

Local Development Plan Committee
29 November 2010

IRVINE, 29 November 2010 - At a Meeting of the Local Development Plan Committee of North Ayrshire Council at 2.00 p.m.

Present

John Reid, Tom Barr, Matthew Brown, Andrew Chamberlain, Ian Clarkson, Margie Currie, Anthea Dickson, John Ferguson, Alex Gallagher, William Gibson, Jean Highgate, Alan Hill, John Hunter, Ruby Kirkwood, Ronnie McNicol, Pat McPhee, John Moffat, Alan Munro, Ryan Oldfather and David O'Neill.

In Attendance

R. Forrest, Planning Services Manager, M. Ferrier, Team Leader, A. Laurenson, D. Hammond, and K. McKelvie, Planning Officers (Development Plans)(Corporate Services); and C. Rowney, Communications Officer and P. Shiach, Committee Services Officer (Chief Executive's Service).

Chair

Councillor Reid in the Chair.

Apologies for Absence

Robert Barr, Elizabeth McLardy, David Munn and Robert Rae.

1. Declarations of Interest

Councillor Highgate declared a non-pecuniary interest in terms of item 6 of the Agenda, relative to site no 11 at Auldlea Road, Beith, and took no part in the determination thereof.

2. Minutes

The Minutes of the previous meeting of the Committee held on 18 October 2010 were signed in accordance with paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

3. Local Development Plan (LDP: Status Report)

Submitted report by the Solicitor to the Council on the status of preparation of the Local Development Plan to date.

The Proposed Plan is the follow up to the Main Issues Report and acts as a precursor to the new Local Development Plan. Work on the Proposed Plan is almost complete, with a number of the constituent components approved over the course of 2010. The Committee considered the following: -

- The draft Proposed Plan Part 1 incorporating the Vision Statement, Spatial Strategy and the Development Management Statement;
- The proposed new allocations for housing;
- Report on rural housing policy; and
- The Action Programme.

In terms of the Proposed Plan Part 2, detailed policies were approved by the Committee in stages over the course of 2010, and subject to the approval of Part 1, the two parts of the Proposed Plan will be consolidated in preparation for formal publication.

A Status Report, intended to assist Members in term of the following, accompanied the Report:-

- Key milestones achieved to date;
- Future milestones; and
- Outstanding risks.

The report advised that while progress was on target, electronic publication of the Proposed Plan (Parts 1 and 2) will now be concurrent with formal publication of the paper copy programmed for March 2011. This will facilitate any editorial or non material changes to the Proposed Plan arising from consolidation of the constituent components of the Plan.

The Committee noted the Status Report and approved the revised timetable for electronic publication of the Proposed Plan, including the publication of the reports approved at meetings of the Committee held on 21 June, 9 August and 18 October 2010 which had previously been exempt from publication.

4. Proposed Plan Policy - Rural Coastal and Island Development: Rural Housing

Submitted report by the Solicitor to the Council on proposed policy regarding Rural Housing.

In terms of Rural Coastal and Island development, the Committee previously approved reports in respect of Definition of the Coast, Tourism Proposals, Hunterston and Coastal Access.

Representations made to the Main Issues Report on Rural Housing substantially focussed on the Isle of Arran. Representations received favoured rural housing being sympathetically designed and the majority of respondents agreed that there were some locations which were not suitable for development.

Attendees at the Garnock Valley Planning Forum were mostly in favour of a more flexible approach to housing in the countryside within the Garnock Valley, as suggested in the Main Issues Report. There was, however, some concern regarding the sustainability of rural housing because of poorer accessibility. Although there was a suggestion that rural housing should demonstrate exemplar renewable energy features, this was not progressed through the formal consultation process.

In terms of the responses from the Isle of Arran, it was evident that there is difficulty in interpreting current policies which already provide for a range of appropriate development. Details were contained in the report. As part of the work programme for 2011, it is intended that an information leaflet will be prepared, and an information day held on the Island, to be progressed in association with Housing Services.

The report indicated that North Ayrshire Council Infrastructure and Design Services are dealing with rural roads standards on a case by case basis and are retaining tracks as they are, or with slight improvements, as a first option. Rural Design Guidance, providing clarity on policy and addressing interpretation regarding the definition of a nucleated group, was approved by the Committee in May 2009 and will be formally adopted within the Proposed Plan process.

The Committee was advised that there was no evidence that the policies indicated in the report require any major change. However some flexibility has been requested to count conversions as part of a group of four units (Policy H1 Small Scale Growth of Existing Groups). It was proposed that conversions completed prior to 1 January 2005 can be counted within the terms of this policy.

The report highlighted the following:-

- Much of Arran, the Cumbraes and Clyde Muirshiel Regional Park are covered by the most sensitive landscapes, which have little or no capacity to accept new development and associated infrastructure requirements. New technologies may bring options for "unplugged" homes, not connected to water, sewerage and power infrastructure, but these are currently experimental, and major issues have been identified in terms of reliability and quality of energy and water supplies, raising legal, ethical and health and safety issues for housing providers.

- A feasibility study into the development potential of Forestry Commission Land on Arran for affordable housing, including woodland crofts, has indicated major questions over the validity and practicality of developing locations within the forestry estate. Delivery issues led to the conclusion that affordable housing is not a viable option, and that time and effort will be required to promote, develop and implement the concept of "woodland crofting". The Forestry Commission Scotland has indicated that it is prepared to work with the local community on a pilot scheme for woodland crofting.
- A number of consultees on Arran would like flexibility for local people to develop affordable housing in countryside or around villages without public subsidy. Further landscape evaluation is required to identify if there are less sensitive areas within which there is a capacity to absorb viable, small scale housing development without detriment to the environment . Capacity to relax policy would also require to be tested against criteria including provision of infrastructure and services.
- There are pressures to allow the building of a house by family members on land owned by the family. This does not constitute a justification for departing from established planning principles aimed at directing new development to sustainable locations with layout and design in accordance with established policies.
- Some consultees advocate the use of local timber and timber housing. This could be acceptable on Arran dependent on being in conformity with design guidance, location, character, scale and massing of the proposal.
- In the Garnock Valley, while parts of the area are within sensitive landscape, there are former industrial locations where the adverse impact of previous development may allow a more positive approach to rural housing to be taken. The report proposed to explore the potential for a co-ordinated programme to identify locations with the potential for development to enhance the environment and remediate sites.

Appendix 1 to the report contained a sustainability appraisal which considered the impact of the Local Development Plan on environmental, social and economic matters.

Members sought, and received clarification on various aspects of the report, including the suitability in certain circumstances of the use of new technologies and responsibility for the identification of areas prone to a 1:200 year flooding event.

The Committee agreed to approve policy regarding Rural Housing for the Proposed Local Development Plan, as set out in the report.

5. Proposed Local Development Plan: Housing Land Allocations

Submitted report by the Solicitor to the Council on proposed specific housing land allocations, following consideration of representations received in relation to the Main Issues Report.

The Scottish Government is committed to increasing the supply of new homes, and the planning system should contribute to raising the rate of new housebuilding by identifying a generous supply of land for the provision of a range of housing.

Additional land requirements have changed slightly due to a reappraisal of the effectiveness or deliverability of sites within the existing land supply resulting in the removal of some sites from the supply and increasing the additional requirements to be identified within the Local Development Plan. Details of the land requirement to be met by additional land allocations within each sub Housing Market Area were contained within the report. The manner in which the additional requirement was derived was detailed in Appendix 1 to the report.

A comprehensive assessment process of the sites promoted through consultation on the MIR has been undertaken, which involved assessment of sites against a range of criteria reflecting the LDP Vision in terms of regeneration, deliverability and planning merits.

It was proposed that the necessary land requirements be met by the sites listed in Appendices 2 (Irvine Bay), 3 (Garnock Valley), 4 (North Coast) and 5 (Isle of Arran) to the report. The tables contained therein provided:-

- The justification for sites recommended for allocation;
- The justification for sites not recommended for allocation;
- Additional requirements for each proposed allocation (i.e. provision of access, planning gain, requirements for flood risk assessment, landscaping, etc); and
- Plans of all sites submitted, with the proposed allocations highlighted.

The report indicated that the proposed allocations meet the additional requirements in full, providing a generous land supply and allowing for a range of housing opportunities in appropriate locations.

In terms of affordable housing, an affordable housing policy for mainland North Ayrshire was approved at the meeting on 18 October 2010, to come into force at or on a date following the adoption of the Local Development Plan.

Low levels of affordable housing delivery may be expected in the initial years of the Plan. To allow early delivery and provide greater certainty, it is proposed that specific land allocations are made, and that allocations are proposed where suitable land is available either in public ownership or through agreement with a private landowner. Details of suitable sites were contained within the report.

As a result of the decline in the housing market, completions in North Ayrshire have fallen to less than 40% of their long term average for all tenures. In terms of new allocations, there is a risk of allocated sites remaining undeveloped in the short to medium term. The benefits of new housebuilding activity through employment in construction, the improvement of housing stock and attraction of people to the area are recognised. The Action Programme therefore includes the production of a "Delivery Options Paper" which will investigate the potential for the Council to assist and encourage development through innovative means.

Sites allocated will require to meet the costs of any additional infrastructure required as a result of their development including resolving any issues with education capacity and road infrastructure. Details will be further developed through Supplementary Guidance.

The report indicated that representations have also been received in response to the Main Issues Report in relation to a site allocated within the Local Plan on land to the east of Fairlie. Fairlie Community Council has requested that the land in question, subject to Policy RES 2B, be not included within the Proposed Local Development Plan. This change will not be accommodated, as the site was allocated following the Public Local Inquiry for the adopted Local Plan and justified by the Reporter against the benefits of securing a programme of restoration for Kelburn Castle and improvements to the Country Centre. It has therefore been in the statutory Local Plan for five years during which the landowner and developer have sought to comply with the terms of Policy RES 2B with a view to implementation, and work on this is ongoing.

Members sought, and received clarification on various aspects of the report, particularly:-

- the Three Towns, where the new additional housing requirement is included within the figures for Irvine Bay;
- the timing of affordable housing development which was dependent upon market fluctuations, and would require to be the subject of negotiation between developers and Planning and Housing services with regard to named sites for affordable housing;
- a request for land at Golf Road, Millport (Site 90) to be allocated for housing was not supported for the reasons outlined in the report; and
- An extension to the settlement boundary of Millport at Penmachrie was requested, but no action taken as there was no justification for such an extension.

The Committee agreed that the housing land allocations, as detailed in Appendices 2 to 5 of the report, be incorporated into the Proposed Local Development Plan.

6. Proposed Local Development Plan

Submitted report by the Solicitor to the Council on the Proposed Local Development Plan.

The Committee previously approved the following sections of the Proposed Plan:-

- Vision, Spatial Strategy and Town Centres and Retailing (June 2010);
- Tourism, Infrastructure, the Green Network, Leisure and Open Space, Hunterston, and Rural Coastal and Island Development (August 2010), and
- Employment Land, Historic Environment and Strategic Housing Policy (October 2010).

A revised policy for Hunterston was presented at Appendix 1 to the report, primarily to take account of emerging information contained within the National Renewables Infrastructure Plan. The Committee was advised of a further amendment to the policy in relation to Radioactive Waste Storage i.e.

"Development for the storage of Intermediate and Low Level waste will be restricted to storage of material accumulated through Hunterston A and Hunterston B Stations only."

In terms of the structure of the Proposed Local Development Plan, it is the intention of the Scottish Ministers that Plans focus on vision, the spatial strategy, overarching and other key policies, and proposals. Much of the detail previously contained in plans should be removed to Supplementary Guidance. The structure of the Local Development Plan will contain:-

- Part 1 - Proposals and Development Management Statement which sets out overarching and key policies and proposals in a concise format, as detailed in Appendix 2 to the report; and
- Part 2 - Detailed Plan Policies providing the detail of each individual plan policy, expanding upon the summary of policies provided in Part 1.

In addition to the foregoing, the following documents will accompany Parts 1 and 2 of the Plan during the period for receipt of representations in March 2011:-

- Schedule of Land Ownership - being a schedule of land owned by the Council and which is affected by any of the policies, proposals or views expressed in the plan;
- Environmental Report in the form of an adoption statement incorporating those parts of the Environmental Report previously considered by the Committee;
- LDP Proposals Maps incorporating the land allocations and proposals approved by Committee to date, and
- An Action Programme.

Neighbour notification will be carried out concurrent with consultation on the Proposed Local Development Plan.

The report proposed that Proposed Plan Part 1 be available to view on-line, allowing those with an interest to see the LDP in advance of the statutory 6 week consultation period which will commence in March 2011. Furthermore it was proposed that any changes, other than editorial, required following the amalgamation of the previously agreed policies be delegated to the Chair in consultation with relevant ward Members.

The Committee sought, and received, clarification on various aspects of the report.

The Committee agreed to approve (a) the Proposed Local Development Plan Part 1 for on-line publication; (b) the consolidation of Part 2; (c) delegation to officers of any minor changes, and to the Chair, in consultation with ward Members, of any material changes; (d) the placing of statutory adverts; (e) a period of public consultation from March 2011; and (f) revised wording of Appendix 1 relative to Hunterston i.e. "Development for the storage, of Intermediate and Low Level waste will be restricted to storage of material accumulated through Hunterston A and Hunterston B Stations only".

7. Local Development Plan: Action Programme

Submitted report by the Solicitor to the Council on the Action Programme for approval for publication with the Proposed Plan.

There is a statutory requirement to prepare and publish an Action Programme with the Local Development Plan. The Action Programme should be updated every two years and acts as an implementation mechanism for the policies and proposals of the Local Development Plan. A draft Action Programme, outlining over 30 actions for the first two years of the LDP, was detailed in Appendix 1 to the report.

Members sought, and received, clarification on various aspects of the proposed Action Programme, particularly in relation to a review of the conservation area operational in Millport and proposals for the River Irvine.

The Committee approved the Action Programme for publication subject to (i) a review of the conservation area operational in Millport; and (ii) a review of how the River Irvine can be protected and promoted as a resource for tourism, recreation and environmental quality.

The meeting ended at 3.25 p.m.