

Planning Committee
4 December 2013

IRVINE, 4 December 2013 - At a Meeting of the Planning Committee of North Ayrshire Council at 2.00 p.m.

Present

John Ferguson, Robert Barr, John Bruce, Joe Cullinane, Ronnie McNicol and Tom Marshall.

In Attendance

J. Miller, Senior Manager (Planning, Transportation and Regeneration) (Development and Environment); J. Law, Solicitor (Contracts and Licensing) and D. McCaw, Committee Services Officer (Chief Executive's Service).

Chair

Councillor Ferguson in the Chair.

Apologies for Absence

Matthew Brown, John Bell, Jim Montgomerie and Robert Steel.

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 meeting of the Committee held on 13 November 2013 was confirmed and the Minutes signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

3. Isle of Arran

3.1 13/00558/PP: Lamlash: Site to West of 35 Margnaheglish Road

Lamlash Golf Club, Lamlash, Isle of Arran has applied for planning permission for the erection of a detached dwellinghouse on a site to the west of 35 Margnaheglish Road, Lamlash. 2 objections have been received, as detailed in the report.

The Committee, having considered the terms of the objections, agreed to grant the application subject to (a) the applicant entering into a Section 75 Agreement to ensure that the funds from the sale of the plot are used for the improvement works to the golf course and clubhouse, as contained within the submitted Business Plan; and (b) the following conditions:-

1. That, the development, hereby approved, shall be commenced within 2 years of the date of this permission, to the satisfaction of North Ayrshire Council as Planning

Authority.

2. That, prior to the commencement of the development, the applicant shall submit for the written approval of North Ayrshire Council as Planning Authority, details or samples of the proposed external finishes.

3. That, details of the boundary enclosures and landscaping shall be agreed in writing with North Ayrshire Council as Planning Authority, prior to the commencement of any works. Thereafter, any such details which may be agreed shall be implemented prior to the occupation of the dwellinghouse and thereafter maintained, all to the satisfaction of North Ayrshire Council as Planning Authority.

4. That, prior to the occupation of the dwellinghouse: (i) vehicular access to the site shall be provided with a verge crossing to be formed as detailed in the Roads Development Guidelines; (ii) the access/driveway shall be designed in such a way that no surface water shall issue onto the public road; and (iii) the first 2 metres of the driveway shall be hard surfaced in order to prevent loose material from being deposited onto the public road, all to the satisfaction of North Ayrshire Council as Planning Authority.

5. That, prior to occupation, the dwellinghouse hereby approved, shall be provided with an adequate and wholesome water supply, details of which shall be submitted to and have received the written approval of North Ayrshire Council as Planning Authority prior to the commencement of the development.

6. That, prior to the commencement of the development hereby approved, details of the surface and foul drainage/sewage disposal scheme for the proposed dwellinghouse, 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.

7. That, the dwellinghouse 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 6.

3.2 13/00612/PP: Whiting Bay: Bay News

Mr T Hodkinson, Braehead Farm, Shore Road, Whiting Bay has applied for planning permission for an amendment to a Section 75 Agreement and variation of Condition 1 attached to Planning Permission 09/00199/PP, to modify the occupancy restriction at Bay News, Shore Road, Whiting Bay.

The Senior Manager (Planning, Transportation and Regeneration) advised that 2 objections had been received in respect of this application since the Committee papers were published.

The Committee, having considered the terms of the objections, agreed to modify the Section 75 Agreement and vary Condition 1 of Planning Permission 09/00199/PP to permit the dwelling flat to be used for holiday letting subject to (a) no material objections being received before 13 December 2013; and (b) the following condition:-

1. That the dwelling flat shall be occupied only by the owner or an employee of the retail premises on the ground floor or used as holiday letting accommodation and shall not be occupied for holiday letting for a period of more than one month or for more than 6 months in total in any calendar year by the same person, to the satisfaction of North Ayrshire Council as Planning Authority.

4. Planning Performance Framework

Submitted report by the Corporate Director (Development and Environment) on the publication of Planning Performance Framework 2.

The PPF provides the planning system with a 'balanced scorecard' approach to performance which enables each local planning authority to demonstrate achievements, successes and individuality. It was developed in response to the Government's planning reform agenda and an annual return is required from each planning authority. PPF2, as detailed in the appendix to the report, marks the second submission from the Council and covers the period from April 2012 to March 2013.

The Committee agreed to (a) note the content of the PPF2; and (b) approve the publication of the PPF2 document.

5. High Hedges (Scotland) Act 2013

Submitted report by the Corporate Director (Development and Environment) on the provisions of the High Hedges (Scotland) Act 2013 ("the Act") and the implications for the Council.

There is currently no statutory control over hedges which are not (a) covered by a Tree Preservation Order; (b) in a conservation area; or (c) covered by a condition of a previous planning consent. The report provided a summary of the implementation and enforcement of the Act which is anticipated to come into force at the beginning of April 2014.

The Committee (a) noted the terms of the Act and the associated statutory obligations on the Council; (b) agreed that the functional responsibility for implementation and enforcement of the Act be undertaken by the Corporate Director (Development and Environment); and (c) agreed to recommend to the Council that the Scheme of Delegation be amended to delegate to Officers the determination of any application arising from these statutory obligations.

The meeting ended at 2.20 p.m.