respect to daylighting, overshadowing and privacy associated with the residential development further amenity considerations would be assessed as part of any subsequent full planning application however on the basis of the information submitted to date is not considered that the proposed use of the site would conflict with Criterion (b).

In relation to Criterion (d) which relates to access, parking issues, North Ayrshire Council Transportation has offered no objection to the proposed development subject to a condition.

In view of the above it is considered that the proposed development accords with both Policies ENV12 and the General Policy of the Local Development Plan and planning permission in principle can be granted.

4. Full Recommendation

Approve subject to conditions.

A handwritten signature in black ink, appearing to read 'Karen Yeomans', written in a cursive style.

KAREN YEOMANS
Executive Director (Economy and Communities)

Cunninghame House, Irvine
24 November 2014

For further information please contact Mr Gordon Craig , on 01294 324380

APPENDIX 1

RECOMMENDATION FOR PLANNING APPLICATION REF NO 14/00509/PPP

Grant subject to the following conditions:-

1. That the approval of North Ayrshire Council as Planning Authority with regard to the siting, design and external appearance of, landscaping and means of access to the proposed development shall be obtained before the development is commenced.
2. That any subsequent applications for approval of matters specified by condition shall generally accord with the indicative plans submitted in support of this application.
3. That the existing clubhouse pavilion and car park shall remain in use until the replacement building and car park hereby approved have been fully completed and available for occupation to the satisfaction of North Ayrshire Council as Planning Authority.
4. That parking provision shall be in accordance with the NAC Roads Development Guide.

The reason(s) for the above condition(s) are:-

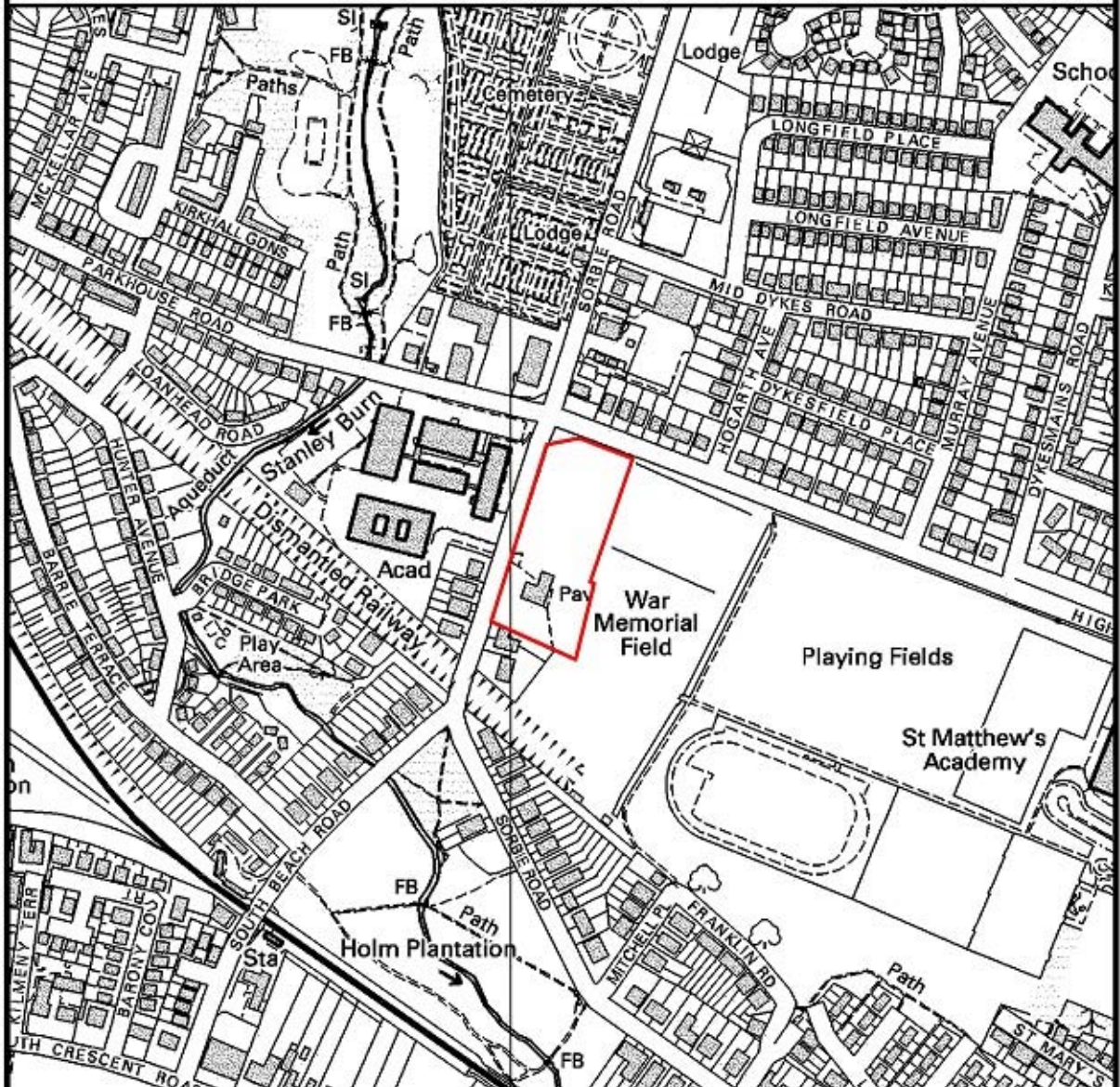
1. In order that these matters can be considered in detail.
2. In the interest of the proper planning of the area.
3. To restrict the development to the terms of its justification/special need.
4. To meet the requirements of North Ayrshire Council as Roads Authority.

Reason(s) for approval:

1. The proposal complies with the relevant provisions of the Local Development Plan and there are no other material considerations that indicate otherwise.

Committee Plans

14/00509/PPP



North Ayrshire Council
Comhairle Siorrachd Àir a Tuath

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