

Planning Committee  
24 October 2012

**IRVINE, 24 October 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 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.

**Apologies for Absence**

John Bell.

**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 26 September 2012 were signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

**3. Irvine/Kilwinning**

**3.1 12/00467/PP: Irvine: Woodlands Avenue: The Kiosk**

Amir Ali Munaner, c/o The Kiosk, Woodlands Avenue, Irvine has applied for planning permission for the deletion of condition 3 of planning permission 10/00316/PP to enable a takeaway to operate separately from the Kiosk in Woodlands Avenue, Irvine. Three representations have been received, as detailed in the report.

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

1. That the hours of operation of the takeaway facility at "The Kiosk" shall be only during the period between 0700 hours and 1500 hours.
2. That the hours of operation of the new build takeaway facility shall be only during the period between 1600 hours and 2200 hours.
3. That, prior to the new build takeaway becoming operational, details of a lay-by parking area within the area to the front of the application site at Woodlands Avenue, including the provision of a pedestrian nib, shall be submitted for the written approval of North Ayrshire Council as Planning Authority. Thereafter, the development may commence operating only upon the completion of the parking spaces and nib to the satisfaction of North Ayrshire Council as Planning Authority.

### **3.2 12/00411/PP: Kilwinning: Pennyburn Road: Kilwinning Sports Club**

Kilwinning Sports Club, Pennyburn Road, Kilwinning have applied for planning permission for the erection of an extension to the front and side of the pavillion at the Sports Club to form office/storage space.

The Committee agreed to grant the application.

## **4. North Coast and Cumbraes**

### **12/00480/PP: Millport: Site to South of 2 Ninian Street**

Firthport, 50 Shawmoss Road, Glasgow have applied for planning permission for the erection of a detached dwellinghouse, including balcony, at a site to the south of 2 Ninian Street, Millport.

The Committee agreed to grant planning permission subject to the following conditions:-

1. That, prior to the commencement of the development, the applicant shall submit for the written approval of North Ayrshire Council as Planning Authority, details or samples of the proposed external finishes. The roofing material shall be natural or artificial slate.
2. That, prior to the commencement of the development, details of the proposed balustrading for the balcony, shall be submitted for the written approval of North Ayrshire Council, as Planning Authority.

3. 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.

4. That, prior to its occupation, the proposed dwellinghouse shall be provided with an adequate and wholesome water supply, details of which shall be submitted for the written approval of North Ayrshire Council as Planning Authority prior to the commencement of the development.

5. That, prior to the occupation of the dwellinghouse, hereby approved, (i) the hardstanding area for the bins shall be provided outwith the sightlines; (ii) the access track shall be upgraded; (iii) the visibility splays shall be maintained at the junction with the public road; (iv) one vehicle space shall be provided within the carport and maintained for parking purposes at all times; and (v) the access to the carport shall remain open with no gate or door, all to the satisfaction of North Ayrshire Council as Planning Authority.

**5. Notice Under Section 179 of The Town and Country Planning (Scotland) Act 1997 - Stevenston, 22 Burnlea Place**

Submitted report by the Solicitor to the Council on the serving of a Wasteland Notice under Section 179 of The Town and Country Planning (Scotland) Act 1997 requiring proper maintenance and the abatement of the adverse impact on the visual appearance of the local area, in relation to the building and land at 22 Burnlea Place, Stevenston.

The property is a vacant end of terrace dwellinghouse located at the western end of Burnlea Place on its northern site. At present, the windows and doors of the property are boarded up and the boards are in various stages of disrepair. The gardens have accumulated rubbish, with white goods, furniture and other large items of domestic waste having been dumped on the property. There is also the remains of a wooden shed-like structure and a collapsed breeze block wall on the site.

On 12 July 2010, a complaint was received regarding waste gas cannisters and general rubbish left on the property. An inspection revealed at that stage revealed that the gas canisters had been removed by the Fire Service. Although the property was vacant and overgrown, it was considered at that stage that no further action was merited.

Further complaints were subsequently received and a further inspection carried out on 31 July 2012. The owner of the property was identified by Legal Services and a letter dated 7 August 2012 issued advising that the Council had serious concerns regarding the condition of the property. The letter requested plans and timescales for the clearance of the site and an indication of the proposals for the property. A period of 21 days was given, but no response was received. A further inspection, on 4 September 2012, revealed that no works had been carried out to improve the appearance of the property and that it appeared that further rubbish had accumulated on site.

A further letter dated 6 September 2012 was sent to the owner advising that as no confirmation of any intention to clear the site had been received, formal enforcement action would be commenced, with 14 days given for any representations to be made. No response was received.

In order to improve the condition of the land and building at 22 Burnlea Place, Stevenston, it is proposed that a Notice be served under Section 179 of the Town and Country Planning (Scotland) Act 1997 giving the owner one month to secure (i) the removal of all rubbish and refuse from the front, side and rear gardens of the property, including the burnt remains of the wooden structure in the rear gardens and the remains of the collapsed breeze block wall along the western boundary; and (ii) the renewal and maintenance, as necessary, of the boarding over the windows and doors of the building.

The Committee agreed to authorise the serving of a Wasteland Notice under Section 179 of The Town and Country Planning (Scotland) Act 1997 requiring the proper maintenance and abatement of the adverse impact on the visual appearance of the local area, on the land and building at 22 Burnlea Place, Stevenston.

The meeting ended at 2.20 p.m.