

Infrastructure and Environment Services Committee  
14 October 1998

**Irvine, 14 October 1998** - At a Meeting of the Infrastructure and Environment Services Committee of North Ayrshire Council at 2.00 p.m.

**Present**

Samuel Gooding, David Munn, Jack Carson, Ian Clarkson, James Clements, John Donn, Margaret Highet, Elizabeth McLardy and Thomas Morris.

**In Attendance**

The Director of Planning, Roads and Environment, N. Buchan, Head of Roads (Planning, Roads and Environment); R. Lee, Assistant Principal Officer (Accountancy); G. Lawson, Principal Policy/Administration Officer and M. McKeown, Administration Officer (Chief Executive).

**Chair**

Mr Gooding in the Chair.

**Apologies for Absence**

Patrick Browne, John Sillars and George Steven.

**1. Minutes Confirmed**

The Minutes of the Meeting of the Committee held on 2 September 1998, copies of which had previously been circulated, were confirmed.

**2. Draft National Planning Policy Guideline (NPPG) and Planning Advice Note (PAN) on Transport and Planning**

Submitted report by the Director of Planning, Roads and Environment on the terms of the draft NPPG and PAN on Transport and Planning issued by The Scottish Office.

On 2nd September 1998 the Committee considered a report by the Director of Planning, Roads and Environment on the Government's White Paper which set out proposals for an integrated transport strategy in Scotland.

Consultative drafts of a National Planning Policy Guideline and a Planning Advice Note on Transport and Planning, together with a consultation paper on the Strategic Review of the Trunk Road Programme in Scotland have now been published and The Scottish Office are seeking comments on these by 16th October 1998.

The Government's broad policy aims are to:-

- a) promote a more co-ordinated view of transport and land use planning so that over time the disposition of land uses can assist in reducing the need to travel;
- b) create the right conditions for maximising the proportion of travel by foot, by cycle and by public transport;
- c) restrict adverse environmental impacts, including breaches of the statutory air quality objectives and minimise environmental intrusion.

To implement the Government's policy on transport the Council will require to ensure that the policies and proposals in the Ayrshire Joint Structure Plan contribute to reducing the need to travel, particularly by car and to increasing the choice of means of transport available; that policies

and proposals set out in the Council's five Local Plans similarly contribute to reducing the need to travel, particularly by car, and enable a full choice of means of travel to be provided; that a Local Transport Strategy for North Ayrshire is prepared; and that the requirements of the Road Traffic Reduction Act 1997 are addressed.

Since there are currently no officers with the necessary transportation planning expertise within the Council's establishment to implement this workload it will be necessary to either employ experienced staff or secure the services of specialist consultants. This will inevitably impact on the Council's resources at a time of financial restraint.

After discussion the Committee that whilst it accepted the underlying principles of government policy agreed (a) that a copy of the report, setting out the Council's concern about the implications of the Government's Transport Policy, be forwarded to The Scottish Office; and (b) that concern about the need for additional resources in terms of staff expertise, time and expenditure at a time of constraint be highlighted.

### **3. Strategic Review of Trunk Road Programme in Scotland**

Submitted report by the Director of Planning, Roads and Environment on the consultation paper issued by The Scottish Office on the Strategic Review of Trunk Roads in Scotland.

The consultation paper sets out the criteria by which future trunk road investment will be judged. The Government intends to develop a revised approach to the appraisal of trunk road expenditure consistent with the criteria it has set for the future assessment of transport investment i.e. economy; integration; safety; environmental impact; and accessibility. Although there will be a common approach covering the whole of the UK it is recognised that there will have to be certain features reflecting distinctive Scottish circumstances.

Discussion ensued on the implications of the Government's proposals for the future appraisal of trunk road provision, and particular reference was made to the need for the proposed Three Towns by-pass, which is viewed as an important element of the future economic development of the area.

In conclusion the Committee agreed (a) to support the revised method of appraisal as set out in the report; (b) that the Council's Local Transport Strategy should take full account of the revised appraisal method in order to maximise any future investment from The Scottish Office; and (c) to urge The Scottish Office to proceed with the proposed Three Towns by-pass as a matter of urgency.

### **4. Flood Prevention and Land Drainage (Scotland) Act 1997: Flood Control on the River Irvine**

Submitted report by the Director of Planning, Roads and Environment on the current situation regarding the River Irvine as a result of flood control works in East Ayrshire.

In terms of the Flood Prevention and Land Drainage (Scotland) Act 1997, Scottish local authorities were required to report to the Secretary of State in November 1997, on measures which they proposed to take in respect of water courses in their area which were likely to cause flooding of non-agricultural land within or outwith their areas. Under the Act, local authorities must take action where water courses are identified as likely to cause flooding and, in cases where flooding is likely to occur in another local authority area, the Act places a duty on the first authority to notify the other authority accordingly.

As part of this process, East Ayrshire Council created a programme of water defence in the Kilmarnock area, including river containment works, and proposals for a Flood Water Storage scheme between Hoodston Bridge and the western boundary of Galston. Under this scheme, water flow will be controlled by weirs so that flood water is temporarily stored on adjacent land before being released back into the river systems in a controlled manner, resulting in the lowering of flood water levels downstream in Kilmarnock and beyond. The scheme does not appear to be

scheduled for an early start.

Consultants employed by East Ayrshire Council estimated the likely affect of the completion of these works on the River Irvine, downstream of East Ayrshire, and indicated a possible rise in maximum water level amounting to 40mm for the River Irvine in the Irvine Town area. The Council has now been asked to accept that this rise in water level will have no significant effect and thereby allow east Ayrshire Council to progress these works.

In view of their reservations North Ayrshire Council sought advice from consultants and were advised that the rise in water levels on the River Irvine was likely to be in excess of the 40mm indicated, although further study and consultation between the consultants for the two authorities did finally confirm a level in that region. However the opinion of North Ayrshire Council's consultants is that even this rise would be significant and would reduce the safety margins of the present defences, thus potentially putting properties at risk.

After discussion, the Committee agreed, on the advice of the Consultants, to inform East Ayrshire Council that authorisation for them to complete the river containment works in the Kilmarnock area will be dependent on the construction of the Cessnock Flood Storage Scheme.

## **5. Development Briefs**

### **(a) Southannan House, Fairlie**

Submitted report by the Director of Planning, Roads and Environment presenting a development brief to guide potential purchasers of Southannan House, Fairlie.

The Committee approved the development brief.

### **(b) Tarryholme Reserve Site, Irvine**

Submitted report by the Director of Planning, Roads and Environment on the marketing of the reserve site at Tarryholme, Irvine, for residential or hotel development.

The Committee agreed (a) that the reserve site at Tarryholme, Irvine, is not required for "small scale community and commercial uses"; (b) that the site should be marketed for residential or hotel development; (c) to approve the outline development brief for the site; and (d) that more detailed design guidance should be prepared once the preferred bidder and future use for the site is known.

## **6. Traffic Regulation Order: Corsehill Mount Road, Dreghorn**

Submitted report by the Director of Planning, Roads and Environment on the current position with regard to the proposed speed limit order at Corsehill Mount Road, Dreghorn.

At its meeting on 11 June, 1997 the Committee approved the investigation and preparation of the Traffic Regulation Order for a 30 mph speed limit on Corsehill Mount Road, Dreghorn. Consultations were subsequently carried out and a draft Traffic Regulation Order advertised. No objections were recorded.

The Committee agreed to approve the implementation of the Traffic Regulation Order.

## **7. Enforcement Notices**

### **(a) Site to the north and west of 14 Hunterston Road, West Kilbride**

Submitted report by the Director of Planning, Roads and Environment on proposed enforcement action in respect of the site to the north and west of 14 Hunterston Road, West

Kilbride.

This building site, which comprises vacant land, formerly occupied by a poultry farm on the south west side of Hunterston Road, West Kilbride, received conditional planning permission for the formation of a new access and the erection of 8 two storey detached houses on 6 August, 1997, and works duly commenced on site.

It was subsequently brought to the Council's attention however that unauthorised engineering works, comprising of the erection of a pre-cast concrete sectional retaining wall along the entire eastern boundary of the site, and the infilling and change of ground levels to the rear of Plots 5,6,7 and 8, in the approved plans, had been carried out on the site. Following an inspection of the site on 27th August 1998, Officers from the Planning Division concluded that the works were detrimental to the visual amenities of the adjacent house at 12 Hunterston Road, West Kilbride.

After discussion the Committee (a) approved the service of an enforcement notice in terms of Section 127 of the Town & Country Planning (Scotland) Act 1997 to secure the removal of the unauthorised wall; to remove the added infill material and to restore the site to levels which formerly existed before the unauthorised works took place; and (b) agreed that in the event that the applicant submits a retrospective Planning Application for the unauthorised works that the matter be referred to the Development Control Sub-Committee for determination.

#### **(b) 40-42 Charles Street, Largs**

Submitted report by the Chief Executive on proposed enforcement action in respect of the premises at 40-42 Charles Street, Largs.

The Development Control Sub-Committee, on 8th September 1998, agreed to continue consideration of an application by North Ayrshire developments, The Lodge, Irvine Road, Largs, for retrospective planning permission to (A) create an external door and two ground floor windows; and (B) alter the west dormer, pending a site visit by the Chair, Vice Chair and local members. This site visit took place on 15th September 1998.

On 29th September 1998 the Development Control Sub Committee having considered the objections, the site visit report, and the original report by the Director of Planning, Roads and Environment agreed (a) to refuse (A) and (B) on the grounds that the proposed alterations would result in the adjoining property at No.38 Charles Street being overlooked which would be detrimental to the privacy, enjoyment and amenity of the property; and (b) to recommend to the Infrastructure and Environment Services Committee that an Enforcement Notice be served requiring the applicant to:-

(a) remove the four full height windows from the west face of the dormer and replace with narrow 8 inch deep high level obscure glazing with tiling below as originally proposed by the application and subsequently approved by the Council;

(b) remove the two ground floor windows and brick up and render the aperture; and

(c) remove the external door for the west side and brick up and render the aperture.

The Committee agreed that an enforcement notice be served on Patrick MacLindon (owner and occupier) trading as MacLindon Building Contractors Limited and North Ayrshire's Developments Limited, 40 - 42 Charles Street, Largs requiring the removal of a door and windows as indicated.

#### **8. Planning Appeal Decision: Glebe Street (Rear of 39 Boglemart Street), Stevenston**

Submitted report by the Director of Planning, Roads and Environment on the outcome of a planning appeal in respect of an application for a change of use and alterations to the vacant store at Glebe Street (Rear of 39 Boglemart Street) Stevenston to form a Tea Room/Cafe.

The application was refused by the Development Control Sub-Committee at its meeting on 26 August, 1997, on the grounds that the proposed use would be detrimental to the interests of

road safety in that it would exacerbate existing traffic problems at the location.

The applicant appealed the decision and this appeal was subsequently upheld by the Reporter, who concluded that concerns about road safety and the fear of illegal on street parking did not represent sufficient grounds for the refusal of Planning Permission.

Noted.

### **9. Outstanding Applications for Planning Permission for Determination**

Submitted reports by the Director of Planning, Roads and Environment on the following applications:-

#### **(a) N/01/98/0247: Irvine, 71 High Street**

Linda Edge per Agent, has applied for planning permission for a change of use of a shop to a cafe with ancillary carry-out facility at 71 High Street, Irvine. The proposals were advertised both as being in a Conservation Area and potentially contrary to the Local Plan, and an objection was subsequently received from W.S. Thomson, DBS Dental Surgery, 79 High Street, Irvine.

After consideration of the terms of the objection, the Committee agreed to grant the application subject to the following conditions:-

1) That the premises shall be used as a Café with seating facilities only and for no other purpose with the exception of carry-out sales which shall be ancillary to the main use as a cafe.

2) That prior to the change of use taking place the applicant shall submit the details of refuse storage arrangements for the written approval of North Ayrshire Council as Planning Authority.

### **10. Road Improvements for Access to Rivergate Centre, Irvine and adjoining Areas**

Submitted report by the Chief Executive on the outcome of the Study Group's visit to the Rivergate Centre, Irvine, and adjoining areas, on 15th September 1998.

On 29th April 1998 the Committee (a) approved proposals for a joint project by the Council and Land Securities Properties Limited to improve access to the Rivergate Centre and adjoining areas; and (b) agreed to set up a Study Group to look at the proposals.

During the site visit, the Study Group inspected the works being undertaken by Dawn Developments Ltd to construct a new road between Merryvale Roundabout and Irvine Railway Station and acknowledged that the works proposed by Land Securities Properties, Ltd, and due to commence early in the New Year, to make the stretch of road between the Retail Park and the Rivergate Centre two-way, will complement the existing works and improve access to the Rivergate Centre and adjoining areas.

A Road Traffic Order, to effect the change from a one-way to a two-way system at this location, is being promoted by the Roads Section, and this will be the subject of report to the Infrastructure and Environment Committee in due course. Taxi operators in Irvine will also be consulted on the proposals.

Noted.

### **11. Building (Scotland) Act 1959/70: Determination of Application for Building Warrant**

Submitted report by the Director of Planning, Roads and Environment on an application for a Building Warrant in respect of premises at Westerfield, Whitefarland, Pirnmill, Isle of Arran (RFS/5/BW/97/1227).

The Committee agreed to refuse the application on the grounds that "the proposed development does not comply with the Building Standards (Scotland) Regulations 1990 as amended".

### **12. Proposed Extension of Public Water Supply into Kildonan, Isle of Arran Project**

Submitted report by the Director of Planning, Roads and Environment in respect of a request from West of Scotland Water for assistance in gauging the level of interest in extending the public water supply into Kildonan, Isle of Arran. Councillor Munn declared a pecuniary interest in this item and took no part in the discussion.

There are approximately 100 properties, both domestic and commercial in Kildonan which are presently served by private water supplies. The sources for these tend to provide a poorer water quality which is highly coloured and requires filtration and/or chlorination before consumption, and which even after treatment, can present health risks after periods of heavy rainfall etc., and are generally considered to be unreliable.

The former Cunninghame District Council raised the question of the public water supply on the main road to Kilmory being extended into Kildonan several years ago but it is only recently that such a scheme has appeared practicable in the light of work scheduled by West of Scotland Water.

In September 1998 West of Scotland Water advised the Council that it would be possible to incorporate a new extension into the Kildonan area as part of the new link main works to Kilmory, and requested the Council's assistance in ascertaining the level of interest from both domestic and non-domestic sectors on the possibility of a connection to the public water supply. A circular letter with a reply was subsequently issued by the Environment Section on 29th September and West of Scotland Water have now been advised that the Council wishes to participate in promoting the scheme and that contact has been made with the owners at Kildonan.

After discussion the Committee agreed to (a) reaffirm this support for the scheme as a means of enhancing the infrastructure and amenity of the village; and (b) homologate the action taken to date by the Director of Planning, Roads and Environment.

### **13. Ayrshire and Arran Tourism Industry Forum (A.&A.T.I.F.)**

Submitted report by the Director of Planning, Roads and Environment seeking approval of the new constitution of the Ayrshire and Arran Tourism Industry Forum.

A&ATIF was formed in 1993 as the Ayrshire Tourism Training Forum to raise the standards, and improve the performance, of tourism businesses in Ayrshire through the formulation and promotion of a strategy for leisure and tourism training. The Forum was relaunched in 1995 as the Ayrshire Tourism Industry Forum and adopted its present name in 1996.

A draft constitution for the Forum has now been drawn up, and an AGM will be held on 22 October 1998 to agree new articles of Constitution and to elect members of the Executive. North Ayrshire Council, as a named partner, is required to approve the constitution.

Following discussion on the promotion of tourism activity in Ayrshire generally and the role of Ayrshire Tourism Board in developing and promoting such activity throughout the whole of Ayrshire, the Committee agreed (a) to continue consideration of the matter pending a report by the

Director of Planning, Roads and Environment on the operation, costs and benefits of North Ayrshire's involvement with Ayrshire Tourism Board; and (b) that Councillor Clements should accompany Councillor Munn, the Council's representative, to a meeting involving the three Ayrshire authorities to discuss the Tourism Board's budget.

#### **14. Risk Awareness Course**

Submitted report by the Director of Planning, Roads and Environment on the development of a Risk Awareness Course for North Ayrshire Council drivers.

The Royal Society for the Prevention of Accidents recently launched a campaign on Managing Occupational Road Risk. The aim of the campaign is to highlight the dangers of road accidents to people who drive as part of their job and encourage employers to introduce such schemes designed to reduce this risk.

In North Ayrshire accident reports show that in addition to the five hundred members of the public who are killed or injured each year around one hundred insurance claims are received each month following accidents involving Council vehicles. Human error has been identified as a contributory factor in 95% of these cases and, as a result, it is proposed to introduce a pilot half day course for Council drivers which will identify the risks faced, the common causes of road accidents and the steps which can be taken to prevent them.

The Committee approved the development of the course.

#### **15. Urgent Items**

The Chair agreed that the following item of business be considered as a matter of urgency.

##### **(a) North Ayrshire Council (Various Street, Brodick) (Prohibition of Waiting) Order 1998**

The Head of Roads advised that discussions were ongoing to resolve some of the principal objections to the proposed Traffic Regulation Order in Brodick, and that the Sub-Committee meeting scheduled for 2 November, 1998 had been cancelled pending the outcome of these consultations and would only re-convened in the event that no progress is made in resolving the matter.

Noted.

The meeting ended at 3.20 p.m.