

Planning Committee
13 March 2013

IRVINE, 13 March 2013 - At a Meeting of the Planning Committee of North Ayrshire Council at 2.00 p.m.

Present

Matthew Brown, John Ferguson, Robert Barr, John Bell, John Bruce, Joe Cullinane, Tom Marshall and Robert Steel.

In Attendance

J. Miller, Senior Planning Services Manager (Development and Environment); J. Law, Solicitor (Contracts & Licensing) and D. McCaw, Committee Services Officer (Chief Executive's Service).

Chair

Councillor Brown in the Chair.

Apologies for Absence

Ronnie McNicol and Jim Montgomerie.

1. Declarations of Interest

In terms of Standing Order 16, Councillor Cullinane, as a tenant of a property in Mariners View, declared an interest in Agenda Item 3.1: 11/00766/PPM: Ardrossan: Dock Road: Ardrossan Marina.

2. Minutes

The accuracy of the Minutes of the previous meeting of the Planning Committee held on 20 February 2013 was agreed and the Minutes signed in accordance with paragraph 7(1) of Schedule 7 of the Local Government (Scotland) Act 1973.

3. Ardrossan, Saltcoats and Stevenston

3.1 11/00766/PPM: Ardrossan: Dock Road: Ardrossan Marina

Irvine Bay Developments Ltd, 43 Ardrossan Road, Saltcoats have applied for planning permission for an extension to Ardrossan Marina, comprising new breakwater, marina facilities building, improved access arrangements, car parking and boat storage, a new pedestrian link bridge and a drop-off car park facility at Ardrossan Marina, Dock Road, Ardrossan. 22 objections and one letter of representation have been received, as detailed in the report.

The Committee agreed (a) to continue consideration of the application to its next meeting to allow a site familiarisation visit to take place; and (b) that the Senior Planning Services Manager circulate to Members copies of the original and current masterplan documentation for the area prior to the site familiarisation visit.

3.2 11/00685/PPPM: Ardrossan: Montgomerie Street: Ardrossan Harbour

Ardrossan North Shore LLP, 43 Ardrossan Road, Saltcoats have applied for planning permission for the proposed redevelopment of a site providing mixed use development comprising residential units, nursing home, commercial units, distributor road and coastal defence works at Ardrossan Harbour, Montgomerie Street, Ardrossan. Five objections and 6 representations have been received, as detailed in the report.

The Committee agreed (a) to continue consideration of the application to its next meeting to allow a site familiarisation visit to take place; and (b) that the Senior Planning Services Manager circulate to Members copies of the original and current masterplan documentation for the area prior to the site familiarisation visit.

4. Garnock Valley

13/00053/ADC: Kilbirnie: 1 Bridgend

Kilbirnie Dental Surgery, c/o Allied Surveyors Scotland Plc, Herbert House, 30 Herbert Street, Glasgow have applied for retrospective planning permission for the erection of two halo lit signs to side elevations and two externally illuminated trough fascia signs to front of dental surgery at 1 Bridgend, Kilbirnie.

The Senior Planning Services Manager advised that this application had now been withdrawn.

5. Irvine/Kilwinning

5.1 13/00048/PP: Irvine: Site to south of 4 Castle Street

Open Reach, Rutland House, 5 Allan Road, Livingstone have applied for planning permission for the erection of a Telecoms Cabinet on a site to the south of 4 Castle Street, Irvine.

The Committee agreed to grant the application.

5.2 13/00049/LBC: Irvine: Bridgegate: Trinity Church

Irvine Bay Regeneration Company, 43 Ardrossan Road, Saltcoats have applied for planning permission for the installation of 2 stained glass windows, the erection of a weather vane and the replacement of a concrete crown stone with a sandstone crown stone at Trinity Church, Bridgegate, Irvine. One objection has been received, as detailed in the report.

The Committee, having considered the terms of the objection, agreed to grant the application subject to Section 12 of the Planning (Listed Buildings and Conservation Areas) (Scotland) 1997.

5.3 12/00661/PPM: Irvine: Montgomerie Park: Site to West of Earlswood Wynd

Persimmon Homes Ltd, 180 Findochty Street, Garthamlock, Glasgow have applied for planning permission for the erection of 118 dwelling houses and associated works at a site to the west of Earlswood Wynd, Montgomerie Park, Irvine. 2 objections and one representation have been received, as detailed in the report.

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

1. That prior to the commencement of the development hereby approved, self certified 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 North Ayrshire Council as Planning Authority. Such self certification shall be given by a suitably qualified person. 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.

2. That prior to the commencement of development a scheme of landscaping, which shall include details of phasing, species, planting densities, soil treatment and aftercare (management and maintenance) and shall include indications of all existing trees and hedgerows on the land and details of any to be retained together with measures for their protection in the course of the development shall be submitted to and approved by North Ayrshire Council as Planning Authority. Thereafter all planting, seeding or turfing within those approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings to which the landscaping best relates (as per the phasing details) or the 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, unless North Ayrshire Council as Planning Authority gives written consent to any variation.

3. 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 proposed equipped play area, and a scheme for the future management and maintenance of the play area. Such an approved play area shall be completed and available for use no later than the completion of 50% of the dwellings hereby approved, unless North Ayrshire Council as Planning Authority gives written consent to any variation.

4. That prior to any tree felling taking place, such trees shall be surveyed for the presence of bats and a report, prepared by a suitably qualified person, shall be submitted for the written approval of North Ayrshire Council as Planning Authority detailing the findings of the survey and any measures required to be taken prior to the felling of the trees. Any recommendations shall be implemented all to the satisfaction of North Ayrshire Council as Planning Authority.

5. That all tree removal, ground and vegetation clearance works shall take place outwith the main bird breeding season, March - July inclusive, to the satisfaction of North Ayrshire Council as Planning Authority. Alternatively bird nest surveys can be undertaken immediately prior to any proposed works and if an active nest is found it should be protected until chicks have fledged.

6. That any works to or in proximity to trees shall be guided by an Arboricultural Impact Assessment and Arboricultural Method Statement, which shall be submitted to North Ayrshire Council as Planning Authority. Such documents should be used to guide the detailed design process.

7. The shared footpath connections, hereby approved, from the site to the wider footpath network shall be completed following the occupation of the buildings to which the routes best relate, such details shall be set out in a phasing plan. Prior to the commencement of the development, the phasing plan shall be submitted for the approval in writing of North Ayrshire Council as Planning Authority, and thereafter shall not be varied, unless otherwise agreed in writing.

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. On the completion of any decontamination works, written verification of the works and details of any remediation, shall be submitted to North Ayrshire Council as Planning Authority.

5.4 13/00070/PP: Irvine: Bourtreehill South: 13 Lower Vennel

Sukh Dave Basra, 22 Macara Drive, Irvine has applied for planning permission for a sub-division of the existing shop to form a hot food take-away, including installation of a new shop front at 13 Lower Vennel, Bourtreehill South, Irvine. 8 individual objections and a petition containing 115 signatures have been received, as detailed in the report.

The Committee, having considered the terms of the objections and with Councillor Barr dissenting, agreed to grant the application subject to (i) no additional significant material objections being received by 15 March 2013; and (ii) the following conditions:-

1. That, prior to the commencement of the development hereby approved, details of a mechanical ventilation system, adequate and suitable for the removal from the premises of cooking odours and products of combustion, from the food handling/cooking to be undertaken, shall be submitted for the written approval of North Ayrshire Council as Planning Authority. Such details as may be approved shall be implemented prior to the commencement of the development and thereafter maintained to the satisfaction of North Ayrshire Council as Planning Authority.
2. That, prior to the commencement of the development, details of any external shopfront security measures to be installed shall be submitted for the written approval of North Ayrshire Council as Planning Authority. For the avoidance of doubt, the housing for any roller shutters shall be fully concealed and recessed within the wall, and shall not project beyond the shopfront. In addition, any roller shutters shall be finished in a colour to be agreed and shall be either perforated or brick bond in design, all to the satisfaction of North Ayrshire Council as Planning Authority.
3. That prior to the commencement of the development the applicant shall submit for the written approval of North Ayrshire Council as Planning Authority exact details of the finish(es) to the shopfront wall(s).
4. That, for the avoidance of doubt, this planning permission does not give consent for any signage or external alterations other than those shown on the approved drawing (ref: BASRA 1046-01), and that the development hereby approved shall not be commenced until full details of any such proposed changes have been submitted to, and approved by, North Ayrshire Council as Planning Authority.

6. North Coast and Cumbraes

6.1 13/00042/PP: Largs: The Promenade: The Bean and Leaf

Miss Toni Dawson, The Bean & Leaf, The Promenade, Largs has applied for planning permission for the formation of a new entrance canopy and terrace, the alteration of the existing ramp access and the replacement of the existing glazed screens with folding doors at that address.

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

1. That prior to the commencement of the development the applicant shall submit for the written approval of North Ayrshire Council as Planning Authority full details/samples of the proposed treatment of the base course of the ramp/terrace.

6.2 12/00643/MSCM: West Kilbride: Hunterston Estate: Goldenbury Farm

SP Transmission, Prenton Way, Prenton, Merseyside have applied for planning permission for the erection of a convertor station and substation at Goldenbury Farm, Hunterston Estate, West Kilbride.

The Senior Planning Services Manager advised the Committee of representations which had been received from West Kilbride Community Council and Fairlie Community Council in connection with the application. He further advised that the grant of planning permission should be subject to an additional condition in relation to traffic movements to and from the site to reduce the impact of construction works on local communities and in the interest of road and pedestrian safety.

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

1. That the proposed route for any abnormal loads on the trunk road network shall be approved by North Ayrshire Council as Planning Authority, prior to the event. Any accommodation measures required including the temporary removal of street furniture, junction widening, traffic management etc shall similarly be approved of North Ayrshire Council as Planning Authority.
2. That any additional signing or temporary traffic control measures deemed necessary due to the size or length of loads being delivered shall be undertaken by a recognised Quality Assured Traffic Management Consultant, to be approved by North Ayrshire Council as Planning Authority, before delivery commences.
3. That the landscaping proposals indicated on the submitted Landscape Master Plan, Planting and Plan Detail Sheet shall be implemented in accordance with the details therein to the satisfaction of North Ayrshire Council as Planning Authority.

4. That the Mammal Protection Plan outlined in the Badger and Otter Survey Report by Etive Ecology, dated June 2012 shall be implemented in accordance with the details described therein, to the satisfaction of North Ayrshire Council as Planning Authority.
5. That the recommendations contained in the Barn Owl Survey Report by Etive Ecology dated October 2012 shall be implemented in accordance with the details described therein, to the satisfaction of North Ayrshire Council as Planning Authority.
6. That the proposals regarding the appointment of a suitably qualified Environmental Clerk of Works as described in the report submitted in support of the current application shall be implemented in accordance with the details contained therein throughout the duration of the construction period, to the satisfaction of North Ayrshire Council as Planning Authority.
7. That all drainage from the development shall be disposed of in accordance with the Drainage Strategy Statement hereby approved, to the satisfaction of North Ayrshire Council as Planning Authority.
8. That the schedule of mitigation measures hereby approved shall be implemented in accordance with the details and programme described therein, to the satisfaction of North Ayrshire Council as Planning Authority.
9. That prior to the commencement of the development the applicants shall submit for the written approval of North Ayrshire Council as Planning Authority full details regarding the method of extracting rock from the hillside to form the construction platforms; thereafter rock extraction shall be undertaken in accordance with the approved details, unless North Ayrshire Council as Planning Authority gives written consent to any variation.
10. That prior to the commencement of the development there shall be submitted for approval of North Ayrshire Council as Planning Authority, details of proposals for the maintenance and management of the areas of landscaping, including maintenance schedules and management responsibilities; the maintenance and landscape management proposals 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.
11. That all bulk deliveries required during the construction of the Converter Station and Sub-station and all Heavy Haulage Operations for the delivery of transformers shall approach the Hunterston roundabout by way of the A78 from the south of the roundabout in accordance with the Traffic Management Plan submitted in support of the application, unless North Ayrshire Council as Planning Authority gives written consent to any variation.

6.3 12/00708/PP: Ardrossan: Glenhead Farm Cottage

Boydston Farming Company, per Mrs I Wilson, Low Boydston Farm, Ardrossan have applied for an amendment to planning permission CH/01/89/0076 to remove the occupancy restriction at Glenhead Farm Cottage, Ardrossan.

The Committee agreed to grant the application.

7. Notice Under Section 49 Of The Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997: 12 Crichton Street, Millport, Isle of Cumbrae, KA28 0ET

Submitted report by Corporate Director (Development and Environment) on a Notice under Section 49 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 requiring works necessary for the proper preservation of the building at 12 Crichton Street, Millport, Isle of Cumbrae.

The building at 12 Crichton Street is a mid-terraced dwellinghouse located on the west side of the street towards its northern end. The property faces onto the seafront, has a rear garden adjoining Crawford Street and is a Category 'B' Listed Building. The property has been vacant for a number of years. Planning Permission and Listed Building Consent have been granted in the past for works to renovate the property, however, the permissions have never been implemented and have lapsed.

Complaints regarding the condition of the property have been ongoing since 2004. The Council has been in correspondence with the owner on various occasions but, to date, there has been no improvement in the condition of the building and in the past year there has been a significant deterioration.

On 5 December 2012, the Planning Committee agreed to continue consideration of this item to allow Planning Officers to monitor progress following information from the owner regarding imminent works. The failure of the owner to carry out any works to secure the preservation of the property has resulted in urgent works being required to preserve its future. The future of the building is at risk and this has the potential to affect the future of the adjacent Listed Buildings. All efforts have been made to allow the owner to address the Council's concerns without satisfactory results.

In order to preserve the building at 12 Crichton Street, Millport, it is proposed that a Notice of Intention be served under Section 49 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 to carry out the urgent works to the property as detailed in Appendix 1 to the report.

The Committee agreed to authorise the serving of a Notice of Intention under Section 49 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 to carry out the urgent works to the property at 12 Crichton Street, Millport as detailed in Appendix 1 to the report.

The meeting ended at 3.20 p.m.