

**North Ayrshire Council (Planning Pre-Determination Hearing)  
4 March 2019**

**Irvine, 4 March 2019** - At a Special Meeting of North Ayrshire Council (Planning) at 11.00 a.m.

**Present**

Ian Clarkson, Robert Barr, John Bell, Timothy Billings, Marie Burns, Joe Cullinane, Scott Davidson, Todd Ferguson, Robert Foster, Scott Gallacher, Tony Gurney, Christina Larsen, Shaun Macaulay, Jean McClung, Ellen McMaster, Davina McTiernan, Tom Marshall, Jimmy Miller, Jim Montgomerie, Donald Reid, Donald L Reid, and John Sweeney.

**In Attendance**

A. Fraser, Head of Democratic Services and A. Craig, Senior Manager (Legal Services) (Chief Executive's Service); C. McAuley, Head of Service (Economic Growth) and J. Miller, Senior Manager Planning (Economy and Communities); and E. Gray, Committee Services Officer.

**Also in Attendance**

G. Pollock, Stevenston Community Council, B. Mortlock and A. Morrison (objectors); C. Amos and L. Cree, North Ayrshire Council, and B. O'Donnell, NORR Consultants Ltd (applicants).

**Chair**

Provost Clarkson in the Chair.

**Apologies for Absence**

Joy Brahim, John Easdale, Alex Gallagher, Ronnie McNicol, Ian Murdoch and Angela Stephen.

**1. Declarations of Interest**

In terms of Standing Order 10 and Section 5 of the Code of Conduct for Councillors, Councillor Sweeney, as a local resident who raised queries during the pre-application and application consultation exercises, declared an interest in Agenda Item 3.1. The nature of the interest in the context of the agenda item did not necessitate Councillor Sweeney leaving the meeting during consideration of this item.

Councillor McTiernan joined the meeting at this point.

**2. Pre-Determination Hearing**

The Senior Manager (Legal Services) summarised the purpose of the Pre-Determination Hearing process and the procedure which would be followed.

Councillor McClung jointed the meeting at this point.

### **3. 18/00882/PPM: Auchendarvie Playing Fields, Boglemart Street/ Saltcoats Road, Stevenston**

Ms Caroline Amos, Head of Service (Inclusion), North Ayrshire Council, and Mr Brian O'Donnell, NORR Consultants Ltd, addressed the Council in support of the application for planning permission for (1) the erection of an additional support needs school campus development comprising of nursery, primary and secondary departments together with the provision of vehicular and pedestrian access, parking, external play and sports facilities, polytunnel, landscaping and (2) the erection of residential and respite accommodation together with associated access, parking and landscaping at Auchendarvie Playing Fields.

Ms Amos provided a brief background into the project and discussed the objective of siting the development in a location in close proximity to an existing school, which has established public transport links and is near a town centre. Making reference to the school and residential and respite accommodation, she said the proposals would allow in excess of 200 users to feel a sense of belonging and inclusion as well as being a home for some. She asked the Council to consider these factors when determining the application.

Mr O'Brien then displayed slides showing maps and drawings of the proposed development and made reference to the changes which were made to the siting of the school building, site boundary and vehicular access point to the residential and respite units following a pre-application consultation. He went on to provide responses to concerns which had been raised due to the scale of the development resulting in the loss of open space and grass football pitches by highlighting that a large area of the site would remain accessible to the public, including the grass and all-weather sports pitches. He also made the point that the all-weather pitch would allow for greater use than the current pitches which have seen bookings reduce due to poor surface conditions and advised that sportsScotland were supportive of the application.

Mr O'Brien also discussed other factors which had been subject to consultations and studies, including road traffic levels, public transport provision, environmental factors including flooding and noise and dust pollution during construction, ecological impact and the design of the development. He informed the Council that consultation had taken place with the following organisations with no objections raised: sportsScotland, North Ayrshire Council Roads, North Ayrshire Council Flood Prevention, SEPA, Scottish Water and North Ayrshire Council Environmental Health.

Councillor Montgomerie joined the meeting at this point.

Mr Bill Mortlock and Mr Alastair Morrison, local residents, and Mr Gerard Pollock, Stevenston Community Council, then addressed the Council in support of their objections to the application.

Mr Mortlock informed the Council he would be raising the concerns which were originally intimated in a letter of objection submitted in October 2018 and these concerns could be divided into two categories: those which affect the residents to the north of the site, and those which affect Stevenston as a whole. He began by outlining the concerns for residents of properties neighbouring the site, including the anticipated levels of noise associated with construction and the ongoing use of a school and the

potential for increased anti-social behaviour in the wooded area between the site and Capon Craig Avenue, such as trespassing, vandalism to property and public consumption of alcohol. He went on to detail issues which would affect Stevenston as a whole, including poor drainage on the site which, following development, would lead to increased flooding, subsidence, increased road traffic in an area which currently experiences congestion at peak times and the impact this would have on road safety, loss of green space and sports facilities at a time where there is a national obesity crisis, and the impact on wildlife in both the grassy and woodland area. Mr Mortlock also referred to confusion around who owns the land, as well as a lack of publicity of the proposal and consultation with residents.

Councillor Larsen joined the meeting at this point.

Mr Pollock began by thanking the Senior Manager (Property Management and Investment) and the Project Manager for their attendance at Stevenston Community Council meetings to discuss the proposal. He went on to explain that the Community Council was not opposed to the project in general; however, there was a belief that the chosen site was not optimal for residents or pupils. He raised concerns over the loss of green space and sports facilities in the area, requires special pumping, past mine workings, playing fields underused because of neglect, and the effect of air pollution on vulnerable pupils of an ASN school. He also raised concerns about a feeling of neglect within Stevenston and lack of consultation on the proposal. He stated his belief that concerns around congestion associated with the proposed development had been glossed over by the applicant and that consultation with the wider public had been poor. Finally, Mr Pollock suggested that if planning permission were approved, then a working group should be established between the applicant, neighbouring residents and the applicant to ensure that ongoing concerns were addressed.

Councillor Bell joined the meeting at this point.

Mr Morrison indicated that he shared the concerns raised by the other speakers, adding that there was evidence of subsidence of the ground at his property which neighbours the proposed site.

Members then asked questions and received responses (shown in italics) from the parties in attendance, in relation to the following:-

- The location of sites which objectors believe would be more suitable for the development as mentioned during their representation.  
*Quarry Park, Ardeer Recreation Ground, Tracy's Yard, the shorefront or the former Kerelaw School site.*
- The proposed all-weather pitch and whether it meets the minimum size requirements as set out by sportscotland.  
*The pitch would comply with all regulations including the minimum dimensions.*
- *Ownership of the site.*  
*The Council has title to the site which is appropriate for the proposal.*

- The water holding tank which would be used to minimise the risk of flooding. *Underground attenuation tanks would be included in the development. These tanks collect rain water from the site and filter it to a degree before discharging it safely to the surface water sewers at a rate which would not cause flooding.*
- The concerns around increased traffic at peak times. *A road traffic survey was undertaken in conjunction with NAC Roads and this took account of the start and end time of the school day when traffic levels would be expected to increase. The results did not raise any reasons for NAC Roads to object to the application.*
- The footpath from Glen Crescent to Auchenhavrie Academy and whether this would have street lighting. *The proposal includes street lighting for the path. A planning condition has been recommended which requires the applicant to provide in writing details of all external lighting for the site within 12 months of approval.*
- The consultation exercises which were carried out. *Details of the consultation exercises were provided along with confirmation that the met all requirements for a development on this scale.*
- The sportscotland playing field protection policy, whether or not this had been adhered to and where the policy can be found. *The proposal adheres to the field protection policy and that a copy of the policy would be made available to Member's prior to the determination meeting.*
- Concerns which had been raised about the quality of the ground and instances of subsidence around the site. *Extensive ground surveys have been carried out around the site and have provided no results which would suggest the ground is not suitable for a development of this scale and size.*

On a point of order, Councillor Cullinane requested clarification on the material planning considerations which could be used to determine an application for planning permission and whether or not the presence of other potential sites in the area was relevant.

The Senior Manager (Planning) confirmed that the Council must consider the application as presented when making a determination.

The meeting ended at 11.55 a.m.