

Planning Committee  
14 June 2017

**Irvine, 14 June 2017** - At a Meeting of the Planning Committee of North Ayrshire Council at 2.00 p.m.

**Present**

Tom Marshall, Timothy Billings, Robert Barr, Ian Clarkson, Robert Foster, Christina Larsen, Shaun Macaulay, Ellen McMaster, Ronnie McNicol and Donald Reid.

**In Attendance**

J. Miller, Senior Manager (Planning), Paul Brennan, Specialist Environmental Health Officer (Noise), (Economy and Communities); A. Craig, Team Manager (Litigation) (Legal Services), A. Little, Committee Services Officer (Chief Executive's).

**Also In Attendance**

Rita Holmes (Chair - Fairlie Community Council), Melvin Grosvenor and Dr. J Yelland (Fairlie Community Council), Ronald Gilchrist (Fairlie resident), Susan Crosthwaite (windsofchange), Denise Dunn and Pat Spence (local residents), Dr J Tomlison, Interim Director of Public Health and Hazel Henderson, Consultant in Public Health (Ayrshire and Arran Primary Care Trust), Mr Davidson (Arcus Consultancy Services Ltd), Mr Jackson (Spectrum Acoustics), and Mr McDougall, (SSE Generation Limited).

**Chair**

Councillor Marshall in the Chair.

**1. Declarations of Interest**

In terms of Standing Order 10 and Section 5 of the Code of Conduct for Councillors, Councillor Billings, as a local hotelier, declared an interest in Item 3 (N/17/00148/PP Kilmichael Country House Hotel, Brodick) and left the meeting for that item of business.

**2.1 17/00034/PPM: Hunterston Construction Yard, Fairlie**

SSE Generation Limited have applied for the variation of planning condition No. 1 of a Planning Permission (ref. 14/00164/PPM) to extend the operational time period of the National Offshore Wind Turbine Testing Facility until 14 October 2019.

On 14 February 2012, the Planning Committee granted conditional planning permission (ref.11/00679/PPM) for a test facility for up to three off-shore wind turbines with a maximum blade tip height of 198.5 metres at the Marine Construction Yard, Hunterston. On 23 April 2014, the Planning Committee agreed to a variation of this planning permission to (i) revise the wording of condition 7 to enable assessment of compliance with noise limits and condition 9 to revise the timescale for dealing with complaints about noise nuisance; and (ii) to revise condition 10 to identify measures to reduce turbine noise where agreed levels have been exceeded (ref. 14/00164/PPM).

To date one Siemens and one Mitsubishi wind turbine have been erected. Condition 1 was imposed in order to restrict the overall timescale in which the development could remain on site on the basis of the temporary consent for the test turbines. The applicant's original application proposed a five year time limit from the date of commissioning of the first turbine.

The application was considered at the meeting of the Planning Committee on 8 March 2017. Objectors addressed the Committee and outlined their objections to the application to extend the operational time period of the facility until 14 October 2019. The applicant, the applicant's agent and their acoustic consultant responded to the objectors comments and offered to remeasure background noise and re-evaluate noise limits as part of an up upcoming operational noise survey for the Mitsubishi turbine. The Committee agreed to continue the application to a future meeting to allow a further background noise survey to be carried out by the applicant.

The applicant has not been able to carry out the re-measurement of background noise, due to the original noise consultant not being available to conduct the work and a request by Fairlie Community Council to agree the location of measurement apparatus and procedures for monitoring. The applicant has now procured the services of a different consultant.

Fairlie Community Council have now retained a specialist on noise issues, who is assisting the Community Council in the assessment of the submission of any new noise data. The applicant, the Council and Fairlie Community Council have agreed the locations and measurement procedures for the new survey, which is due to begin in June 2017. It expected that the measurements and assessment of data would take up to 3 months, depending on obtaining the correct date of varying wind speeds and directions.

Dr. J Yelland, Ms Holmes and Mr Grosvenor (Fairlie Community Council), Ms Crosthwaite (windsofchange) and Ms Dunn, Fairlie resident, addressed the Committee in support of the objections.

Dr. Yelland referred to the difference between offshore and onshore wind turbines and that the two offshore turbines at Hunterston generate 7MW, compared to 2-3 MW generated by onshore turbines. SSE measured background noise before the turbines were built and after the smaller 6MW Siemens turbine had been built which showed that the application would exceed noise limits and SSE have commissioned a new background noise survey. Over 50 noise complaints have been made by residents relating to the serious adverse health effects cause by the harmful infrasound that the offshore turbines emit.

Ms Dunn detailed her personal health problems that have arisen since the testing began, including nausea, dizziness and drowsiness, which she believes is caused by the low frequency noise generated from the turbines. She added that these symptoms cease when the turbines stop.

Ms Crosthwaite read a statement from Ms Brody a resident of Cumbrae. Ms Brody has been unwell for over a year with dizziness, nausea, sleeplessness, poor co-ordination, the feeling of collapse and heart palpitations, which she believes are as a result of the low frequency noise produced by the two wind turbines. Her symptoms are greatly reduced, and some disappear, when she is off the island or when the turbines are switched off.

Ms Holmes referenced statements made by the applicant relating to future investment for the establishment of manufacturing facilities in Scotland. No manufacturing facility has been established at Hunterston or anywhere else in Scotland, with no significant or sustainable energy related manufacturing employment in North Ayrshire or Scotland. Concerns were raised between the levels of low frequency noise which are emitted from the Mitsubishi turbine and the links to adverse impacts on the health of local residents. Further concerns were expressed about the fact that the turbines sited at Hunterston are designed to sit off shore and are three times larger and more powerful than turbines designed to be situated close to residential areas. Finally, Ms Holmes stated that the original planning permission was for a temporary period of five years and allowed for the testing of three turbines, which would be moved off-site as quickly as possible.

Mr Davidson, Arcus Consultancy Services Ltd, Mr Jackson, Spectrum Acoustics, and Mr McDougall, SSE Generation Limited, then addressed the Committee in response to the objectors.

Mr Davidson provided an overview of the development and explained that the extension of the operational period was required to allow complete testing of the existing turbines. There would be no physical changes to the approved development as outlined and an updated Environmental Impact Assessment had been provided with the application. He outlined the socio-economic benefits, such as £4.1m for the local economy, support for 55 jobs and local suppliers, the provision of training on site with over 60 technicians trained to date, links for North Ayrshire College and Largs Academy and funds of £238,000 that have been provided to 102 local community projects. An independent consultant has commenced an operational noise survey for the purpose of verifying compliance with planning consent conditions. A procedure for the survey has been agreed with Environmental Health and discussed with Fairlie Community Council and the Independent Noise Working Group (INWG). Details of the low frequency noise investigations and measurements undertaken by Environmental Health have been included in the report to Committee

Members asked questions of the applicant and were provided with further information in relation to:-

- planning permission for a maximum of three off-shore turbines but that the third turbine had not been taken forward;
- other sites in Scotland where testing of similar turbines is undertaken;
- the provision of training at the site and links with the College that will continue for a further 2 years;

- compliance with planning conditions in respect of the noise levels generated by the turbines and that these will be revised following the completion of the new noise survey;
- lessons learned from the testing at Hunterston that will inform future development and the requirement to complete the testing;
- the socio-economic benefit information that had been provided by an independent source.

Members asked questions of the objectors and were provided with further information in relation to anecdotal evidence of people suffering similar health issues at the other sites in Scotland

Members asked questions of the Public Health representatives and were provided with further information in relation to:-

- two further independent opinions that were sought (outwith the public health department), including the independent Advisory Group on Non-Ionizing Radiation (AGNIR), who reported that there is no consistent evidence of any psychological or behavioural effects of acute exposure to infrasound in humans;
- some evidence that a small percentage of the population may be more sensitive to infrasound and exposure can cause annoyance in some of these individuals;
- analysis of 8 years of general practice data for the local area that did not show increases in the number of people reporting symptoms of dizziness to their GP; and
- correspondence with Fairlie Community Council since October 2016 to reassure residents regarding the lack of a causal link between turbines and ill health, and requesting that people with ongoing ill health see their GP as there may be another underlying cause of their ill health. This assessment of risk to public health was shared with the local press on three occasions during the last year, in response to several press enquiries.

At the request of the Chair, Dr Yelland provided an overview of infrasound, which is sound that is lower in frequency than 20 Hz (the normal limit of human hearing). The blade path frequency and amplitude modulation are contributing factors to the generation of local frequency noise. This noise can resonate in body cavities and has been linked to health issues.

At the request of the Chair, Mr Jackson was asked for comments on Dr Yelland's views on infrasound and he confirmed that he broadly agreed with his comments on what infrasound was.

The Senior Manager (Planning) informed the Committee of further objections to the application from local Councillors Murdoch, Hill and Gallagher and Cumbræ Community Council. He then outlined the terms of the planning report and Members had the opportunity to ask further questions and received clarification on the following:-

- national guides which set the limit for noise levels; and
- the timescale for completion of the noise survey that would be dependent on a range of factors such as wind speeds and the operation of the turbines.

Councillor McNicol, seconded by Councillor Clarkson moved to continue the application to a future meeting to allow the noise survey to be carried out by the applicant.

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

On a division, there voted for the amendment 3 and for the motion 7 and the motion was declared carried.

Accordingly, the Committee agreed to continue the application to the meeting on 20 September 2017 to allow a further background noise survey to be carried out by the applicant.

The Committee adjourned for a short comfort break at 3.25 p.m., reconvening at 3.35 p.m. with the same Elected Members present.

## **2.2 17/00100/MS: Site To North West Of Chapelton Mains, Seamill**

Hope Homes (Scotland) Ltd have applied for approval of matters specified in the conditions 1-9 of Planning Consent N/16/00561/PPM and submission of detailed housing proposals for Phase 1 of development at the site to the north west of Chapelton Mains, Seamill. Seven letters of objection were received and detailed in the report.

The Committee agreed to grant the application subject to the following conditions:-

1. That prior to the commencement of Phase 1 the applicant shall submit for the written approval of North Ayrshire Council as Planning Authority details regarding the proposed drainage of surface water, routing of drainage into the Firth of Clyde, details of proposed connections to the public sewerage system and details regarding the proposed treatment of contamination or pollution contained with surface water prior to its discharge into the Firth of Clyde. Thereafter, the scheme as may be approved shall be implemented during the course of development and maintained thereafter to the satisfaction of North Ayrshire Council as Planning Authority.
2. That the flood management measures recommended in the Flood Risk Assessment by Kaya Consulting Limited dated December 2016 shall be fully implemented and no development shall take place until information has been submitted for the written approval of North Ayrshire Council as Planning Authority in relation to flood risk, specifically:

- (i) Details of remediation works and arrangement of ground levels to ensure that surface water runoff reaching the site is intercepted along the eastern boundary and routed around the site and provide an overland flow pathway should the interception measures block during an extreme event;
  - (ii) Proposals for an appropriate inspection and management regime to be put in place with regard to the proposed cut of drain;
  - (iii) Details of an emergency flow pathway through the site in the event of blockage of the site drainage system, or rainfall events in excess of design conditions. The flow pathways should route surface water through the site without flooding properties or increasing flood risk to neighbouring properties;
  - (iv) A programme for the implementation of the flood management measures, all to the satisfaction of North Ayrshire Council as Planning Authority.
3. Prior to the commencement of development details regarding the design of the proposed footpaths, street lighting and the access onto the A78 shall be submitted for the written approval of North Ayrshire Council as Planning Authority. For the avoidance of doubt the proposed access shall join the trunk road at a new junction which shall be constructed by the applicant to a standard as described in the Department of Transport Advice Note TD 41/95 (Vehicular Access to All-Purpose Trunk Roads) (as amended in Scotland). This design shall comply with required design standards, as set out in the Department for Transport Advice Notes TD 9/93(Highway Link Design) and TD 42/95 (Geometric Design of Major/Minor Priority Junctions), considering the design speed of the A78 trunk road in the vicinity of the new junction. The access shall be completed in accordance with the approved details prior to the occupation of the first dwellinghouse.
4. That prior to the occupation of the first dwellinghouse the developer shall provide for the written approval of North Ayrshire Council as Planning Authority, details of the draft design and layout of the affordable housing units, as agreed with the North Ayrshire Council Housing Department, a timetable for submission of relevant planning applications and dates for completion. For the avoidance of doubt the affordable housing units shall be delivered no later than 31 March 2020, unless otherwise agreed in writing.

### **3. 17/00148/PP: Kilmichael Country House Hotel, Brodick**

Mr Geoffrey Botterill, Kilmichael Country House Hotel, Brodick, Isle Of Arran has applied for a change of use to residential buildings to be changed include a hotel, self catering apartments and removal of condition 7 to allow Cottages 1, 3 and 4 to be permanent dwellinghouses at Kilmichael Country House Hotel, Brodick. One representation was received and was detailed in the report.

The Committee agreed to grant the application.

#### **4. 17/00389/PPPM: Site to the east of 7-9 Beith Road, Glengarnock, Beith**

Hallam Land Management Ltd., Suite A, 39 Cadogan Street, Glasgow has applied for the renewal of planning permission in principle N/13/00501/PPPM for the erection of a residential development at the site to the east of 7-9 Beith Road, Glengarnock, Beith. No representations were received.

The Committee agreed to (a) issue a direction under section 59(5)(a) of the Town and Country Planning (Scotland) Act 1997, as amended, to substitute the 3 year period for making an application for requisite approval to 5 years, and (b) to grant subject to the following conditions: -

1. Prior to the commencement of development on site, a further application(s) for the approval of the matters specified in this condition must be submitted to and approved by North Ayrshire Council as Planning Authority. These matters are as follows:
  - (a) the layout of the site, including all roads, footways, shared paths, car parking areas, and open spaces;
  - (b) the siting, design and external appearance of all building(s) and any other structures, including plans and elevations showing their dimensions and type and colour of external materials;
  - (c) a detailed flood risk assessment, including cross-sections of existing and proposed ground levels, details of underbuilding and finished floor levels in relation to a fixed datum, preferably ordnance datum, and detailing how flood issues are addressed.
  - (d) the means of drainage and surface water strategy and methodology for sewage disposal, including Sustainable Urban Drainage Systems (SUDS), all set out in a comprehensive Drainage Assessment, including maintenance. Such SUDS shall be self-certified by a suitably qualified person;
  - (e) the means of access to the site including an updated Transport Strategy;
  - (f) the design and location of all boundary treatments including walls and fences;
  - (g) the landscaping and associated maintenance proposals for the site, including details of existing trees, hedgerows and other planting to be retained and tree protection measures together with proposals for new planting specifying number, size and species of all trees and shrubs and a woodland management implementation programme;
  - (h) details of the phasing of development (covering all relevant aspects of development detailed in (a) above);
  - (i) a design and access statement with the design issues addressed in the formulation of the proposals, set out in line with the relevant supplementary design guidance approved by North Ayrshire Council.

2. The proposed development shall be designed in accordance with the principles of the Scottish Government's "Designing Streets" and "Designing Places" policy documents and North Ayrshire Council's Neighbourhood Design Guidance to the satisfaction of North Ayrshire Council as Planning Authority.
3. That prior to the commencement of the development, hereby approved, the applicant shall submit for the written approval of North Ayrshire Council as Planning Authority, a Strategy for Open Space which shall include proposals for (i) the provision of open space and play provision, in accordance with the North Ayrshire Council policy "Provision and Maintenance of Landscaping, Open Space and Play Areas in New Housing Developments" together with proposals for the management and maintenance thereof.
4. 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 in consultation with 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 North Ayrshire Council as Planning Authority.
5. A 3m wide footway/cycleway shall be provided along the frontage of the site and 2m wide footway shall be provided along the frontage of the residential dwellings of 3 to 10 Beith Road to the satisfaction of North Ayrshire Council as Planning Authority.
6. That a minimum carriageway width of between 6 to 7.3m shall be retained along the length of the B777 (Beith Road) fronting the site to the satisfaction of North Ayrshire Council as Planning Authority.
7. That a physical gateway measure in the form of islands and countdown markings shall be installed at the 30mph speed limit to the satisfaction of North Ayrshire Council as Planning Authority.
8. That the existing street lighting shall be upgraded to accommodate the proposed junction arrangements and footways. For the avoidance of doubt, full details and timescales of works shall be submitted for the consideration and approval in writing by North Ayrshire Council as Planning Authority prior to the commencement of development.
9. That the recommendations within the Phase 1 Habitat Survey submitted in support of the application, shall be implemented to the satisfaction of North Ayrshire Council as Planning Authority. Details shall be submitted demonstrating of the undertaking and/or programming of these recommendations implementations.



10. That prior to the commencement of the development, hereby approved, the applicant shall undertake a desk study of the application site, (including the review of any previous site investigations) to assess the likelihood of contamination and assist in the design of an appropriate site investigation and subsequent suitable quantitative risk assessment as advocated in BS10175: 2011. Remediation proposals shall also be presented in relation to any significant findings. All documentation shall be verified by a suitably qualified Environmental Consultant and submitted to North Ayrshire Council as Planning Authority. Any required remediation measures shall be undertaken, prior to the commencement of the development to the satisfaction of North Ayrshire Council as Planning Authority. Thereafter the presence of any significant unsuspected contamination, which becomes evident during the development of the site, shall be reported to North Ayrshire Council and treated in accordance with an agreed remediation scheme. On completion of the proposed works written verification, detailing what was done by way of any remediation, shall also be submitted to the North Ayrshire Council as Planning Authority.

**5. 17/00378/ALO: Site to south east of Pet Crematorium, Murdoch Place, Irvine**

Irvine Energy Recovery Ltd, 25 Farringdon Street, London have applied for a discharge of section 75 obligation relating to unimplemented and expired planning permission 07/00072/PP in respect of the site to the south east of the Pet Crematorium, Murdoch Place, Irvine.

The Committee agreed to (i) discharge the Section 75 Obligation and (ii) refer the decision to Legal Services to conclude the process as per Appendix 1 to the report.

**6. Notice under Section 127 of the Town and Country Planning (Scotland) Act 1997: Site to South of 56 Boglemart Street, Stevenston**

Submit report by the Executive Director (Economy and 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 storage and the removal of the storage container sited upon it at Site to South of 56 Boglemart Street, Stevenston.

The site is situated within an area predominantly residential in character and is sited and to the rear of existing residential properties. The site shares an access from Boglemart Street (the B780) with the residential properties. It is considered that a storage use of the land is inappropriate for the location and would have the potential for adverse impacts on residential amenity. The storage container is out of character with the area, and harms the visual amenity of the area. The owner of the land had been contacted and requested to remove the container but an inspection of the property on 17 May 2017 revealed the container remained in situ.

The Committee agreed, in the interest of the visual and residential amenity of the area and potential impacts on access and the classified road, to approve the service of a Notice under Section 127 of the Town and Country Planning (Scotland) Act 1997 to require the cessation of the use of the land for storage and removal of the container sited on the land.

**7. Notice under Section 127 of the Town and Country Planning (Scotland) Act 1997: 148 Main Street, Largs**

Submit report by the Executive Director (Economy and Communities) seeking authority to serve a Notice under Section 127 of the Town and Country Planning (Scotland) Act 1997 requiring the removal of a flagpole from the front elevation of a property at first floor level, 148 Main Street, Largs.

The owners of the flatted properties on the first and second floor have been advised that the flagpole is unauthorised and were requested to make an application or alternatively remove the flagpole. To date an application has not been made and the flagpole remains in situ. The owners have been advised that the Council is considering the issue of a formal enforcement notice and have not responded to take responsibility for the flagpole. It is considered that the flagpole harms the visual amenity of the area by way of its high level siting, its prominence in the streetscene and its incongruous appearance on the host building. The flagpole is therefore held to be contrary to criterion (a) Siting, Design and External Appearance of the General Policy of the LDP.

Councillor McMaster, seconded by Councillor Reid, moved to approve the service of the Notice under Section 127 of the Town and Country Planning (Scotland) Act 1997 to require the removal of the flagpole from first floor level of the building.

As an amendment, Councillor Barr, seconded by Councillor McNicol, moved to take no further action.

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

Accordingly, the Committee agreed to approve the service of a Notice under Section 127 of the Town and Country Planning (Scotland) Act 1997 to require the removal of the flagpole from first floor level of the building.

**8. Proposed Section 11 Exemption Order under the Land Reform (Scotland) Act 2003 for the Aberdeen Asset Management Ladies Scottish Open**

Submit report by the Executive Director (Economy and Communities) which provided information on an application from the organiser of the Aberdeen Asset Management Ladies Scottish Open Championship to be held at Dundonald Links between 27 - 30 July 2017, set out in Appendix 1 to the report. The Section 11 Exemption Order would exempt the Dundonald Links golf course from the access rights between 26 and 30 July 2017, and enable a charge to be made for admission and provide for public safety and security prior to, during and after the event. Appendix 2 to the report illustrated the area which the exclusion of access rights would apply.

The Committee agreed to (a) approve a Section 11 Exemption Order for the event; and b) the issue of a public notice confirming the Order.

## **9. Enforcement Charter: Town and Country Planning (Scotland) Act 1997, as Amended by the Planning Etc. (Scotland) Act 2006**

Submitted report by Executive Director (Economy and Communities) on the Council's Planning Enforcement Charter, which requires to be reviewed and republished by the Council every two years, under the terms of Section 158A of the Town and Country Planning (Scotland) Act 1997, as amended.

The Council approved and adopted the existing Planning Enforcement Charter in 2007. The Charter has been revised since first adopted to incorporate a number of updates and additions in respect of advertisement and treework controls. The Charter takes account of Scottish Government guidance on the form and content of Enforcement Charters. The main changes from 2015 are the updating of links to the Council's website and contact details. Appendix 1 to the report contained the proposed Charter.

The Committee agreed to adopt the Enforcement Charter as outlined in Appendix 1 to the report.

## **10. Urgent Item**

### **10.1 N/17/00478/PPM: Site to the South West of Glengarnock Technology Centre, Lochshore Industrial Estate, Glengarnock**

J & D Pierce Contracts Ltd, Glengarnock Technology Centre, Caledonian Road, Glengarnock has applied for planning permission for the erection of two freestanding industrial units and extension to Class 5 production facilities with associated ancillary uses, parking, landscaping and miscellaneous infrastructure work at the site to the south west of Glengarnock Technology Centre, Lochshore Industrial Estate, Glengarnock. One representation was received and detailed in the report.

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

1. That the rated noise levels (as defined in BS 4142:2014) from the production facility hereby approved, taken with the noise levels generated by the existing facility, shall not exceed the existing background noise level by 5dB(A) or more at the curtilage of nearby noise sensitive premises.
2. That prior to the commencement of the development, hereby approved, details of a scheme to treat the surface water arising from the site in accordance with the principles and practices contained in 'The SuDS Manual' (CIRIA report C753, published November 2015), shall be submitted to and approved in writing by North Ayrshire Council as Planning Authority. Thereafter any scheme that may be approved shall be implemented prior to the completion of the development and maintained thereafter to the satisfaction of North Ayrshire Council as Planning Authority.

3. That prior to the commencement of the development, hereby approved, the applicant shall undertake a desk study of the application site, (including the review of any previous site investigations) to assess the likelihood of contamination and assist in the design of an appropriate site investigation and subsequent suitable quantitative risk assessment as advocated in BS10175: 2011. Remediation proposals shall also be presented in relation to any significant findings. All documentation shall be verified by a suitably qualified Environmental Consultant and submitted to North Ayrshire Council as Planning Authority. Any required remediation measures shall be undertaken, prior to the commencement of the development to the satisfaction of North Ayrshire Council as Planning Authority. Thereafter the presence of any significant unsuspected contamination, which becomes evident during the development of the site, shall be reported to North Ayrshire Council and treated in accordance with an agreed remediation scheme.

On completion of the proposed works written verification, detailing what was done by way of any remediation, shall also be submitted to the North Ayrshire Council as Planning Authority.

4. That no development shall take place until there has been submitted to and approved by North Ayrshire Council as Planning Authority a scheme of landscaping, which shall include details of species, planting densities, soil treatment and aftercare and shall include indications of all existing trees and hedgerows on the land and details of any to be retained together with measures for their protection in the course of the development.
5. That all planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting season and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants 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.

The meeting ended at 4.15 p.m.