

Planning Committee

23 February 2022

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

Present

Christina Larsen, Timothy Billings, Robert Foster, Ellen McMaster and Donald Reid.

In Attendance

J. Miller, Chief Planning Officer, I. Davies, Senior Development Management Officer, L. Dempster and K. Gee, Technicians (Planning) (Economic Development and Regeneration); J. Law, Solicitor (Legal Services) and A. Little and H. Clancy, Committee Services Officers (Chief Executive's Service).

Apologies

Robert Barr, Ian Clarkson, Shaun Macaulay and Ronnie McNicol.

Chair

Councillor Larsen 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 26 January 2022 were confirmed and the Minutes signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

3. 21/01135/PPM: Site To Southeast Of Hunterston B Power Station, West Kilbride

TINZ Programme 1 ProjectCo 2 Ltd had applied for planning permission for the installation of a synchronous compensator, a cable route and associated infrastructure in area in the south-west corner of the former Hunterston Coal Yard, West Kilbride.

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

1. Prior to the commencement of the development a scheme of archaeological investigation shall be submitted to North Ayrshire Council, as Planning Authority, for written agreement. The development will thereafter be carried out in accordance with any scheme as may be approved by North Ayrshire Council, as Planning Authority.

2. Prior to the commencement of the development a Construction Management Plan (CMP), including an Abnormal Load Route Assessment for construction traffic, shall be submitted to North Ayrshire Council, as Planning Authority, for written approval. The development will thereafter be carried out in accordance with any details of the Assessment, as may be approved by North Ayrshire Council, as Planning Authority. For the avoidance of doubt construction traffic shall avoid the C26 and local unclassified roads, the B780/B781, and any route through Fairlie. The safe protection of the Towns Water Mains shall be assessed, and submitted to North Ayrshire Council, as Planning Authority, for written approval.
3. Prior to commencement of the development details of the finish material of the convertor building shall be submitted to North Ayrshire Council, as Planning Authority, for written approval. The development will thereafter be undertaken in accordance with any details as may be approved by North Ayrshire Council, as Planning Authority.
4. Prior to the commencement of any works on the cable route, hereby approved, details of works required to trees, including protection measures, shall be submitted to North Ayrshire Council, as Planning Authority, for written approval. The development shall thereafter be undertaken in accordance with such details as may be approved by North Ayrshire Council, as Planning Authority.
5. The development shall be undertaken in accordance with the recommendations on Pages 27 and 28 of the Habitat survey dated October 2021 prepared by Envirocentre which was submitted as part of this application, all to the satisfaction of North Ayrshire Council, as Planning Authority.
6. The rated noise level, as defined in BS 4142:2014+A1:2019, from the operation of the proposed plant must not exceed the background noise at the curtilage of any noise sensitive property.

4. Design Brief: Kirkton Self Build Plots

Submitted report by the Chief Planning Officer on the Kirkton Design Brief, attached at Appendix 1 to the report. The Design Brief set out the parameters for development of individual plots within the Golf Road self-build site and provided guidelines for the design of the houses. The draft Design Brief had been subject to a 21-day public consultation to inform the final guidance and no representations were received during this process.

The Committee was advised that Policy 29, relating to low energy and housing insulation would also be included in the design brief.

The Committee agreed to approve the Kirkton Design Brief, outlined at Appendix 1 to the report, including the addition of Policy 29.

5. Housing Land Audit 2020/21

Submitted report by the Chief Planning Officer on the annual Housing Land Audit (HLA) for North Ayrshire which provided an overview of housing delivery, the housing land supply and the housing market in North Ayrshire.

The recent audit showed there was a reduction in overall housing completions during the last monitoring year (2020/21), which could be attributed to the impact of Coronavirus on the delivery of affordable housing. However, strengthening of the private housing market in North Ayrshire indicated that a significant number of new homes were expected to be completed over the next four years.

Noted.

6. Notices under Section 127, Section 145/145A and Section 33A of the Town and Country Planning (Scotland) Act 1997: Tennox Farm, Kilbirnie

Submitted report by the Chief Planning Officer seeking authority to serve Notices under Section 127, Section 145/145A and Section 33A of the Town and Country Planning (Scotland) Act.

The Council had received a number of reports in recent years that land at Tennox Farm near Kilbirnie had been developed with a number of unauthorised buildings as well as the formation of a large yard area. In addition, numerous lighting schemes had been installed on the land, resulting in significant light pollution in the surrounding rural area. An enforcement notice had been served on the owner of Tennox Farm in 2019 in relation to unauthorised building works. The matters raised at that time were addressed through the submission of applications and subsequent grants of planning permission, however several of the conditions had been breached.

Further building works had taken place at Tennox Farm since 2020, including the erection of a substantial single storey building of domestic design and appearance together with an associated curtilage and several smaller scale outhouses.

The Committee unanimously agreed to grant authority for the service of a Notice under Section 127, Section 145/145A and Section 33A of the Town and Country Planning (Scotland) Act 1997 requiring (i) the clearance of all materials and restoration of the grazing land to the northwest of the Tennox Farm, (ii) compliance with conditions attached to planning permissions granted during 2021 for developments at Tennox Farm and (iii) submission of a planning application for the erection of unauthorised buildings (including their associated curtilages) at Tennox Farm that had been erected since 2020.

7. Notice under Section 127 of the Town and Country Planning (Scotland) Act 1997: No. 9 Sharlee Wynd, West Kilbride

Submitted report by the Chief Planning Officer seeking authority to serve Notices under Section 127 of the Town and Country Planning (Scotland) Act 1997.

A rear garden area had been extended over an adjacent wetland within a field that backs on to the property at 9 Sharlee Wynd, West Kilbride. The original rear fence had been partially removed and a patio, hot-tub, timber outbuilding and various structures erected within the extended site. Complaints had been received, forwarded by the Local Member, raising concerns about these matters.

The unauthorised extension of the curtilage of 9 Sharlee Wynd was considered to be harming the visual quality of the countryside around the village of West Kilbride and because of the flood risk implications of the alterations to the small watercourse, service of a notice under Section 127 of the Town and Country Planning (Scotland) Act 1997 on the owner of the land was proposed to remove all structures and to return the site to its previous condition.

The Committee unanimously agreed to serve a Notice under Section 127 of the Town and Country Planning (Scotland) Act 1997 requiring the cessation of the use of a rear garden extension, the removal of structures that had been sited therein, and the restoration of the site to its previous condition at 9 Sharlee Wynd, West Kilbride in the interests of both the visual quality of the countryside around the village of West Kilbride and flood risk management in the area.

The meeting ended at 2.30 p.m.