

Planning Committee
1 December 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, Robert Barr, Ian Clarkson, Robert Foster, Christina Larsen, Shaun Macaulay, Ellen McMaster and Ronnie McNicol.

In Attendance

J. Miller, Chief Planning Officer, A. Gemmell, Strategic Planning Manager, L. Dempster and K. Gee, Technicians (Planning) (Economic Development and Regeneration); J. Law, Solicitor (Legal Services) and A. Little and C Stewart, Committee Services Officers (Chief Executive's Service).

Apologies

Donald Reid

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 3 November 2021 were confirmed and the Minutes signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

3. 21/00961/PPP: Bridgend Mill Site No 3 Bridgend Dalry Ayrshire

Telford Three Ltd have applied for planning permission in principle for a residential development on vacant land at Bridgend, Dalry. Five representations were received and were summarised in the report.

The Committee asked questions in relation to the maximum number of units on the site and was advised that the indicative number for the site was included in the Local Development Plan and reference to the maximum number could be removed from Condition 1.

The Chief Planning Officer advised of further information that had been received from the Council's Flooding Officer that could be incorporated into Condition 1 in the event the Committee granted the application.

The Committee unanimously agreed to grant the application, subject to the following conditions:

1. That the approval of North Ayrshire Council as Planning Authority with regard to layout, siting, design, external appearance and landscaping shall be obtained before the development is commenced, taking into account all other conditions in this planning permission and including the following: - The site layout plan shall ensure that no houses (including their associated curtilages) nor access roads shall be constructed within those parts of the site that have been identified as being at risk of flooding during a 1 in 200 year event (plus climate change) in the submitted Flood Risk Assessment by Dougall Baillie Associates dated September 2021 and to be verified by the Final Updated Fluvial flood model information (which is expected to be ready by summer 2022) to accurately confirm finished floor level. For the avoidance of doubt, the finished floor levels of all housing within the development shall accord with at least the minimum levels recommended as per above.
2. That the details of the development as required under condition 1 shall generally accord with the submitted Masterplan/Design and Access Statement prepared by Denham Benn Architects, and shall include details of SuDS, flood risk areas, public open space, access arrangements for the riverbank area, landscaping (including replacement trees), outdoor play space, curtilage and visitor parking, boundary treatments and bin storage. Street design shall accord with the principles of Designing Streets and the Council's Roads Development Guide, all to the satisfaction of North Ayrshire Council as Planning Authority.
3. To inform the detailed proposals of the development, the following environmental investigations/studies shall be carried out by suitably qualified persons with reports and recommendations submitted for the consideration and approval of North Ayrshire Council as Planning Authority: - a desk study of the application site, (including the review of any previous site investigations) to assess the likelihood of contamination and assist in the design of an appropriate site investigation and subsequent suitable quantitative risk assessment. Remediation proposals shall also be presented in relation to any significant findings. All documentation shall be verified by a suitably qualified Environmental Consultant and submitted to the satisfaction of North Ayrshire Council as Planning Authority. - Demonstration that the increased road traffic, generated as a result of the development, shall not have a detrimental effect on the local air quality or result in an increase in concentrations of atmospheric pollutants such that statutory Air Quality Objectives would be exceeded at any location of relevant public exposure. - a noise impact assessment together with details of any mitigation measures required to achieve the noise targets set out below for implementation in the layout, design and construction of the proposed housing. The following external noise targets shall be achieved at the curtilage of the proposed residential properties: a) During daytime hours between 0700 and 2300hrs the noise level (LAeq 16 hour) from rail transport must not exceed 50 dB. As a minimum if this external target cannot be achieved, the proposed residential properties should be designed and constructed in such a way that an internal level of 35 dB can be achieved (window open for ventilation); b) During night-time hours between 2300 and 0700hrs the noise level (LAeq 8 hour) from rail

transport must not exceed 40dB. As a minimum if this external target cannot be achieved, the proposed residential properties should be designed and constructed in such a way that an internal level of 30 dB can be achieved (window open for ventilation).

4. That the site layout and design details as required under condition 1 shall identify a buffer zone for wildlife and habitats alongside the River Garnock and on the southern boundary of the site between the Garnock Bridge parapets and 5 - 7 Bridgend. The buffer zone shall be designed to meet the requirements of Policy 22 (Water Environment) of the adopted North Ayrshire Local Development Plan and shall be safeguarded during the course of development against tree felling and ground disturbance, other than the removal of surface rubble and redundant masonry walls. It shall be a requirement of the detailed site plan to protect and enhance the ecological status of the riparian habitats on the site, including details of measures to promote and safeguard these aims upon the completion of the development.
5. That all recommendations contained in the Ecological Constraints Report and Preliminary Roost Assessment by Wild Surveys Ltd dated August 2020 shall be taken into account in the detailed design for the development of the site and shall be implemented during all subsequent clearance and construction works on the site to the satisfaction of North Ayrshire Council as Planning Authority.
6. That prior to the commencement of the development hereby approved, details of the heat and power system for the house, 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 the 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.
7. That the site access junction details with Bridgend as illustrated on DBA drawing no. 21126-SK-04 are hereby approved in detail. Visibility splays of 2.5 metres by 70 metres, in both directions shall be provided and maintained at the junction with Bridgend. No item with a height greater than 1.05 metre above adjacent carriageway level must be located within these sightline triangles. The road access into the site shall not be constructed until the approval of the other matters specified in conditions and subject to Road Construction Consent and a Road Opening Permit being obtained beforehand.
8. 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.

4. Hunterston PARC Development Framework

Submitted report by the Executive Director (Place) on the development framework for Hunterston PARC which had been prepared and submitted to the Council by site owners Peel Ports Group. The development framework sought to inform detailed proposals for Hunterston by highlighting important considerations and establishing a layout for the site and, if approved, would be a material consideration in the determination of future planning applications for the site. The Development Framework was attached at Appendix 1 to the report.

The Committee agreed to approve the Hunterston Development Framework which would inform proposals and be a material consideration in the determination of future planning applications for the site.

5. Notice under Section 145 of the Town and Country Planning (Scotland) Act 1997: Site to East of Castlepark Gardens, Fairlie

Submitted report by the Executive Director (Place) seeking approval to serve a Notice under Section 145 of the Town and Country Planning (Scotland) Act 1997 requiring compliance with Condition 7 of planning permission 19/00506/PP on the installation of play facilities at the site to the east of Castlepark Garden, Fairlie.

The Chief Planning Officer advised the Committee that Condition 7 required the play facilities to be installed prior to the occupation of Plot 25 or 26 of the development and both plots had now been occupied for approximately 9 months

The Committee unanimously agreed, in the interest of the amenity of the area and to ensure appropriate play facilities, to approve the service of a Notice under Section 145 of the Town and Country Planning (Scotland) Act 1997 to require the installation of the play facilities.

Councillor McNicol left the meeting at this point.

6. Urgent Item

The Chair agreed that the following item be considered as a matter of urgency to allow the Committee to be updated timeously.

7. Planning Performance Framework – Feedback

Submitted report by the Executive Director (Place) on the feedback received from the Scottish Government on the Planning Performance Framework (PPF) 2020/21.

The report advised that the PPF captured key elements of a Planning Service's performance and reported on a range of qualitative and quantitative indicators, including agreed performance markers on which the Scottish Government provided feedback. Using Red, Amber, Green ratings based on the evidence provided within the PPF reports, it was noted that the Planning Service had been rated 'green' against all relevant markers for a second consecutive year. The PPF highlighted how the

service adapted to continue to provide exceptional application determination timescales, implemented the recently adopted Local Development Plan and responded to the wider reform of the planning system in Scotland. Examples of regular and proportionate policy advice, corporate working across services and sharing good practice, skills and knowledge were recorded by the Scottish Government.

The Committee congratulated the Planning Team for their achievements and excellent work throughout the pandemic which had been recognised by the Scottish Government.

Noted.

The meeting ended at 2.45 p.m.