

Planning Committee
5 September 2012

IRVINE, 5 September 2012 - At a Meeting of the Planning Committee of North Ayrshire Council at 2.00 p.m.

Present

Matthew Brown, Elizabeth McLardy, Robert Barr, John Bell, John Bruce, Joe Cullinane, John Ferguson, Ronnie McNicol, Tom Marshall and Jim Montgomerie.

In Attendance

J. Miller, Senior Planning Services Manager, K. Smith, Senior Planning Officer, D Hammond, Team Manager (Development Plans) and J. Law, Solicitor (Contracts and Conveyancing) (Corporate Services); K. Dyson, Communications Officer and D. McCaw, Committee Services Officer (Chief Executive's Service).

Chair

Councillor Brown in the Chair.

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 Minutes of the previous meeting of the Committee held on 15 August 2012 were signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

3. Isle of Arran

12/00174/PP: Brodick: Springbank: Site to the east of Belmont

John Thomson Construction, Lamlash, Isle of Arran has applied for planning permission for the erection of detached dwellinghouse on plot 4 at a site to the east of Belmont, Springbank, Brodick. Five letters of objection have been received, as detailed in the report.

A site familiarisation visit was undertaken by the Planning Committee on 20 August 2012 in respect of this application.

The Senior Planning Services Manager advised of a further condition in relation to the pedestrian route across the site from Alma Road to Brathwic Place (condition 16).

The Committee, having considered the terms of the objections, agreed to grant the application subject to the following conditions:-

1. That the footpath corridor along the rear (west) boundary of the site shall be widened to 5.5m and the existing turning area at the south-west corner of the site shall be excluded from the application site. Prior to the commencement of the development the applicants shall submit for the written approval of North Ayrshire Council as Planning Authority, a revised site plan showing the widened section of footpath, including associated landscaping and also the turning area excluded from the site. Thereafter the site boundaries shall be formed in accordance with the revised site plan, all to the satisfaction of North Ayrshire Council as Planning Authority.
2. That prior to the occupation of the dwellinghouse hereby approved, the footpath connecting the principal site access road with Springbank Terrace shall be constructed to adoptable standard which shall be surfaced in tarmac and shall include lighting, all to the satisfaction of North Ayrshire Council as Planning Authority.
3. That no development shall take place until there has been submitted to and approved by North Ayrshire Council as Planning Authority, a revised scheme of landscaping to take account of the changes to the site boundary required by Condition 1 above; the revised proposals shall include details of the fencing to be employed to protect the three trees within Plot 4 to the west of the proposed house which fencing shall be erected prior to the commencement of the development and shall be maintained throughout the period of construction, to the satisfaction of North Ayrshire Council as Planning Authority.
4. That unless North Ayrshire Council as Planning Authority gives written consent to any variation, all planting, seeding or turfing comprised in the approved revised details of landscaping shall be carried out in the first planting season and seeding seasons following the occupation of the house or completion of the development, whichever is the sooner; and any trees or plants which, within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species.
5. That no trees or hedges on the site shall be felled or lopped without the prior written approval of North Ayrshire Council as Planning Authority.

6. That notwithstanding the permission granted by Article 3 of and Classes 1(A), 1(B), 3(A), 3(B), 3(C), 3(D) of Part 1 of Schedule 1 of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (or any Order revoking or re-enacting that Order) the express approval of North Ayrshire Council as Planning Authority shall be required in respect of any development within the curtilage of the dwellinghouse.

7. That no development shall commence on plot 4 until the applicants' programme of Knotweed eradication from the site, dated 5 July, 2012 has been demonstrated to be effective, to the satisfaction of North Ayrshire Council as Planning Authority.

8. That prior to the occupation of the dwellinghouse hereby approved, a temporary turning head shall be formed to the south of Plot 4, details of which shall be submitted for the written approval of North Ayrshire Council as Planning Authority prior to the commencement of the development.

9. That prior to the occupation of the dwellinghouse hereby approved, the access road and pavement serving the dwellinghouse and plots 1 - 3 to the north shall be constructed to adoptable standards and in accordance with the details shown on the site plan hereby approved, to the satisfaction of North Ayrshire Council as Planning Authority.

10. That the first two metres of the access, measured from the heel of the footway shall be hard surfaced in order to prevent deleterious material being carried onto the carriageway and designed in such a way that no surface water shall issue from the access onto the carriageway.

11. That prior to the occupation of any of the dwellinghouses and where Council adoption of open space areas is not to be pursued, there shall be submitted for approval of North Ayrshire Council as Planning Authority, details of the proposed factor or management agency and a landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all open space areas. The landscape management plan shall be carried out in accordance with the approved details unless the prior written approval of North Ayrshire Council as Planning Authority is obtained for any variation, and the agreed agency shall only be changed with the agreement of North Ayrshire Council as Planning Authority.

12. That prior to the commencement of the development, hereby approved, details of a scheme to treat the surface water arising from the site in accordance with the principles and practices contained in CIRIA's "Sustainable Urban Drainage Systems Manual", published in March 2007, shall be submitted to, and approved by North Ayrshire Council as Planning Authority. Thereafter any scheme that may be approved shall be implemented prior to the completion of the development and maintained thereafter to the satisfaction of North Ayrshire Council as Planning Authority.

13. That the presence of any significant unsuspected contamination that becomes evident during the development of the site shall be brought to the attention of Environmental Health. Thereafter a suitable investigation strategy as agreed with North Ayrshire Council shall be implemented and any necessary remediation works carried out prior to any further development taking place on the site, all to the satisfaction of North Ayrshire Council as Planning Authority.

14. That prior to the commencement of the development the applicants shall submit, for the written approval of North Ayrshire Council as Planning Authority, exact details of the design and finish to all boundary fencing and retaining walls. Prior to the occupation of the dwellinghouse, hereby approved, the boundary fencing and retaining walls, as may be approved, shall be erected and thereafter maintained to the satisfaction of North Ayrshire Council as Planning Authority.

15. That prior to the commencement of the development the applicant shall submit for the written approval of North Ayrshire Council as Planning Authority, revised proposals for the siting and design of the south facing rooflights, to minimise the degree of overlooking of the properties to the rear. Prior to the occupation of the dwellinghouse, hereby approved, the revised proposals, as may be approved, shall be implemented to the satisfaction of North Ayrshire Council as Planning Authority.

16. That within two weeks of the date of this permission the pedestrian route across the site from Alma Road to Brathwic Place shall be re-opened, including the provision of appropriate safety fencing and maintained thereafter throughout the duration of the development with the exception of the period during which the construction of the access road, footpaths and temporary turning facility serving the development takes place when users shall be temporarily diverted to the route between Springbank Terrace and Alma Road, all to the satisfaction of North Ayrshire Council as Planning Authority.

4. Irvine/Kilwinning

4.1 12/00400/PP: Irvine: Girdle Toll: Site to the South East of 4 Overton Place

Robert Paterson, 4 Nevis Way, Bourtreehill North, Irvine has applied for planning permission for the erection of two storey end terraced dwellinghouse and alteration to existing car parking at a Site to the South East of 4 Overton Place, Girdle Toll.

The Senior Planning Services Manager advised on 3 objections received in respect of this application.

The Committee, having considered the terms of the objections, agreed to grant the application subject to the following conditions:-

1. That, prior to the formation of the new vehicular access, one additional on street parking space as detailed on the approved block plan, shall be formed in accordance with the Roads Development Guide and thereafter maintained to the satisfaction of North Ayrshire Council as Planning Authority. For the avoidance of doubt, a drop kerb footway shall be formed as detailed in sections 5.2 & 10.8 (and Fig 10.16) of the Roads Development Guidelines. (driveway access footway crossing).
2. That a minimum of 2 parking spaces shall be formed and maintained within the confines of the site.

4.2 11/00002/PPM: Kilwinning: Torranyard: Site to South of Viewfield Manor Holiday Village

Mr S. Jackson, Viewfield Manor Holiday Village, Torranyard, Kilwinning has applied for planning permission for a 196 unit extension to existing holiday village incorporating new public access road at a Site to South of Viewfield Manor Holiday Village. Two representations have been received.

The Committee, having considered the terms of the representations, agreed to grant the application subject to the following conditions:-

1. The occupancy of any caravans shall be limited to 11 months in any one year and shall not be used as permanent residential dwellings.
2. Prior to commencement of development a timetable for the provision of the proposed access, including the right turn lane, and associated upgrades, off and to the A736, shall be agreed in writing with North Ayrshire Council as Planning Authority, thereafter the access shall be constructed and available for use in line with that approved timetable.
3. Prior to the commencement of development details shall be submitted showing the form and locations of advisory notices and signs giving direction to cyclists and pedestrians regarding public transport, responsible access, local path networks and 'quiet roads', for the prior written approval of North Ayrshire Council as Planning Authority. Thereafter such approved details shall be provided prior to the first use of the approved facility.
4. No development shall take place within the development site as outlined in red on the approved plan until the developer has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted by the applicant, and approved by North Ayrshire Council as Planning Authority. Thereafter the developer shall ensure that the programme of archaeological works is fully implemented and that all recording and recovery of archaeological resources within the development site is undertaken to the satisfaction of the Planning Authority.

5. The small scale mitigation measures recommended in the Environmental Statement, submitted in support of the application, shall be undertaken to the satisfaction of North Ayrshire Council as Planning Authority.

6. That the presence of any significant unsuspected contamination that becomes evident during the development of the site shall be brought to the attention of Environmental Health. Thereafter a suitable investigation strategy as agreed with North Ayrshire Council shall be implemented and any necessary remediation works carried out prior to any further development taking place on the site, all to the satisfaction of North Ayrshire Council as Planning Authority.

7. Prior to the commencement of development a programme for the undertaking of the proposed landscaping and planting schemes, including future maintenance arrangements, shall be submitted for the prior written approval of North Ayrshire Council as Planning Authority. Thereafter such an approved programme shall be implemented to the satisfaction of North Ayrshire Council.

8. Prior to the commencement of development full details of the proposed children's play facilities, dates for provision and future maintenance arrangements, shall be submitted for the prior written approval of North Ayrshire Council as Planning Authority. Such facilities should cater for a range of age groups and should be complementary to any other facilities within the wider site. Thereafter such approved details shall be implemented to the satisfaction of North Ayrshire Council.

9. For the avoidance of doubt the landscaping alongside the route of the A736 shall be planted to a minimum depth of 5 metres and thereafter retained, all to the satisfaction of North Ayrshire Council as Planning Authority.

4.3 12/00228/PPM: Irvine: Broomlands: St Kilda Bank: Broomlands Primary School

North Ayrshire Council, Education and Skills, Cunninghame House, Irvine have applied for planning permission for the demolition of existing primary school and erection of new primary school with associated external hard and soft landscaping, car parking, playgrounds, sprinkler tank enclosure, substation enclosure, external bin store, external equipment store, gas meter housing, CCTV cameras and external lighting at Broomlands Primary School, St Kilda Bank, Broomlands.

The Committee agreed to grant the application subject to the following conditions:-

1. Prior to the commencement of the use of the school, hereby approved, a footway with a minimum width of 3m, and preferably 4m, along the frontage of the site shall be provided to the satisfaction of North Ayrshire Council as Planning Authority. Details of such improvements shall be submitted for the approval in writing, of North Ayrshire Council as Planning Authority.

2. Prior to the commencement of the use of the school, hereby approved, road narrowing works at key pedestrian crossing points on St Kilda Bank, shall be provided to the satisfaction of North Ayrshire Council as Planning Authority. Details of these works shall be submitted for the approval in writing of North Ayrshire Council as Planning Authority.
3. Prior to the commencement of the use of the school, hereby approved, pedestrian and cycling routes to the school shall be assessed and if necessary improved/widened as required. Details of any improvements shall be submitted for the approval in writing of North Ayrshire Council as Planning Authority.
4. Prior to the commencement of the use of the school, hereby approved, additional car parking shall be provided, within reasonable walking distance of the school, to meet the required capacity. Details of the improvements shall be submitted for the approval in writing of North Ayrshire Council as Planning Authority.
5. Prior to the commencement of the use of the school, hereby approved, the measures identified within the proposed Travel Plan, as outlined in the submitted Transport Statement, shall be implemented and thereafter maintained and reviewed on a regular basis. Details of the final Travel Plan shall be submitted for the approval in writing of North Ayrshire Council as Planning Authority.
6. Prior to the commencement of the use of the school, hereby approved, a minimum of 60 cycle parking places for pupils and 10% for staff and ancillary facilities, shall be provided to the satisfaction of North Ayrshire Council as Planning Authority. Details of these facilities shall be submitted for the approval in writing of North Ayrshire Council as Planning Authority.
7. Prior to the commencement of the use of the school, hereby approved, the 20 mph zones at the school shall be extended to an agreed standard. Details of the extended zones shall be submitted for the approval in writing of North Ayrshire Council as Planning Authority.
8. Prior to the commencement of the use of the school, hereby approved, details of the kitchen ventilation arrangements shall be submitted for the approval in writing of North Ayrshire Council as Planning Authority.
9. Prior to the commencement of the development, hereby approved, full details of the revised landraising works within the floodplain and the compensatory storage provision shall be submitted for the approval in writing of North Ayrshire Council as Planning Authority. Thereafter the details, as may be approved, shall be implemented within an agreed timescale to the satisfaction of North Ayrshire Council as Planning Authority.

10. Prior to the commencement of the use of the school, hereby approved, details of the upgrades to the sports pitches to the south shall be submitted for the approval in writing of North Ayrshire Council as Planning Authority. Thereafter the upgrades, as may be approved, shall be implemented to the satisfaction of North Ayrshire Council as Planning Authority.

11. The proposed landscaping and planting works shall be undertaken during the first available planting season to the satisfaction of North Ayrshire Council as Planning Authority, unless otherwise agreed in writing by North Ayrshire Council as Planning Authority.

12. The details contained within the Noise Assessment Report, submitted in support of the application, shall be implemented to the satisfaction of North Ayrshire Council as Planning Authority.

5. Enforcement Notice: Ardrossan: 1 Montfode Court

Submitted report by the Solicitor to the Council on the serving of an Enforcement Notice to remove an unauthorised shed.

On 12 August 2010, a complaint was received regarding the siting of a shed erected forward of the northern elevation of the property at 1 Montfode Court, Ardrossan. An application for planning permission to retain the shed was refused on 20 December 2010. A subsequent application for a Notice of Review was submitted outwith the statutory timeframe. The owner of the property was contacted on 10 January and 11 July 2011 and advised that, as the shed had not yet been removed, formal enforcement action would be commenced. A site inspection on 16 July 2012 confirmed that the shed had not been removed.

The Committee agreed, in the interests of the amenity of the area, to approve the serving of an Enforcement Notice in terms of Section 127(1) of the Town and Country Planning (Scotland) Act 1997 to secure the removal of shed at 1 Montfode Court, Ardrossan.

The meeting ended at 2.40 p.m.