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## NORTH AYRSHIRE COUNCIL

24th June 2020

### Planning Committee

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**Title:** Update on Notice under Section 179 of the Town and Country Planning (Scotland) Act 1997: former Seafield School, Eglinton Road, Ardrossan

**Purpose:** To advise the Committee of progress with compliance with a Notice issued under Section 179 of the Town and Country Planning Act 1997

**Recommendation:** That the Committee notes the steps taken to ensure compliance with the requirements of the Notice.

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#### 1. Executive Summary

- 1.1 At the meeting of 4<sup>th</sup> September 2019, the Planning Committee granted authority for the issue of a Notice under Section 179 of the Town and Country Planning (Scotland) Act 1997, as amended, in relation to the former Seafield School, Eglinton Road, Ardrossan.
- 1.2 The Notice required: (i) the removal of all litter and refuse from the site; (ii) the movement of all demolition rubble to the north of the Seafield Stables building, the rubble to be stored so that it is not above the height of the boundary wall with Witches Lynn; and (iii) the boarding of all window and door openings with exterior grade plywood or similar in Seafield House and Seafield Stables, with the exception of those opening on the first floor of the eastern wing of the House (the fire damaged area.)
- 1.3 The Notice was issued on 24<sup>th</sup> September 2019. The Notice took effect on the 24<sup>th</sup> October 2019 as an appeal against the Notice was not made. The compliance period for the Notice expired on the 5<sup>th</sup> December 2019.
- 1.4 The requirements of the Notice have not been met. Litter and refuse remain on site, the rubble has not been moved and openings are not boarded. This report outlines the next step with regards the carrying out of the works by the Council.

#### 2. Background

- 2.1 The site is a vacant former school site with vacant buildings within it. The site comprises an area of approximately 3.44 hectares. The two most prominent buildings within the site are Category B Listed Buildings, in the centre Seafield House and on the western edge Seafield Stables.

- 2.2 The site was last used as a school but has been vacant since approximately June 2015. The gymnasium was granted planning permission in 2016 to be used as a health and fitness centre, separate from the wider site, and is currently in use as such. The site is within the settlement of Ardrossan in a prominent location on the western access to the town. The southern end of the site, between Seafield House and Eglinton Road is relatively flat, with the site rising to the north from behind Seafield House. There are residential properties to the east and west of the site.
- 2.3 The Council, as Planning Authority, has received several complaints regarding the site and has been monitoring the site since first receiving complaints in summer 2016. Complaints about the site have continued to be received including a petition which was considered by the Audit and Scrutiny Committee at the meeting of 26<sup>th</sup> March 2019. The Audit and Scrutiny Committee resolved that the Council undertake certain actions in relation to the site. These actions included that Amenity Notices be considered if the condition of the site continues to harm local amenity.
- 2.4 The Planning Committee met on 4<sup>th</sup> September 2019 and granted authority for the issue of a Notice ("Amenity Notice") under Section 179 of the Town and Country Planning (Scotland) Act 1997 ("the Act"), as amended. The Notice has been issued and has taken effect. The Notice has not been complied with within the time specified.
- 2.5 S.35 of the Act allows a Planning Authority to take direct action where any steps required by an Amenity Notice, have not been met within the time specified. The Council, as Planning Authority, may enter the land, take those steps and recover from the person who is the then owner any expense reasonably incurred.
- 2.6 Planning Services is seeking quotes for the work. It is envisaged that the boarding works will be carried out first, with refuse removal and re-siting of the rubble to follow. A quote for the boarding works is being sought from NAC Building Services and quotes for refuse removal and re-siting of the rubble will also be obtained. It is thought the boarding works will be around £1900. The works will then be instructed with work to commence as soon as it is safe to do so.

### **3. Proposals**

- 3.1 To take direct action under S.35 of the Town and Country Planning (Scotland) Act 1997, as amended, to meet the requirements of the Amenity Notice issued on 24<sup>th</sup> September 2019 in respect of the property.
- 3.2 Following the taking of direct action, it is proposed to seek the costs incurred by the Council from the land owner.

### **4. Implications/Socio-economic Duty**

#### **Financial**

- 4.1 The Council will seek to recover from the person(s) who is the then the owner or lessee any expenses reasonably incurred during the carrying out of these works. The estimated cost of any works is to be advised.

#### **Human Resources**

4.2 None

### **Legal**

4.3 The Notice, and any direct action arising therefrom, is in accordance with Statutory Regulations.

### **Equality/Socio-economic**

4.4 None

### **Environmental and Sustainability**

4.5 Compliance with the Notice will abate harm to local amenity

### **Key Priorities**

4.6 The Amenity Notice and direct action supports the Council Plan priority - "Vibrant, welcoming and attractive places,

### **Community Wealth Building**

4.7 The Notice and direct action would address complaints about the condition of the site. There is potential for direct action to be carried out by local companies.

## **5. Consultation**

5.1 None

RUSSELL McCUTCHEON  
Executive Director (Place)

For further information please contact **Iain Davies, Senior Development Management Officer**, on **01294 324 320**.

### **Background Papers**

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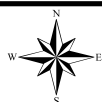
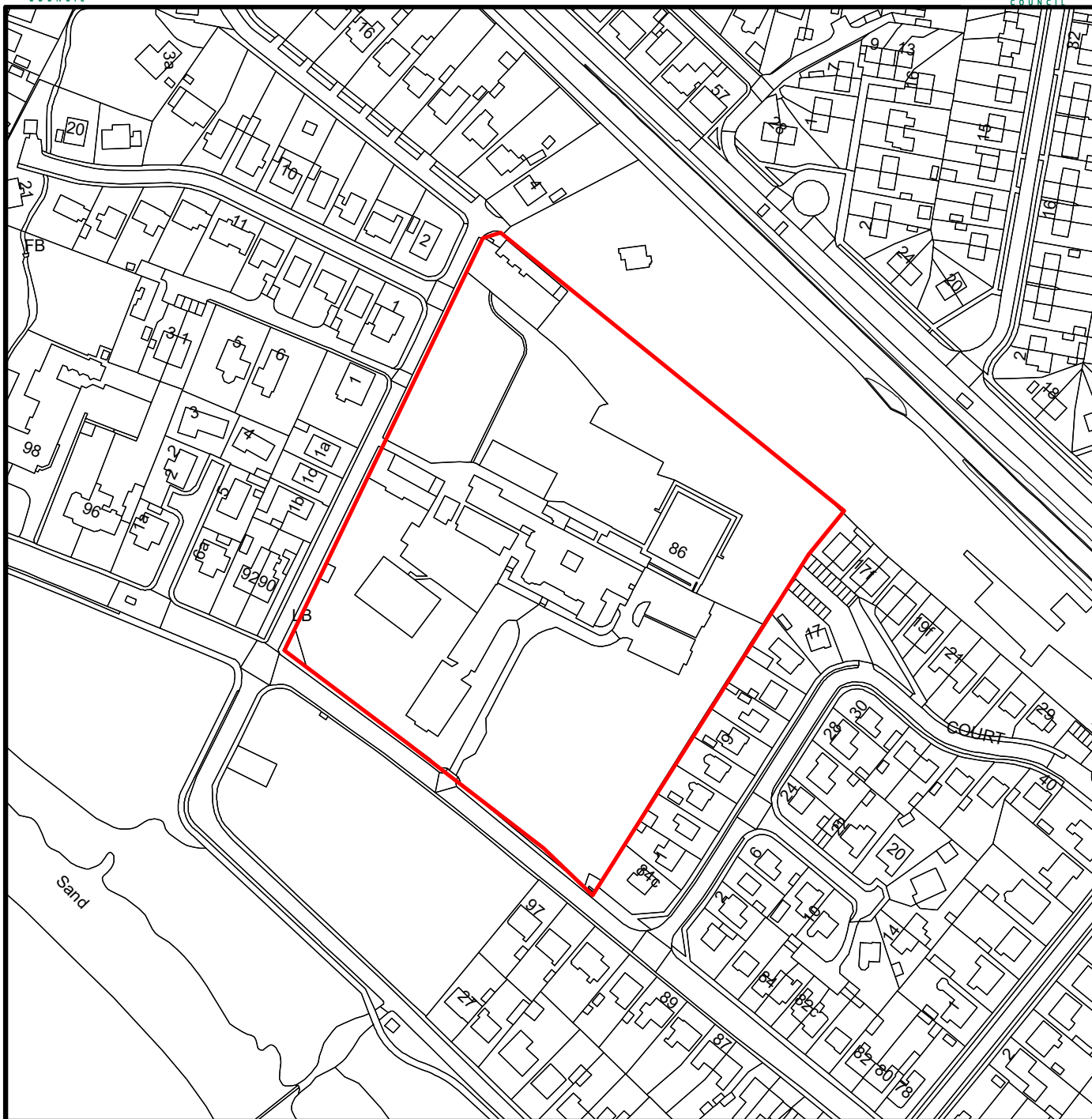


NORTH AYRSHIRE  
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# Former Seafield School, Eglinton Road, Ardrossan KA22 8NL



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