

Local Development Plan Committee

17 April 2018

Present

Alex Gallagher, Robert Barr, John Bell, Timothy Billings, Joy Brahim, Marie Burns, Joe Cullinane, Anthea Dickson, Todd Ferguson, Robert Foster, Margaret George, John Glover, Tony Gurney, Alan Hill, Christina Larsen, Shaun Macaulay, Jean McClung, Ellen McMaster, Ronnie McNicol, Davina McTiernan, Tom Marshall, Donald Reid, Donald L Reid and Angela Stephen.

In Attendance

K. Yeomans, Executive Director, C. McAuley, Head of Service (Economic Growth), J. Miller, Senior Manager (Planning) and N. McIlvanney, Strategic Planning Manager (Economy and Communities); A. Craig, Senior Manager (Legal Services), J. Law, Solicitor (Contracts and Licensing) and M. Anderson, Committee Services Team Leader and E. Gray, Committee Services Officer (Democratic Services).

Chair

Councillor Gallagher in the Chair.

Apologies for Absence

Ian Clarkson, Scott Davidson, John Easdale, Louise McPhater, Jimmy Miller, Jim Montgomerie, Ian Murdoch and John Sweeney.

1. Declarations of Interest

There were no declarations of interest by Members in terms of Standing Order 10 and Section 5 of the Code of Conduct for Councillors.

2. Minutes

The Minutes of the meeting of the Committee held on 12 June 2018 were confirmed and the Minutes signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

3. Local Development Plan 2: Proposed Local Development Plan and Development Plan Scheme

Submitted report by the Executive Director (Economy and Communities) seeking approval and to publish the Proposed Local Development Plan (PLDP) (and supporting documents) and proceed with public consultation. The Proposed Local Development Plan, consultation framework and timetable, and draft Action Programme, were appended to the report.

The Council has a statutory duty to adopt a Local Development Plan (LDP) every five years. This sets out the use strategy that directs development to the right location by allocating land for development and providing policies that guide the determination of planning applications. The Council would expect to adopt the updated LDP in 2019, following statutory consultation and examination by Scottish Ministers.

The strategic direction of the PLDP has been established through the Main Issues Report which was approved by the LDP Committee in January and June 2017. The plan has been developed to represent Corporate and Community Planning priorities, National Planning Framework and Scottish Planning Policy, and its content reflects engagement with technical stakeholders, developers, corporate stakeholders and communities.

The Senior Manager (Planning) outlined the PLDP to the Committee, providing information on:-

- the four strategic policies (Spatial Strategy, Placemaking Policy, Strategic Development Areas, and Delivering on Community Priorities);
- the settlement maps detailing land zoning;
- the detailed policies contained in the plan which tend to reflect national guidance; and
- proposals to allocate eight new areas across North Ayrshire for housing development with the potential to provide 1,053 new units.

The Committee was advised that, following the approval of the PLDP the contents would become material planning considerations when considering applications for planning permission.

Details were provided of an eight-week consultation, including statutory notification, advertisement and officer led consultation events, and the opportunity during this period for any group or individual to make written representations either supporting, objecting to, or generally commenting on the LDP. In the event of any fundamental issue being raised during this period, a modified PLDP would be presented to the LDP Committee for approval. If the consultation period ends with no fundamental issue being raised the PLDP would be submitted to Scottish Ministers for examination.

The Senior Manager (Planning) provided, for the Committee's information only, comments submitted by Councillor Murdoch in his absence about the proposed housing site in the Brisbane Glen Largs, the Peel Ports site at Clydeport, Hunterston, and the inclusion of a bio-mass or coal fired power station in the PLDP.

The Chair intimated his intention to invite the Administration to move the recommendations set out in the report, in principle, and, thereafter, allow Members to propose and vote upon amendments to the content of the PLDP. Councillor Cullinane, seconded by Councillor Foster, so moved.

The following amendments were proposed to the content of the PLDP:-

- (1) Councillor Barr moved that the PLDP be amended to (i) delete the additional housing allocation of 175 new homes on the A78 at the Portencross junction, referred to at page 51 of the PLDP, and (ii) add a site at Lawhill, West Kilbride. There being no seconder, Councillor Barr's proposed amendment fell.
- (2) Councillor Gurney, seconded by Councillor McMaster, moved that the PLDP be amended to (i) reflect an editorial change, to be made by officers, at page 116 of the PLDP, to provide a fuller and less restrictive description of Ardrossan

town centre and (ii) delete the site to the North West of Stanley Avenue, Ardrossan, from the Schedule of Regeneration Opportunities, referred to at page 114 of the PLDP.

Councillors Cullinane and Foster agreed to incorporate the proposed change into their motion.

- (3) Councillor Billings, seconded by Councillor Marshall, moved that the PLDP be amended to reflect an editorial change to be made by officers at section (g) on page 13 of the PLDP, to reflect that small-scale expansion outwith settlements should be the exception, with a clear presumption in favour of allocated land for housing in the first instance and an emphasis on the need for local community support for any exceptions.
- (4) Councillor Ferguson, seconded by Councillor Marshall, moved that the PLDP be amended to remove the site at Chapelhill Road, West Kilbride, for 70 new housing units, referred to at page 51 of the PLDP.

Following the receipt of information from the Senior Manager (Planning) on arrangements for developer contributions towards the cost of any increased demand for educational services deriving from additional housing on the sites in West Kilbride, Councillors Ferguson and Marshall agreed to withdraw their proposed change.

- (5) Councillor Hill, seconded by Councillor McTiernan, moved that the PLDP be amended to remove the site at Brisbane Glen Road, Largs, for 95 new homes, referred to at page 107 of the PLDP.
- (6) Councillor Burns, seconded by Councillor Macaulay, moved that the PLDP be amended to remove the reference to “new nuclear energy generation including a new reactor” referred to at page 23 of the PLDP.
- (7) Councillor Burns, seconded by Councillor McClung, moved that the PLDP be amended to remove in its entirety the text from “There is a strong presumption against proposals” to “in compliance with (ii)-(v) above” from page 105 of the PLDP.

Following discussion, Councillors Burns and McClung agreed to alter their proposed change, to replace their proposed deletion with the following text: “The Hunterston site will not accept storage of low level and intermediate level radioactive waste arising from other nuclear installations.”

Councillors Cullinane and Foster agreed to incorporate the proposed change into their motion.

- (8) Councillor Marshall, seconded by Councillor Ferguson, moved that the PLDP be amended to remove the words “and decommissioning (including oil and gas structures)” from page 23 of the PLDP.

- (9) Councillor Dickson, seconded by Councillor Larsen, moved that the PLDP be amended to restrict the reference to bio-mass energy generation at page 23 of the PLDP to the type of small-scale development for heat and power which would fall within the category of Local planning application.

Councillors Cullinane and Foster agreed to incorporate the proposed change into their motion.

In terms of Standing Order 5.7, the Chair adjourned the meeting for a short recess at 11.15 a.m. to allow Members to liaise with officers to seek advice on whether Councillor Billings' proposed editorial change constituted a formal amendment to the PLDP. The meeting reconvened at 11.35 a.m. with the same Members and officers present and in attendance.

Following discussion, the Committee agreed to note that the proposed amendment to the PLDP, relating to small-scale expansion of settlements on Arran and Cumbrae, constituted an editorial change only and that it could be remitted to officers, in consultation with local Members, to agree the detailed wording. Councillors Cullinane and Foster agreed to incorporate the proposed change into their motion.

Councillor Billings left the meeting at this point.

The Chair then presided over a number of divisions in respect of the proposed changes to the PLDP.

Councillor Cullinane, seconded by Councillor Foster, moved approval of the PLDP set out in the appendix to the report, subject to the changes set out at (2), (3), (7) and (9) above.

On a division, there voted for the proposed change (5) by Councillor Hill and seconded by Councillor McTiernan, 10, and for the motion, by Councillor Cullinane and seconded by Councillor Foster, 12. The motion was carried and became the substantive motion.

On a division and a roll call vote, there voted for the proposed change (6) by Councillor Burns and seconded by Councillor Macaulay, Councillors Brahim, Burns, Dickson, Gurney, Hill, Larsen, Macaulay, McClung, McMaster and McTiernan, and for the motion, by Councillor Cullinane and seconded by Councillor Foster, Councillors Barr, Bell, Cullinane, Ferguson, Foster, Gallagher, George, Glover, Marshall, McNicol, Donald Reid, Donald L. Reid and Stephen. The motion was carried and became the substantive motion.

On a further division, there voted for the proposed change (8) by Councillor Marshall and seconded by Councillor Ferguson, 5, and for the motion by Councillor Cullinane and seconded by Councillor Foster, 17. The motion was carried and became the substantive motion.

There being no further amendments with regard to the content of the PLDP, Councillor Cullinane, seconded by Councillor Foster, moved that the Committee agree to approve:-

- (a) the PLDP set out in Appendix 1 to the report, subject to the following changes:-
 - (i) an editorial change, to be made by officers, at page 116 of the PLDP, to provide a fuller and less restrictive description of Ardrossan town centre;
 - (ii) deletion of the site to the North West of Stanley Avenue, Ardrossan, from the Schedule of Regeneration Opportunities, referred to at page 114 of the PLDP;
 - (iii) an editorial change, to be made by officers, subject to consultation with local Members, at section (g) on page 13 of the PLDP, to reflect that small-scale expansion outwith settlements should be the exception, with a clear presumption in favour of allocated land for housing in the first instance and an emphasis on the need for local community support for any exceptions;
 - (iv) deletion in its entirety of the text from “There is a strong presumption against proposals” to “in compliance with (ii)-(v) above” from page 105 of the PLDP and its replacement with “The Hunterston site will not accept storage of low level and intermediate level radioactive waste arising from other nuclear installations”; and
 - (v) the bio-mass energy generation referred to at page 23 of the PLDP being restricted to the type of small-scale development for heat and power which would fall within the category of ‘local’ planning application
- (b) the publication of the PLDP and consultation in line with the consultation strategy set out in section 2.10 of the report, in accompaniment with the Environmental Report;
- (c) the updated Development Plan Scheme to reflect expected timescales and consultation strategy for the remainder of the LDP process; and
- (d) the draft Action Programme as the basis for developing a comprehensive strategy for managing and monitoring progress to implement the Local Development Plan.

There being no amendment, the motion was declared carried. Councillor Barr requested that his dissent be recorded.

The Meeting ended at 12.30 p.m.