

Planning Committee
16 June 2021

At a Meeting of the Planning Committee of North Ayrshire Council at 2.00 p.m. involving participation by remote electronic means.

Present

Tom Marshall, Timothy Billings, Ian Clarkson, Robert Foster, Christina Larsen, Ellen McMaster and Donald Reid.

In Attendance

J. Miller, Chief Planning Officer, A. Gemmell, Strategic Planning Manager, L. Dempster, Technician, K. Gee, Technician (Planning); A. Craig, Senior Manager (Legal Services); and C. Stewart and A. Little, Committee Services Officers (Chief Executive's Service).

Apologies

Robert Barr, Shaun Macauley and Ronnie McNicol.

Chair

Councillor Marshall in the Chair.

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 Planning Committee held on 19 May 2021 were confirmed and the Minutes signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

3.1 21/00055/PP: Fir Trees, Lamlash, Brodick KA27 8JN

Ms Penny Albrich has applied for planning permission for the erection of two four-bedroom detached dwellinghouses on the site of a former bungalow at Fir Trees, Lamlash, Brodick, Isle of Arran KA27 8JN. Two objections were received and summarised in the report.

Councillor Marshall, seconded by Councillor Billings, moved to grant the application subject to conditions.

There being no amendment the motion was declared carried.

Accordingly, the Committee agreed to grant the application subject to the following conditions:

1. That, prior to the occupation of the first of the houses hereby approved: (i) the first 2 metres of the access measured from the junction with the public road shall be hard surfaced and designed in such a way as to prevent the discharge of surface water or loose materials onto the surface of the public road; (ii) sufficient visibility splays to both sides of the access shall be provided and maintained thereafter on land within the developers control; and (iii) a Road Opening Permit shall be obtained by the developer prior to these works. All of the above shall be to the satisfaction of North Ayrshire Council as planning authority.
2. That, prior to the commencement of the development hereby approved, details of an appropriate storage and collection point for refuse from the development shall be submitted for the written approval of the planning authority. The development shall not commence until written approval of the details has been received and the development shall thereafter be completed only in accordance with the approved details, all to the satisfaction of North Ayrshire Council as planning authority.
3. That the developer shall secure the implementation of an archaeological watching brief, to be carried out by an archaeological organisation acceptable to North Ayrshire Council as Planning Authority, during all ground disturbance. The retained archaeological organisation shall be afforded access at all reasonable times and allowed to record and recover items of interest and finds. Terms of Reference for the watching brief will be supplied by West of Scotland Archaeology Service. The name of the archaeological organisation retained by the developer shall be given to North Ayrshire Council as Planning Authority in writing not less than 14 days before the development commences.
4. That, prior to the commencement of the development hereby approved, details of obscured glazed screening to the north and south sides of the rear balconies and the south sides of the front balconies of both properties, which shall be adequate to protect the privacy of neighbouring properties to the south, shall be submitted for the written approval of the planning authority and that the development shall thereafter be completed and maintained, only in accordance with the approved details, all to the satisfaction of North Ayrshire Council as planning authority.
5. That prior to the commencement of the development hereby approved, details of the heat and power system for the houses, which shall include low and/or zero carbon technologies to demonstrate that at least 10% of the current carbon emissions reduction set by Scottish Building Standards will be met, shall be submitted for the written approval of North Ayrshire Council as Planning Authority. Thereafter, the development shall be implemented only in accordance with such details as may be approved unless otherwise agreed in writing with North Ayrshire Council as Planning Authority.
6. That prior to the commencement of the development hereby approved, full details of: (i) all boundary treatments; and (ii) any proposed artificial lighting to be installed on the site shall be submitted for the written approval of the planning authority. The development shall thereafter be completed only in

accordance with such details as may be approved and maintained as such unless the written agreement of the planning authority is obtained, all to the satisfaction of North Ayrshire Council as planning authority.

7. That, prior to the commencement of the development hereby approved, full details of a scheme of landscaping for the site, including details of the proposed use of or removal from the site of the mounded demolition spoil in the centre of the site, shall be submitted for the written approval of North Ayrshire Council as planning authority. For the avoidance of doubt, an ecological consultant shall be engaged in the preparation of the landscaping scheme to ensure that the habitat features, including the watercourse, of the site are protected and maintained.
8. That the details of the proposed drainage and private foul sewer arrangements for the houses, certified by an appropriately qualified person, shall be provided for the written agreement of the planning authority prior to the commencement of the development hereby approved and that the siting and outflow of sewage shall take account of advice received from SEPA and be completed to the satisfaction of North Ayrshire Council as planning authority prior to the occupation of the dwellinghouses hereby approved.
9. That the Recommendations in Section 4.2 2 of the Otter Survey Report dated 17th May 2021 and prepared by Erik Paterson of EP Ecology Ltd shall be followed and fully adhered to in the construction phase of the development hereby approved and that the presence of any Protected Species encountered shall be reported to NatureScot for licensing or action as required, all to the satisfaction of North Ayrshire Council as planning authority.

Note: Councillor Foster left the meeting at this point in the proceedings.

4. Policy Guidance Note: Housing in the Countryside

Submitted report by the Chief Planning Officer on the consultation on the draft Housing in the Countryside Policy Guidance Note. The Housing in the Countryside policy guidance note was set out at Appendix 1 and the draft Policy Guidance Note set out at Appendix 2 to the report.

The Chief Planning Officer advised the Committee of the need to produce guidance on Housing in the Countryside as part of a wider review of the Council's existing Planning Guidance to ensure all policies and decision-making are in line with Local Development Plan 2 following its adoption in November 2019.

Members asked questions and were provided further information in relation to:

- Concerns relating to some aspects of the legislation listed, and particularly around permitted development rights in respect of forestry and agricultural buildings.

Councillor Billings, seconded by Councillor Marshall, moved to approve the report, subject to the amendment of Paragraph 3.11 in Appendix 1 (Housing in the Countryside – Policy Guidance Note) to remove the reference to Registered Social Landlord in this section.

As an amendment, Councillor McMaster, seconded by Councillor Reid, moved to agree the report recommendations and to (a) note the detail of the six-week consultation undertaken on the draft Policy Guidance Note set out at Appendix 2 to the report; and (b) approve the Housing in the Countryside policy guidance note set out at Appendix 1 to the report, which would be a material consideration in the determination of future planning applications relating to housing in the countryside.

On a division and a roll call vote, there voted for the amendment, Councillors Clarkson, Larsen, McMaster and Reid (4) and for the motion, Councillors Billings and Marshall (2), and the amendment was declared carried.

5. Local Place Plans – proposals for regulations

Submitted report by the Executive Director (Place) on the introduction of Local Place Plans with proposed response to the consultation set out in Appendix 1 to the report.

Members asked questions and were provided further information in relation to:

- the potential effect of local place plans being contradictory to the Local Development Plan and/or the National Islands Plan and variances that could occur between different local place plans in a locality, as well as development of local islands plans, and how any conflicts could be addressed in this respect.

The Committee unanimously agreed to approve the proposed response to the consultation on proposals for Local Place Plan regulations set out at Appendix 1 to the report.

6. Planning Performance Framework

Submitted report by the Executive Director (Place) on the 2020/2021 Planning Performance Framework Report set out at Appendix 1 to the report.

The Committee agreed to (a) note the content of the latest Planning Performance Framework report set out at Appendix 1 to the report; and (b) approve the submission to Scottish Government.

The meeting ended at 3.30 p.m.