



NORTH AYRSHIRE
COUNCIL

Cunninghame House,
Irvine.

14 February 2013

Planning Committee

You are requested to attend a Meeting of the above mentioned Committee of North Ayrshire Council to be held in the Council Chambers, Cunninghame House, Irvine on **WEDNESDAY 20 FEBRUARY 2013** at **2.00 p.m.** to consider the undernoted business.

Yours faithfully

Elma Murray

Chief Executive

1. Declarations of Interest

Members are requested to give notice of any declarations of interest in respect of items of business on the Agenda.

2. Minutes

The Minutes of the previous meeting of the Planning Committee held on 23 January 2013 will be signed in accordance with paragraph 7(1) of Schedule 7 of the Local Government (Scotland) Act 1973 (copy enclosed).

3. Ardrossan, Saltcoats and Stevenston

Submit report on the following application:-

12/00689/PP: Stevenston: Clark Crescent: Ardeer Primary School

Erection of extensions to primary school

(copy enclosed)

4. Irvine/Kilwinning

Submit reports on the following applications:-

4.1 13/00028/PP: Irvine: Site to west of 21 Bank Street

Erection of telecoms cabinet

4.2 12/00711/PP: Irvine: Site to north of Alford Place

Amendments to SUDs ponds design including formation of access roads, erection of fencing and associated works

4.3 12/00475/PPPM: Irvine: Kilwinning Road: Ayrshire Central Hospital

Erection of Acute Mental Health & Community Hospital and associated works

(copies enclosed).

5. North Coast and Cumbraes

Submit report on the following application:-

12/00427/PP: Largs: Brisbane Road: Barrfields Stadium

Alterations to grass pitch to form synthetic turf including ground operations (retrospective)

(copy enclosed).

6. Scottish Government Consultation on the Draft Scottish Marine Regions Order 2013

Submit report by the Corporate Director (Development and Environment) on the consultation being undertaken by the Scottish Government to define the boundaries of future Scottish Marine Regions (SMRs) and to seek approval of this report as the basis of a response to Marine Scotland (copy enclosed).

7. Urgent Items

Any other items which the Chair considers to be urgent.

Planning Committee

Sederunt: Matthew Brown
John Ferguson
Robert Barr
John Bell
John Bruce
Joe Cullinane
Ronnie McNicol
Tom Marshall
Jim Montgomerie
Robert Steel

(Chair)
(Vice-Chair)

Chair:

Attending:

Apologies:

Meeting Ended:

Planning Committee
23 January 2013

IRVINE, 23 January 2013 - At a Meeting of the Planning Committee of North Ayrshire Council at 2.00 p.m.

Present

Matthew Brown, John Ferguson, Robert Barr, Joe Cullinane, Ronnie McNicol, Tom Marshall, Jim Montgomerie and Robert Steel.

In Attendance

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

Chair

Councillor Brown in the Chair.

Apologies for Absence

John Bell and John Bruce.

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 Planning Committee held on 5 December 2012 were signed in accordance with paragraph 7(1) of Schedule 7 of the Local Government (Scotland) Act 1973.

3. Irvine/Kilwinning

12/00662/PP: Irvine: Riverside Business Park

Irvine Bay Regeneration Company, 43 Ardrossan Road, Saltcoats have applied for planning permission for the erection of 1.8m and 1.2m high fencing along the road verge at Riverside Business Park, Irvine.

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

1. That the fences hereby approved shall be located outwith the road boundary and not interfere with any existing sightlines.

4. North Coast and Cumbraes

12/00159/PPM: Fairlie: Castlepark Gardens: Site to North of Fairlie Primary School

Dawn Homes Limited, 220 West George Street, Glasgow have applied for planning permission for the formation of a new access road and the erection of 36 flats and 26 detached dwellinghouses on a site to the north of Fairlie Primary School, Castlepark Gardens, Fairlie. Twelve letters of objection and one representation have been received, as detailed in the report.

During discussion, Members expressed the view that, in the interests of pedestrian safety, the grant of planning permission should be subject to a further condition in relation to the provision of a pedestrian link between Kelburn Avenue and the application site through the adjoining petrol filling station.

The Committee agreed to grant the application subject to (i) the applicants entering into a Section 75 Agreement to ensure that the agreed Financial and Business Plan and the Open Book Accounting Statement are implemented and to ensure that all proceeds, other than a reasonable developers profit of 10.79%, are channelled into The Kelburn Castle Restoration Works Trust for the restoration and subsequent maintenance thereafter of Kelburn Castle and improvements to the Country Centre; and (ii) the following conditions:-

1. That no development, excavation or tree felling works shall commence until sufficient flow capacity has been provided to carry the 200 year plus climate change flow in the Keppen Burn to the sea from the application site, which capacity shall include compensation for the loss of flood water storage and surface water discharge; the design and location of the culvert works required to provide the required flow capacity shall be submitted for and shall have received the prior written approval of North Ayrshire Council as Planning Authority, prior to any works commencing on the site.

2. That the development hereby approved shall not commence until the applicants have provided the following information in relation to flood risk: (i) provision of model cross section data for review and verification along with the modelling approach and parameters used for the relevant hydraulic structures; (ii) confirmation of channel characteristic to enable verification of discharge capacities; and (iii) confirmation that the flood management measures recommended in the Flood Risk Assessment submitted in support of the application shall be adopted together with a programme for the implementation of the flood management measures, all to the satisfaction of North Ayrshire Council as Planning Authority.

3. That silt traps shall be installed in the Keppen Burn to avoid channel blockages, the location, details and timing of the installation of which shall be agreed in writing with North Ayrshire Council as Planning Authority prior to the commencement of the development.
4. That prior to the commencement of the development, the applicants shall submit for the written approval of North Ayrshire Council as Planning Authority details of (i) proposals for the construction of a cut-off drain along the east side of the development site to collect surface water from the adjoining high ground; (ii) a programme for the installation of the cut-off drain; (iii) proposals for providing access to and for the regular maintenance of the cut-off drain by a factor; (iv) the proposed factoring arrangements for the maintenance of the cut-off drain; and (v) proposals for managing the additional volume of water as part of the surface water design, all to the satisfaction of North Ayrshire Council as planning authority.
5. That prior to the occupation of any of the residential units hereby approved, foul drainage from the development shall be connected to the public sewerage system.
6. 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.
7. That the development hereby approved shall be provided with a public mains water supply prior to the occupation of any of the residential units hereby approved.
8. That the proposed access shall join the trunk road at a new junction which shall be constructed by the applicants to a standard as described in the Department of Transport Advice Note TA 41/95 (Vehicular Access to All Purpose Trunk Roads) (as amended in Scotland) complying with Layout 5. The junction shall be constructed in accordance with details that shall be submitted to and approved by North Ayrshire Council as Planning Authority, after consultation with Transport Scotland, before any part of the development is commenced.
9. That there shall be no drainage connections to the trunk road drainage system.

10. That visibility splays shall be provided and maintained on each side of the new access to the A78, to the satisfaction of North Ayrshire Council as Planning Authority. These splays are the triangles of ground bounded on 2 sides by the first 4.5m of the centreline of the access road (the set back dimension) and the nearside trunk road carriageway measured 70m (the Y dimension) in both directions from the intersection of the access with the trunk road. In a vertical plane, nothing shall obscure visibility measured from a driver's eye height of between 1.05m and 2m positioned at the set back dimension to an object height of between 0.26m and 1.05m anywhere along the Y dimension.

11. That prior to the commencement of the development hereby approved revised proposals shall be submitted for the access to the flats and two dwellings to the north of the site access road, which shall be served by a short road built to an adoptable standard, all to the satisfaction of North Ayrshire Council as Planning Authority .

12. That driveways shall have a minimum length of 6m measured from the rear of the service strip.

13. That all internal junction radii shall be designed to accommodate general service vehicles, including vehicle tracking, to the satisfaction of North Ayrshire Council as planning authority.

14. 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 design and alignment of the temporary footpath from the south-east edge of the site to Castlepark Gardens, which shall be of a standard to facilitate use by both pedestrians and cyclists, shall be lit and shall be provided prior to the occupation of any of the houses on plots 1-24, all to the satisfaction of North Ayrshire Council as Planning Authority.

15. That all tree planting, seeding or turfing comprised in the landscaping proposals hereby approved shall be carried out in the first planting season and seeding seasons following the occupation of the buildings 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.

16. That prior to the occupation of any of the flats or dwellinghouses and where Council adoption of open space areas is not to be pursued, there shall be submitted for approval of North Ayrshire Council as Planning Authority, details of the proposed factor or management agency and a landscape management plan which shall include retention of a green link through the site and the whorled caraway marshland north of the access road, long term design objectives, management responsibilities and maintenance schedules for all open space areas. The landscape management plan 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, and the agreed agency shall only be changed with the agreement of North Ayrshire Council as Planning Authority.

17. That the minimum number of trees shall be felled; and no trees or hedges, other than those shown to be felled or lopped on the plans hereby approved, shall be felled or lopped without the prior written approval of North Ayrshire Council as Planning Authority.

18. That prior to any tree felling taking place, the trees shall be surveyed for the presence of bats and a report 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 should the presence of bats be detected, all to the satisfaction of North Ayrshire Council as Planning Authority.

19. That all tree removal, ground and vegetation clearance works shall take place outwith the main bird breeding season, i.e. outwith the period March - July inclusive, to the satisfaction of North Ayrshire Council as Planning Authority.

20. 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: (i) all external finishes to the buildings; (ii) all hard surfaces including parking areas and footpaths; (iii) all boundary and internal enclosures; (iv) the proposed bin store enclosures; (v) the finished floor levels for the flats and dwellinghouses relative to existing levels; and (vi) details of proposals for excavating the embankment to accommodate the access road to the upper level of the site.

21. 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 which shall include the provision of 5 different types of play equipment, seating; details shall also be submitted with regard to the means of enclosure including 2 gated points of access/exit, surface finish, litter bin provision and maintenance and management arrangements. The approved play area proposals shall be implemented on completion of more than 75% of the houses on plots 1-24 inclusive, unless North Ayrshire Council as Planning Authority gives written consent to any variation.

22. 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, recover and report items of interest and finds. A method statement for the watching brief shall be submitted by the applicants, agreed by the West of Scotland Archaeology Service and approved by North Ayrshire Council as Planning Authority prior to commencement of the watching brief. The name of the archaeological organisation retained by the developer shall be given to North Ayrshire Council as Planning Authority and to the West of Scotland Archaeology Service in writing not less than 14 days before development commences.

23. That prior to the commencement of the development hereby approved, the applicants shall undertake 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 meet the standard of BS 10175:2011, be verified by a suitably qualified Environmental Consultant and submitted for the written approval of the Environmental Health Service of North Ayrshire Council. Thereafter the presence of any significant unsuspected contamination, which becomes evident during the development of the site, shall be reported to North Ayrshire Council and treated in accordance with a remediation scheme acceptable to the Environmental Health Service of North Ayrshire Council. On completion of the proposed works written verification, detailing what has been done by way of remediation shall also be submitted to the Environmental Health Service of North Ayrshire Council.

24. That prior to the commencement of the development, the applicants shall submit for the written approval of North Ayrshire Council as Planning Authority, details of proposals for the provision, including timescale, of a pedestrian link between Kelburn Avenue and the application site, through the grounds of the adjoining petrol filling station; the pedestrian link shall be implemented in accordance with the approved details, to the satisfaction of North Ayrshire Council as Planning Authority, unless otherwise agreed in writing with North Ayrshire Council as Planning Authority.

The meeting ended at 2.40 p.m.

NORTH AYRSHIRE COUNCIL

Agenda Item 3

Planning Committee

Planning Area **20 February 2013**
Ardrossan Saltcoats and
Stevenston

Reference **12/00689/PP**
Application **14th December 2012**
Registered
Decision Due **14th February 2013**
Ward **Saltcoats and Stevenston**

Recommendation Grant as per Appendix 1

Location Ardeer Primary School, Clark Crescent,
Stevenston

Applicant North Ayrshire Council
Cunninghame House
Irvine
KA12 8EE

Proposal Erection of extensions to primary school

1. Description

This application relates to the proposed erection of two small single storey extensions at Ardeer Primary School, Clark Crescent, Stevenston. The larger extension would be located on the west elevation of the school, measuring some 8 metres x 6.3 metres (50 square metres). It would be of flat roof construction and of similar wall head height, some 3.5 metres, to where it attaches to the existing building. The walls would be cream coloured wet dash render and the roof constructed in blue cladding to match the existing roof. It would provide an additional office and two changing rooms.

The smaller extension would be located on the north elevation of the building and would measure some 2.8 metres x 3.4 metres (9.5 square metres). Again, the proposed external finishes would match those of the existing building. It would however have a mono pitched roof to tie into the profile of the adjacent section of building. This extension would provide new toilets.

The application site is bounded by residential properties on Clark Crescent and Carmyle Place to the north and east and by open space on the other sides.

In the adopted North Ayrshire Local Plan (excluding the Isle of Arran) the application site lies within a residential area and is unaffected by any site specific policies or proposals. The application requires to be assessed against the relevant criteria of the Development Control Statement of the Local Plan.

2. Consultations and Representations

Neighbour notification was carried out by the Council and the proposal was also advertised in a local newspaper on 26 December 2012 for neighbour notification purposes. No representations were received, and there was no requirement to carry out any consultations.

3. Analysis

While the application site lies within an area identified for residential purposes in the adopted Local Plan, the proposal relates to minor extensions of an existing non-residential use and is not considered to conflict with the land use allocation.

In relation to the Development Control Statement of the Local Plan the relevant criteria are (a) Siting, Design and External Appearance, and (b) Amenity. With regard to (a) the proposed extensions are small in scale when considered in relation to the overall size of the school building and integrate well with the building footprint, design and external appearance; the proposed finishing materials matching those of the existing building. In relation to (b) the design and proposed use of the extensions would not give rise to any significant adverse impact on the amenity of neighbouring properties.

It is considered that the proposals would accord with criteria (a) and (b) of the Development Control Statement and accordingly it is recommended that planning permission be granted.

4. Full Recommendation

See Appendix 1.

A handwritten signature in black ink, appearing to read 'CH', written over a horizontal line.

CRAIG HATTON
Corporate Director (Development and Environment)

Cunninghame House, Irvine
28 January 2013

For further information please contact Gordon Craig, Planning Officer , on 324380

GC/FG

APPENDIX 1

RECOMMENDATION FOR PLANNING APPLICATION REF NO 12/00689/PP

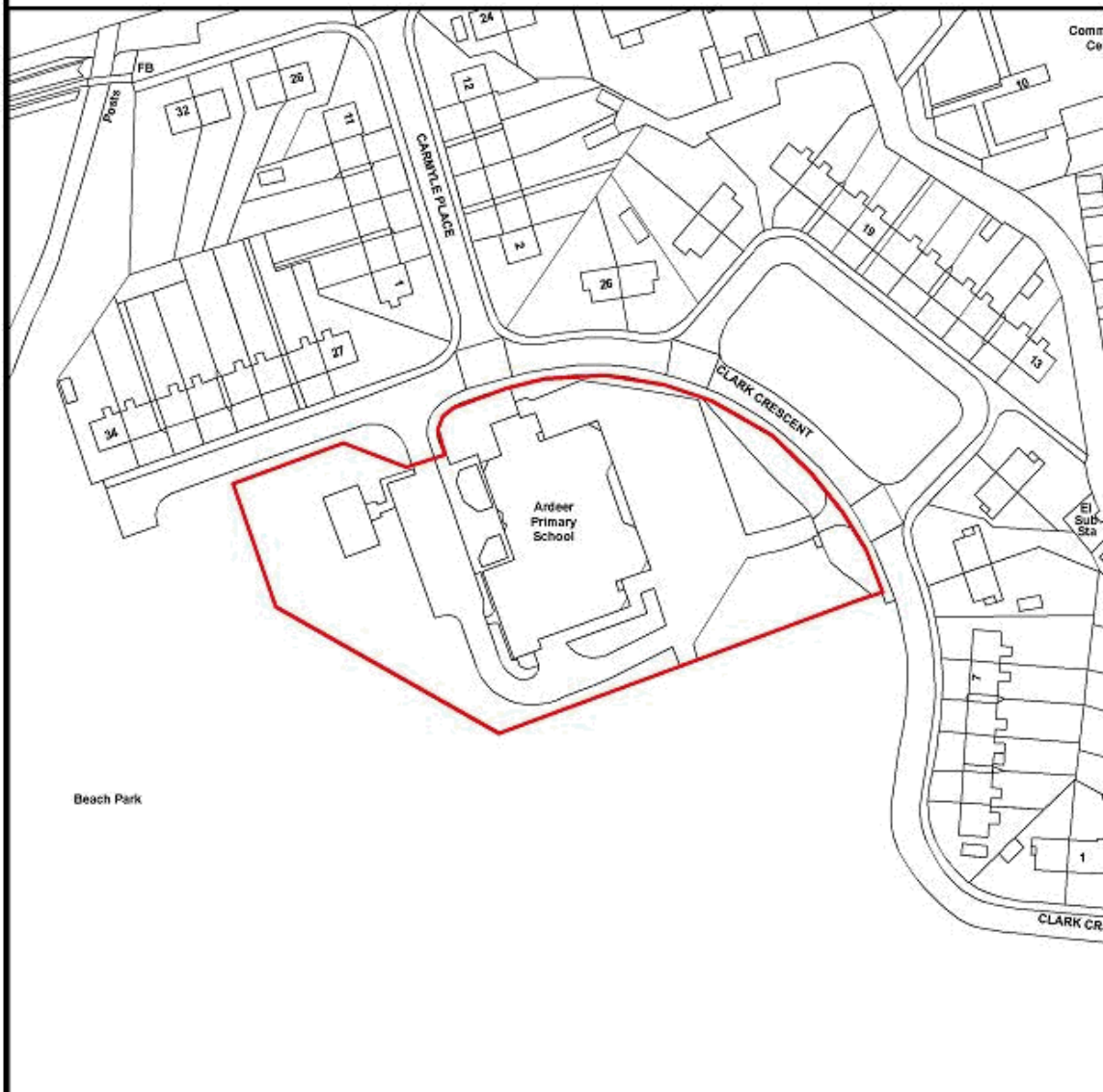
Grant (No conditions).

Reason(s) for approval:

1. The proposal complies with the relevant provisions of the development plan and there are no other material considerations that indicate otherwise.

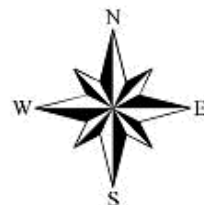
Committee Plans

12/00689/PP



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NORTH AYRSHIRE COUNCIL

Agenda Item 4.1

Planning Committee

Planning Area

20 February 2013**Irvine/Kilwinning**

Reference

13/00028/PP

Application

24th January 2013

Registered

Decision Due

24th March 2013

Ward

Irvine West

Recommendation	Grant as per Appendix 1
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Location	Site to west of 21 Bank Street, Irvine
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Applicant	Openreach 1-3 Judd Street London WC1H 9NP
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Proposal	Erection of telecoms cabinet
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1. Description

This application proposes the erection of a telecoms cabinet, which would be positioned on the footpath against the south-west wall of the Dental Surgery at no. 121 Bank Street, Irvine. The green cabinet would be approximately 1.4m high by 0.75m wide and would have a depth of 0.4m. There would be a distance of approx. 2.1m from the side (south) elevation of the cabinet and the road edge. There would also be a distance of approx. 1m from the side (north) elevation of the cabinet and the shopfront elevation of no. 19 Bank Street, Irvine.

The application site is located within Irvine Town Centre Conservation Area as identified in the Adopted North Ayrshire Local Plan (Excluding Isle of Arran). Policy INF8 (Telecommunications) would be relevant which requires any such proposal to satisfy the criteria listed in the policy. Policy BE1 (Development in Conservation Areas) is also relevant and states that proposals for development which would adversely affect the visual amenity or historical/architectural character of a conservation area including its setting, buildings, open space and trees shall not accord with the Local Plan. All development requires to be assessed against the Development Control Statement (DCS) where the relevant criteria would be (a) siting, design and external appearance (b) amenity and (d) access, road layout and parking provision.

The applicant's agent has submitted a statement in response to the criteria listed in Policy INF8 which relates to alternative site options and a possibility of sharing operational facilities in relation to siting of the cabinet.

2. Consultations and Representations

Standard neighbour notification has been issued and no representations have been received to date.

Roads Services - No objections.

3. Analysis

As the proposal involves telecommunication apparatus Policy INF8 would be relevant. It states that such proposals shall accord with the Local Plan where the proposal satisfies the following criteria:

(a) The development is not located in a manner that would be prejudicial to the proper planning of the area. It is considered that the proposal would be minor in scale and as such would not prejudice any future developments.

(b) The visual impact of the proposal on the town scape and natural environment is acceptable. It is considered that the visual impact would be limited given the minor nature of the proposal its positioning against the gable elevation of the dental surgery.

(c) There is no negative accumulative visual impact of the development with existing apparatus. There are no existing telecommunication cabinets within close proximity.

(d) The applicant has demonstrated that alternative sites have been investigated. The applicant's agent has stated that the technical limitations require the cabinet to be no closer than 2m to the existing PCP (Primary Cross Connection Point) cabinet and no further than 50m from it, as broadband speed would be affected. For these reasons, the proposed site has been selected as the most suitable location.

(e) The possibility of shared operational facilities have been considered. The applicant's agent has stated that for technical reasons the cabinet cannot be shared with existing apparatus.

In view of the above it is considered that the proposal accords with Policy INF8.

With regards to Policy BE1 for the above reasons it is considered that due to the minor scale of the proposal, the cabinet would not have a significant adverse impact on the character or appearance of the conservation area and as such would accord with Policy BE1.

With regards to criteria (a) and (b) of the DCS for the above reasons it is considered that the proposal would not have a significant adverse impact on the character appearance and amenity of the surrounding area and given that there would be a distance of approximately 2m from the cabinet to the edge of the footpath, there would be sufficient remaining space for pedestrians. Roads Services has no objections to the proposal. The proposal would also accord with criterion (d).

In view of the above it is considered that the proposal would accord with Policy INF8, BE1 and the relevant criteria of the DCS. There are no other material considerations. It is therefore recommended that planning consent is granted as per appendix 1.

4. Full Recommendation

See Appendix 1.

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CRAIG HATTON
Corporate Director (Development and Environment)

Cunninghame House, Irvine
30 January 2013

For further information please contact Fiona Knighton, Planning Officer , on
324313

APPENDIX 1

RECOMMENDATION FOR PLANNING APPLICATION REF NO 13/00028/PP

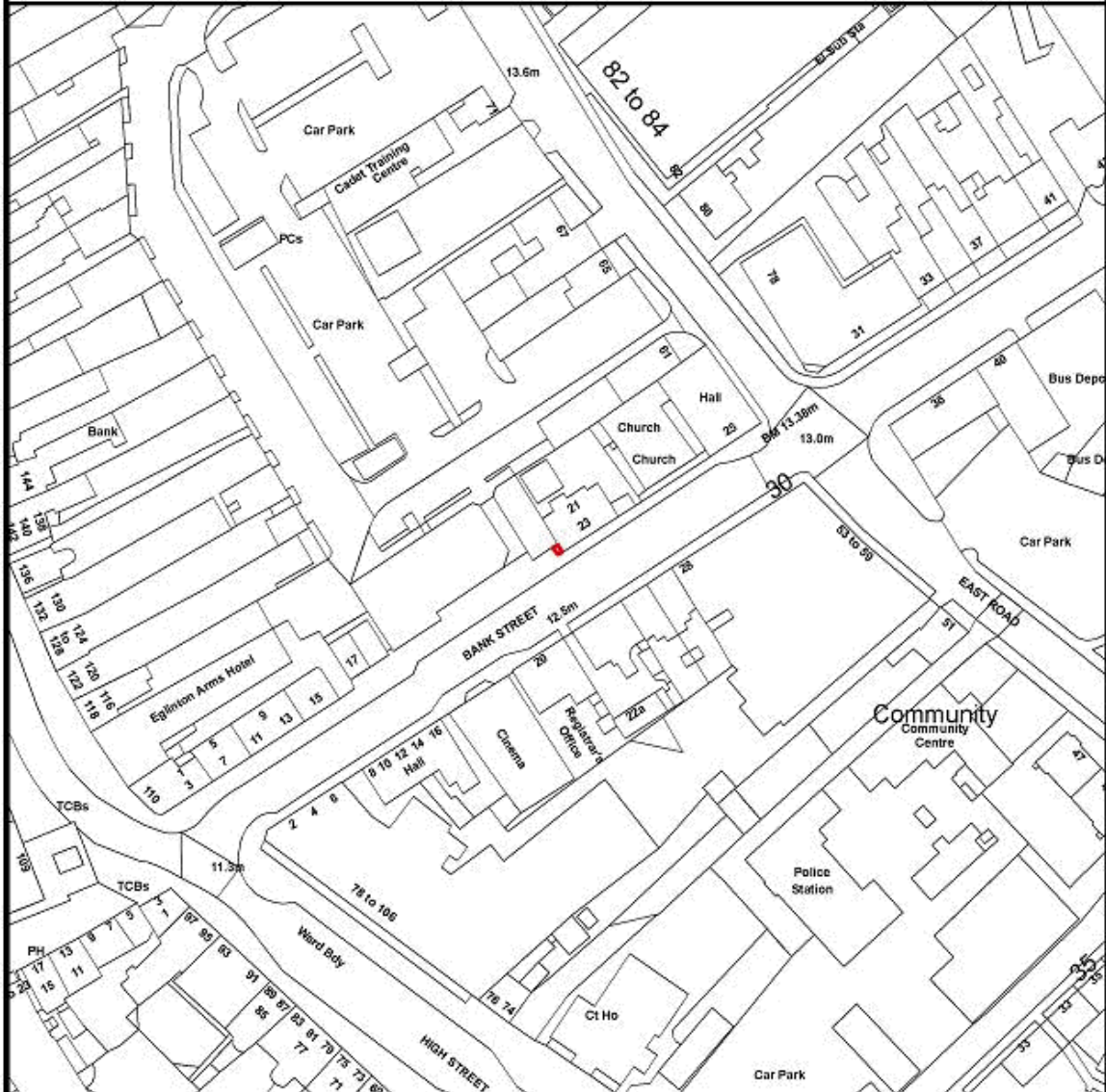
Grant (No conditions).

Reason(s) for approval:

1. The proposal complies with the relevant provisions of the development plan and there are no other material considerations that indicate otherwise.

Committee Plans

13/00028/PP



**NORTH AYRSHIRE
COUNCIL**

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NORTH AYRSHIRE COUNCIL

Agenda Item 4.2

Planning Committee

Planning Area

20 February 2013**Irvine/Kilwinning**

Reference

12/00711/PP

Application

18th December 2012

Registered

Decision Due

18th February 2013

Ward

Irvine East

Recommendation	Grant as per Appendix 1
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Location	Site to north of Alford Place, Irvine
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Applicant	URS City Point 2 25 Tindrum Street Glasgow
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Proposal	Amendments to SUDs ponds design including formation of access roads, erection of fencing and associated works
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1. Description

This is an application for various works to existing SUDS ponds at Montgomerie Park, Irvine. The proposed works include the formation of maintenance access tracks, erection of fencing around areas of the pond perimeter and other associated works. The proposed maintenance tracks would provide access to the existing inlet and outlet structures to facilitate cleaning and general maintenance. The applicant has confirmed that vehicular access for these purposes would be required on an occasional/annual basis.

The works to be carried out at Pond 1 would be vehicular access tracks at the eastern and western edge of the pond. The eastern maintenance access would be formed on the west side of Long Drive (A736) approx. 290m south of Hill Interchange and would comprise of grasscrete at the grassed road verge and a 3.5m wide whin dust hardcore access with a cellular paving turning area. The proposed western access would be formed to the east of an existing path approx. 100m south of the outdoor multi-use games pitch and would comprise of 3.5m wide "blacktop" surface with a turning area. A 3.5m wide gate would be erected at each end of this access. It is also proposed to remove the existing timber/mesh fence along the pond perimeter and erect a new 1.2m high "bow-top" fence approx. 220m along the north, east and west perimeter. Further investigations are being carried out as to the extent of any de-silting of the ponds that may be required. If required, it is proposed to form either 1 or 2 mounds from the de-silted material at the eastern end of Pond 1 to the north and south of the new maintenance access track. The mounds would be profiled and seeded at a height of between 0.5m -1m high to blend into contours in the area.

The works to be carried out at Pond 2 would be the formation of vehicular access tracks at the eastern and western edge of the pond. The eastern access would be formed from the existing footpath approx. 55m south-west of the nearest residential properties at Earlswood Avenue and would comprise of a 3.5m wide cellular paved path which would provide access to the existing inlet. The western access would be formed from the same footpath approx. 90m north-west of the eastern access and would comprise of a 3.5m wide whin dust hardcore access with a cellular paving turning area and would allow vehicular access to the existing outlet. The existing timber/mesh perimeter fence would be removed and a new 1.2m high "bow-top" fence approx. 220m along the north, east and west perimeter would be erected. As detailed above, a potential mounding area has been identified in the north-west corner of the site if necessary and would be seeded accordingly. 3.5m wide access gates are also proposed at the end of each proposed access track to provide an access through the new fence.

The SUDs Ponds are situated to the west of Long Drive and there is a distance of approx. 300m between them. Pond 1 is situated approx. 320m south of Hill Interchange and approx. 30m north of the nearest residential properties Alford Place. Pond 2 is situated approx. 55m south-west of the nearest residential properties at Earlswood Place. The Red Burn is situated to the south of each site.

The application site is located within a residential area as identified within the Adopted North Ayrshire Local Plan where site specific Policies RES3 (Urban Fringe Sites), RES7 (Montgomerie Park) and SOC1 (Site for Educational Facility) are relevant. Policy RES7 requires the development at Montgomerie Park to be promoted in accordance with an approved master plan.

All applications require to be assessed against the relevant criteria listed in the Development Control Statement (DCS). In this instance the relevant criteria would (a) Siting, Design and External Appearance, (b) Amenity, and (d) Access, Road Layout and Parking Provision.

In 2003 the Council approved a master plan for the development of Montgomerie Park. Planning permission was subsequently approved for: -

the erection of 123 dwellinghouses (Site 1 - Ref: 04/00047/PP - March 04), 71 dwellinghouses (Site 13 - Ref: 04/00897/PP- Jan 05), amended under (Ref: 06/00473/PP - Aug 06), formation of footpath/cycle route and associated landscaping (Site 11 - Ref:06/00693/PP - Sept 06), outline planning permission for residential development and structural landscaping (06/01070/OPP Dec 06), formation of SUDs Pond (Site 1 - Ref: 06/01072/PP - Aug 07), erection of 102 dwellinghouses including landscaping (Site 2 Ref: 07/00636/PP - Oct 07), erection of 118 dwellinghouses (Site 2 Ref: 12/00661/PP - pending consideration).

SUDs Pond 2 as detailed above was approved in Aug 2007 (Ref: 06/01072/PP) and both Ponds 1 and 2 were indicated on the outline planning proposal approved in Dec 06 (Ref: 06/01070/OPP).

The applicant has submitted an explanatory statement as part of the application which details the nature of the proposed works. Amended plans have also been submitted in relation to Pond 1 where the area of fencing has been increased to include the whole northern perimeter in the interest of public safety.

2. Consultations and Representations

The application was subject to statutory neighbour notification procedures and was advertised in a local newspaper on 11 January 2013 for neighbour notification purposes. One letter of representation has been submitted. The points of objection can be summarised as follows:-

1. The representee visited the Planning Office on 24 December 2012 when the application was newly registered and was concerned that there was lack of information. The Case Officer was also not available on this day to assist.

Response - The Case Officer has since contacted the representee to offer advice and advise that an additional explanatory statement has been received from the applicant . No further response from the representee has been received to date.

Consultations

Scottish Water - No objections.

Response - Noted.

SEPA - No objections. Standard advice has been provided with regards to construction waste, prevention of construction pollution and other regulatory advice.

Response - Noted. An informative can be attached to inform the applicant to contact SEPA with this regard.

Road Services - A road opening permit would be required to form the verge crossing from Long Drive.

Response - Noted. This can be advised through the attachment an informative.

3. Analysis

The proposal requires to be assessed against the Policies of the Adopted Local Plan together with relevant criteria of the DCS and any other material considerations.

Given that the proposal is for general improvements associated to existing SUDs ponds, the proposals can be considered ancillary to the wider allocation and there are no land use implications. The proposal therefore stands to be assessed against the DCS where the relevant criteria would be (a) siting, design and external appearance (b) amenity and (d) Access, Road Layout, Parking Provision.

With regard to criterion (a) it is considered that as the fencing would largely be replacing existing fencing and be of a higher standard it would not significantly impact in the character or appearance of the surrounding area. It is also considered that the formation of access tracks and the formation of the mounds if required would be minor works in the wider context, would be designed into site contours and would have no significant impact on the visual amenity of the surrounding area. With regard to (b) Amenity, it is not considered that the proposals would result in any unacceptable impacts on nearby residential properties. The applicant has confirmed that vehicular access for maintenance would only be required on an occasional basis, therefore disturbance to nearby residential properties would be minimal.

In relation to criterion (d) Roads Services has no objections to the proposal. It is therefore considered that the proposal would accord with criterion (d).

In view of the above, it is considered that the proposal would accord with the relevant criteria of the DCS. There are no other material considerations it is therefore recommended that planning consent is approved.

4. Full Recommendation

See Appendix 1.



CRAIG HATTON
Corporate Director (Development and Environment)

Cunninghame House, Irvine
30 January 2013

For further information please contact Fiona Knighton, Planning Officer , on
324313

FK/FG

APPENDIX 1

RECOMMENDATION FOR PLANNING APPLICATION REF NO 12/00711/PP

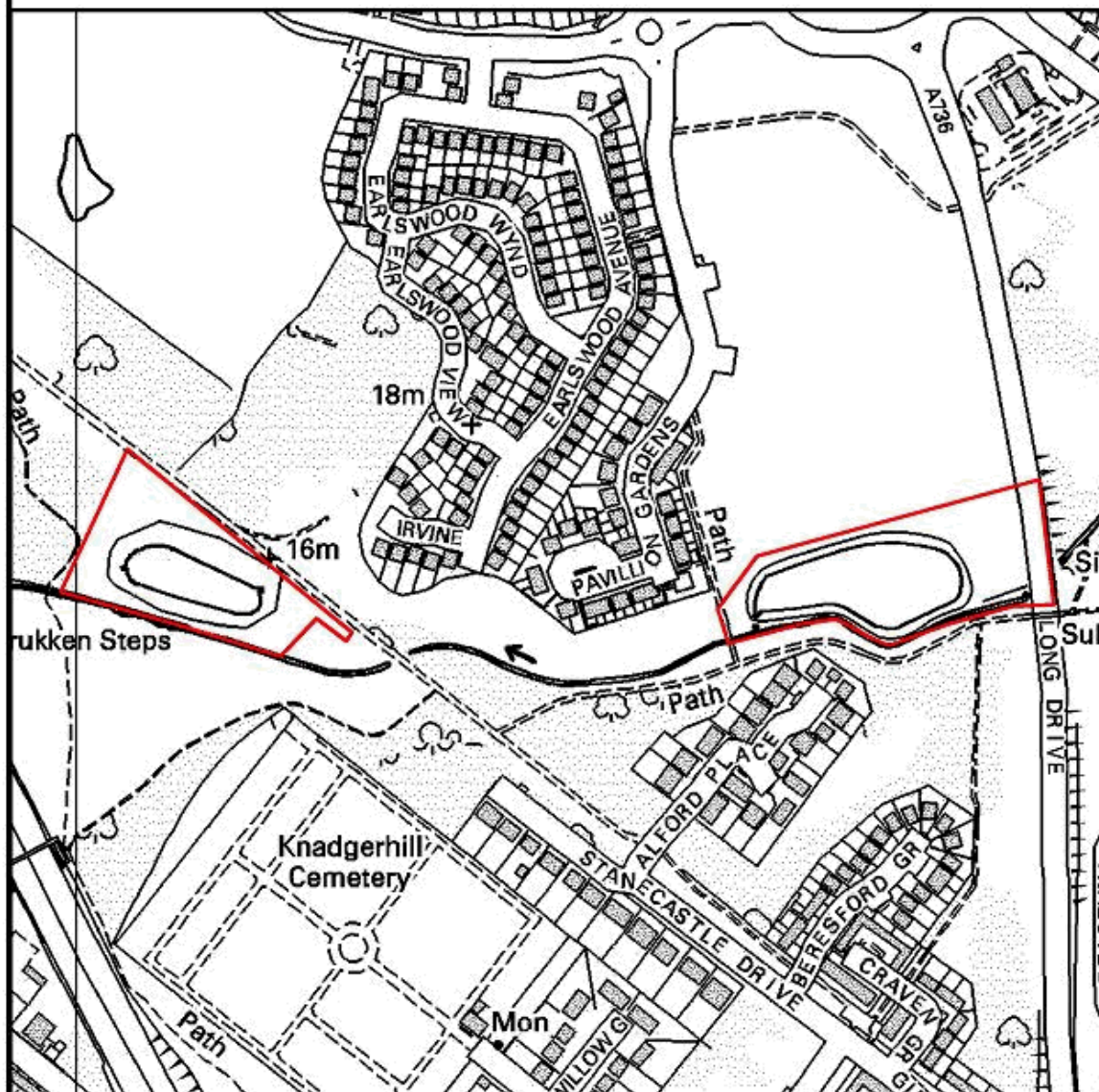
Grant (No conditions).

Reason(s) for approval:

1. The proposal complies with the relevant provisions of the development plan and there are no other material considerations that indicate otherwise.

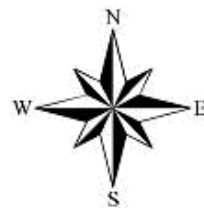
Committee Plans

12/00711/PP



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NORTH AYRSHIRE COUNCIL

Agenda Item 4.3

Planning Committee

Planning Area

20 February 2013**Irvine/Kilwinning**

Reference

12/00475/PPPM

Application

24th August 2012

Registered

Decision Due

24th December 2012

Ward

Irvine West

Recommendation**Grant with Conditions contained in
Appendix 1**

LocationAyrshire Central Hospital
Kilwinning Road
Irvine**Applicant**NHS Ayrshire & Arran
NAC Action Programme Office
University Hospital
Crosshouse
23 Lister Street
Kilmarnock
KA2 0BB**Proposal**Erection of Acute Mental Health & Community
Hospital and associated works

1. Description

Planning permission in principle is sought for the development of an acute mental health and community hospital facility in the north east part of the grounds of Ayrshire Central Hospital. The development includes the demolition of a nine existing pavilion buildings contained within the site area, with the submitted plans indicating a new access point from Kilwinning Road, some 130m south of the existing northern entrance.

The application only seeks to establish the principle of the development. A further application on the Matters Specified in Conditions (MSC) would be required to address the detailed issues. However indicative proposals, used to inform the supporting Pre-Application Consultation process (PAC) and the Design & Access Statement (DAS), offer some details of the potential layout and form of the development.

The hospital would be approximately 16,000 square metres in floor area, over two stories, providing 206 beds. These beds would be allocated on the following basis: adult acute mental health (60 beds); mental health rehabilitation (30 beds); addiction rehabilitation (10 beds); mental health forensic rehabilitation (8 beds); Intensive Psychiatric Care Unit (IPCU) (8 beds); elderly mental health (30 beds); geriatric long term care (30 beds); geriatric rehabilitation (30 beds); and outpatient clinics and treatments. The site outlined in the submission extends to 13.3 hectares.

Since the application was submitted and following discussion with officers, the following supporting documents have been submitted:

Phase 1 Geo-Environmental Assessment (September 2012);
Ground Investigation Report (incorporating a Coal Mining Risk Assessment) (September 2012);
Drainage Impact Assessment and Outline Drainage Strategy (December 2012);
Technical Review of Flood Risk (December 2012);
Arboricultural Report (December 2012);
Extended Phase 1 Ecology Assessment (December 2012);
Noise and Vibration Report (December 2012);
Air Quality Review document (December 2012);
Supporting Planning Statement (January 2013);
Transport Assessment (January 2013); and
Framework Travel Plan (January 2013).

The submission of these documents required further consultations with relevant consultees and stakeholders, which delayed the consideration of the application.

The submitted plans indicate the retention of some buildings, some of which are listed, within the site for ongoing healthcare use and the clearance of other buildings which are indicated as surplus to requirements. .

There is a tree belt along Kilwinning Road, which forms part of a TPO area beyond which lies the listed buildings, and to the east of the listed buildings, is the area to be developed. It is a roughly a square area of land with dimensions of some 300m east-west and 230m north-south. To the north of this development area are further buildings which would be retained. The indicative route of the access road extends from the south-west part of the development area, in an easterly direction and connecting to Kilwinning Road, at a new junction.

All of the trees along the east, north and western boundaries (Kilwinning Road) are covered by a Tree Preservation Order (Irvine No. 3). The buildings located to the west of the proposed hospital site are category 'B' listed. There are a number of mature and semi-mature trees within the area of the proposed new hospital and its associated facilities. There is a culverted water course to the south of the proposed development. The site is generally flat with no significant changes in ground level.

Beyond the grounds of Ayrshire Central Hospital, and the surrounding TPO, there is a business/industrial area to the north and east, and residential areas to the west, south and south-east. It should also be noted that the southern part of the wider healthcare site is considered surplus to requirements by NHS Ayrshire & Arran and would be promoted for residential development . An indicative plan has been submitted.

Planning Policy

The Development Plan is the Ayrshire Joint Structure Plan (AJSP) approved in November 2007 and the North Ayrshire Local Plan (excluding Isle of Arran) (NALP) adopted 4th November 2005.

The AJSP identifies the following policies as being relevant to the proposal: ENV8 - Flooding; ENV11 - Air, Noise and Light Pollution; TRANS1 - Land Use and Transportation; TRANS4 - Public Transport; IMP1 - Strathclyde Partnership for Transport; and IMP2 - Water and Sewerage Infrastructure. The structure plan is addressed by the policy framework within the NALP, therefore the proposals shall be assessed against the existing NALP and the above listed policies of the dLDP.

The NALP identifies the site as being within a housing area and it is unaffected by any site specific policies or proposals therein. The following general policies are relevant to the development proposed:

Policy TRA1 (Strathclyde Passenger Transport) Part B, which requires that all significant development proposals demonstrate that account has been taken of public transport provision and that developer contributions to secure public transport provision as part of the development of significant areas of new development may be required.

Policy TRA2 (Walking and Cycling) which requires that all significant development proposals require to demonstrate that account has been taken of the needs of walkers and cyclists.

Policy TRA10 (Taxis) which requires that suitable locations for taxi ranks are identified at any major development proposals to meet the needs of the community.

Policy INF6 (Flooding) which requires that flood risk issues are fully investigated and suitably mitigated.

Policy OS3 (Open Space Provision) which requires that significant developments, which incorporate open space, shall be required to demonstrate that they have given consideration to opportunities to locate amenity of space and wildlife areas in such a way as to contribute to the establishment of a "green corridor" network in and around towns and villages, in the interest of amenity, outdoor recreation, landscape and nature conservation.

Policy ENV16 (Contaminated Land) which requires that proposals for the restoration and/or remediation of contaminated land for an appropriate fit for purpose use shall accord with the local plan, subject to compliance with appropriate and remedial measures.

Policy BE5 (Listed Buildings) requires that development in the setting of a listed building which would have an adverse impact on that setting shall not accord with the Local Plan.

Policy BE13 (Art in the Community) where the Council encourages the provision of art in the community where it is appropriate to the setting of the development and surrounding area through partnership initiatives and by encouraging initiatives with private sector.

Policy BE14 (Design Guidance) which requires that proposals for development should take account of approved design guidance.

All development proposals require to be assessed against the relevant criterion of the Development Control Statement (DCS).

The North Ayrshire Council draft Local Development Plan (LDP) was published on 29 April 2011 and represents the considered opinion of North Ayrshire Council. There is limited changes to the policy framework, relevant to this proposal, between the adopted and emerging plans. It is considered that only Policies PI 1 (Walking, Cycling and Public Transport), PI 8 (Drainage, SUDS and Flooding), PI 10 (Community Infrastructure) and PI 13 (Carbon Emissions and New Buildings) provide an expanded or updated position.

There is a considerable planning history at Ayrshire Central Hospital site, with planning approvals, including Listed Building Consents, for works related to the development and upgrading the facilities to the north and west. However, it is not considered that these applications are particularly relevant to this proposal. In addition to these formal applications there has been considerable engagement, between NHS Ayrshire & Arran and North Ayrshire Council, regarding the strategic issues associated to an expansion of healthcare and the development of the surplus land.

In addition to the supporting documents noted above, the following supporting information formed part of the initial package.

Pre-Application Consultation (PAC) Report

This sets out the scope, process and findings of a public consultation exercise undertaken between 14 May and 3 August 2012. It explains who was consulted, how information was shared and the comments received and the responses of the applicant to those comments. The Report concludes that statutory requirements have been met and that the next stage of the process would take forward a number of the themes identified. These themes can be grouped under the following headings: Site Security; Environment; Naming of the Facility; Feedback to the Wider Community; and Community Benefits. It is noted in the Report that, while the PAC process has not seen the proposals being altered, NHS A&A shall take account of all comments made as the project develops through the detailed design process.

Design & Access Statement (DAS)

This statements explains the design influences, principles and concepts that have been applied, and how issues relating to access for people with disabilities have been dealt with. It examines the history and context of the site as well as the various issues which have influenced the indicative design solution. These areas of analysis include: scale, massing, design and materials, access and parking, landscaping, technical and compliance issues, flooding, drainage and SUDs, engineering and environmental issues, and masterplan and expansion strategy.

Phase 1 Geo-Environmental Assessment (submitted September 2012)

This document was prepared in November 2010 and relates to the wider ACH site, including the surplus land south of the application site. It details the history of the site and reports on the environmental setting through a desk top study of available information. The likely ground conditions are described, including coal. A preliminary site model was prepared, utilising the described information and a qualitative risk assessment was undertaken, with the risk being assessed as low to moderate. The report recommends that a Phase 2 ground investigation is undertaken, comprising, but not limited to: trial pits, boreholes, rotary boreholes, cone penetration tests and gas/groundwater monitoring.

Ground Investigation Report (incorporating a Coal Mining Risk Assessment) (submitted September 2012)

This document, also prepared in November 2010, gives results of an intrusive ground investigation. Samples obtained were subject to geotechnical and chemical testing, and gas and groundwater monitoring was undertaken on a weekly basis over a 4 week period. It is noted that the locations chosen for testing were limited due to the ongoing operation of the site. Issues arising related to: ground stability as a result of the soil types, groundwater levels, gases, and presence of peat. Gas protection measures and piled foundations are recommended. In relation to coal the investigations found no evidence of mine workings, with encountered coal seams found to be intact. No mineshafts were found on or within 20m of the site boundary. As such coal mining legacy risks are considered low. Contamination testing found risk to human health to be low. Made ground, of variable depths was found, and further investigations to ascertain any risk of contamination is recommended. Water testing indicated that risks to the water environment to be low, although further investigation at hot spots is recommended. Overall contamination testing found risks to site vegetation to be low. Recommendations are made in relation to underground concrete and pipe design. As the investigations were undertaken, with limitations, it is recommended that, following site clearance, supplementary investigations are undertaken at areas not able to have been investigated, an appropriate period to allow such works should be built into the pre-construction programme.

Drainage Impact Assessment and Outline Drainage Strategy (December 2012)

Advises that existing surface water drainage would be replaced by a new, largely engineered, separate system discharging to the Red Burn via an attenuation and treatment system. Peak discharge rates are calculated to reduce by 10% from current levels. In relation to foul drainage again a new separate foul sewerage system is to be provided, discharging into the existing public sewer to the north-west corner of the site. Scottish Water approval would be required to permit the additional flows predicted as a result of the development.

Technical Review of Flood Risk (December 2012)

This document is not considered a full Flood Risk Assessment (FRA), but has been compiled using best available data suitable for the outline/principles to be established. It provides recommendations for more detailed flood risk analysis forming part of the detailed planning stage. Findings of the document are that there is no known historical flooding of the site, site hydrology is influenced by the red Burn and the tidal River Garnock, potential for flood risk from the Lugton Water and River Irvine is thought unlikely but requires to be checked and verified, overall the site is potentially at risk from fluvial, combined fluvial-tidal, groundwater and pluvial flooding, the red Burn is heavily culverted and is a risk during major flood events, these risks require to be considered in future analysis and modelling, a 2010 FRA is considered limited, out of date and in need of review. Finally it advises that the findings stated in the above DIA should be referred to.

Arboricultural Report (December 2012)

This comprises the review and update of an earlier Arboricultural Assessment (2009), prepared in accordance with BS 5837:2012: *Trees in relation to Design, Demolition and Construction - Recommendation*. It is not a thorough assessment of the health and safety of trees and recommends that detailed tree inspections are undertaken on a regular basis, to ensure compliance with the land owner's duty of care and to satisfy health and safety requirements. It advises that the final design process should include an Arboricultural Implications Assessment (AIA) and Arboricultural Method Statement (AMS). Findings advise that the trees within the area proposed to accommodate the new hospital building are predominantly young or of low value and as such the impacts of the development would be limited from both an arboricultural and landscape perspective. However, the new access road, linking to Kilwinning Road, would require felling of trees within a mature linear belt protected by a TPO. It is recommended that the feasibility of locating the access road in a location which would minimise tree loss is investigated. Overall, although some tree loss is expected, careful planning and protective barriers should see trees remain in good health.

Extended Phase 1 Ecology Assessment (December 2012)

This follows ecological surveys conducted in 2009, as well as 2012 work including a badger 'checking' survey and an external inspection of the pavilion buildings for signs of roosting bats. The aims of the survey were to update previous work, map and evaluate the ecological value of the site habitats, identify the presence of statutory designated sites within close proximity, and assess the potential for these habitats to support protected or notable species. Findings advise that there are no statutory designated sites within close proximity to the site and site habitats are dominated by managed amenity grassland. The broadleaved woodland (TPO) is considered the most ecologically important habitat, providing bird nesting and bat foraging habitat. An inspection of a previously identified 'disused' badger sett has confirmed continued disuse by badgers. Inspection of the pavilion buildings has confirmed their suitability for bat roosting, however no fresh signs of recent use were found. Recommendations are as follows: Habitats - actively manage this resource to enhance biodiversity, including the removal of non-native species. Protected Species - Bats, given the proposed demolition of the pavilion buildings it is recommended that presence/absence surveys are undertaken during March/April - October. If bats are found to be roosting it is likely that an EPS License would be required from SNH. Breeding Birds, the pavilion buildings are noted to have supported swallows and house martins externally and other species including house sparrows and starlings internally. As such it is recommended that site clearance or demolition is conducted outwith the breeding bird season (nominally March to August inclusive), 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. Vegetation clearance works should also be undertaken in line with similar recommendations.

Noise and Vibration Report (December 2012)

Advises that the potential for noise and vibration impacts and the need to address them has been raised in the DAS and by North Ayrshire Council's Environmental Health Service, in their consultation response. However, given that the proposals are at the principle stage, they are not sufficiently advanced for a detailed noise assessment to be produced. It is therefore proposed to consider noise and vibration issues as the design advances. Discussion has been held with NAC on noise issues and potential sources of noise and vibration are summarised, in relation to both the existing and proposed development. An assessment methodology is also proposed.

Air Quality Review document (December 2012)

Concludes that air quality monitoring indicates that concentrations are well below national air quality objectives and that this is likely to be the existing site situation. It is not expected that the proposal would cause changes in traffic flows which would require further detailed assessment and that, given the low existing concentrations there are unlikely to be significant effects on nearby receptors. It is recommended that, when a detailed design is available for the on-site energy centre, this is reviewed to determine if further assessment and/or stack height determination is required. Dependant on scale and fuel type a more detailed dispersion study may be required. To prevent nuisance from dust during construction phases, mitigation measures should be implemented.

Supporting Planning Statement (January 2013)

This document considers planning issues and summarises much of the supporting submissions. It concludes that the proposals would: meet the needs of NHS A&A, make efficient and sustainable use of land, have minimal traffic impacts, promote the development of a Travel Plan - to encourage modal shift, have a largely minimal impact in the wider landscape, include SUDS in accordance with best practice, minimise tree loss and provide replacement replanting where necessary, and not have adverse environmental effects, which cannot be mitigated. Overall it concludes that the application accords with the relevant policies and provisions of the development plan and that there are no other material considerations to indicate that the application be determined other than in accordance with the development plan.

Transport Assessment (January 2013)

This identifies two key issues. Firstly, that there would be minor additional traffic on the network and the saturation of two junctions would increase by 5%. Further modelling of these junctions indicates that they would continue to work within capacity. Secondly, pedestrian and cycling facilities may need upgrading to encourage travel by more active modes of transport and a more effective parking management system would aid pedestrian and cycling movements. To mitigate these issues a Travel Plan has been produced containing specific measures and initiatives to encourage modal shift to more sustainable transport options. It is considered that with the successful implementation of the Travel Plan, a 5% reduction in car use would occur within 3 years. This figure would offset the increased traffic generated by the development. In addition adequate parking should be provided such that vehicles do not obstruct the highway.

Framework Travel Plan (January 2013)

This sets out five main objectives: To reduce car trips to and from the hospital; improve health and fitness by promoting walking and cycling; introduce measures to encourage use of public transport, walking and cycling; improve safety and reliability of journeys; and to continually review and monitor progress of the Travel plan to ensure objectives are being met.

2. Consultations and Representations

Neighbour notification was undertaken on 24th August 2012 and the application was advertised in a local newspaper for neighbour notification, impacts on the setting of listed buildings, and as a bad neighbour development on the 7th September 2012. The proposals were also advertised by a site notice on 7th September 2012 as development potentially affecting the setting of a listed building. One letter of representation was received. The points raised can be summarised as follows:

1. Concerns are raised in relation to the type of patient to be housed at the proposed hospital and that there may be security and safety issues for nearby residents. A commitment is sought from NHS Ayrshire and Arran in respect of security.

Response - As noted within the description above, there is a full range of patient facilities within the development. In relation to safety and security NHS Ayrshire & Arran, in the DAS, has advised that security systems shall present a secure and reassuring environment for staff, patients and visitors by providing appropriate security measures within the particular constraints imposed by clinical demand and personal freedom. This approach is considered appropriate.

Consultations

NAC Roads & Transportation - Advise that in principle the development is acceptable, however further information shall be required at the MSC stage. A holistic approach to the wider NHS land holding should be taken, as set out in the 'Design and Access Statement', to ensure that infrastructure constraints or redundant works are avoided. The location of accesses to the site should be carefully considered, particularly the mixing of hospital and residential traffic. Additionally the proposed access off Kilwinning Road would require the removal of a number of trees, protected by a TPO. However, it is not clear why a new access is promoted, from either an engineering or operational perspective. The use of existing accesses off Kilwinning Road could be utilised. Any future residential areas should conform to 'Designing Streets'.

It is recommended that: access to the site should use existing accesses; some infrastructure improvements, to the local road network would be required, such improvements should be detailed at the MSC stage and be scoped with Roads & Transportation; if any public transport services are unable to be accommodated within the site, improvements to the interchange facilities on Kilwinning Road are required. As such a detailed TA, to be scoped with Roads & Transportation, shall be submitted in support of the MSC application; a parking strategy shall be submitted; access by modes other than the car is key, which would require wide paths on key routes as well as links to the wider cycle and pedestrian network; and adequate cycle shelters and facilities should be provided for both visitors and staff.

Response: These matters could be addressed by appropriate conditions. It is agreed that the preference is to see access by existing junctions off Kilwinning Road, particularly to avoid the loss of the significant number of protected trees. A note could also be attached advising the applicants to contact Roads & Transportation in order to scope and agree these issues in advance of any planning submission.

NAC Access Officer - The submission of the Transport Assessment (TA) and Framework Travel Plan (FTP) are welcomed and should address the issues raised in the FTP, such as connecting shared use paths to the wider shared path network. The provision of a multi user path from the NCN to Kilwinning Road should be recognised. Detailed comments are also provided in relation to the content of the TA, relative to cycle, rail and pedestrian access & parking. It is advised that multi use paths should be provided within the site and sets standards for cycle parking, changing and shower provision. Reference is also made to the relevant policies in both the adopted Local Plan and the emerging Local Development Plan.

Response: These matters could be addressed by appropriate conditions. An informative would advise the applicant to contact the Access Officer on these matters.

Strathclyde Partnership for Transport (SPT) - Following the submission of the TA and FTP in January 2013 additional comments, supplementing earlier general matters were submitted. The development should be suitably designed to accommodate bus service provision within the site. It is also advised that such bus services are likely to require financial support from the applicant. The proposal that a shuttle bus would be provided to Irvine rail station is not recommended and that improvements to existing services should be undertaken, being more appropriate and sustainable.

Bus service penetration into the site is likely to require a suitable internal layout, and a dedicated bus stop in close proximity to the main entrance to the hospital, where it would not conflict with staff or visitor access or parking, emergency or patient transfer vehicles. These requirements would include a bus turning area at the drop-off area, provision of shelter and timetable information, and applicant funding to support the diversion of services off Kilwinning Road. A condition is requested to cover these issues, the detail of which should be agreed with NAC Roads & Transportation and SPT.

As a minimum all stops used to access the hospital should have: raised kerbs, shelter, timetable information boards, flags and electronic passenger information, preferably real-time, and lighting. Considerations should also be given to signals and signal phasing for buses at the main entrance off Kilwinning Road. Further highway improvements may be required to enhance the standard of bus service provision in the vicinity of the site, this should be discussed with NAC Roads & Transportation.

Furthermore conditions are recommended in relation to: the development of a public transport strategy, the provision of a 'travel point', and that the recommendations of this strategy implemented prior to the operation of the development, a Travel Plan, to recognise the travel mode choices available to staff, patients and visitors and how sustainable travel options can be developed. Car sharing should also be promoted, inclusive of the wider facilities, and SPT can provide advice in this regard. Clear signage should be provided on approaches to and within the site indicating direct routes to main entrances for pedestrians, cyclists and public transport users.

The reference in the DAS to the inclusion of pedestrian desire lines in the layout is welcomed. It is also noted that cycle links to existing and proposed wider cycleways is proposed, but that this should provide a contiguous link between the hospital site and the NCN. However, the number of roadway crossings should be carefully considered to ensure that journey time reliability for bus services is not unacceptably affected.

Response: These matters could be addressed by appropriate conditions.

Transport Scotland - Advise that a condition be attached to any planning permission requiring that no part of the development be occupied until a comprehensive Travel Plan, that sets out proposals for reducing dependency on the private car has been submitted and approved in writing by the planning authority, in consultation with Transport Scotland TRBO. In particular this Travel Plan should identify measures to be implemented, the system of management, monitoring, review, reporting and the duration of the plan, in accordance with Scottish Planning Policy (SPP) and PAN 75: Planning for Transport.

Response: A suitable condition requiring a Green Travel Plan could be attached to any planning permission.

NAC Arboricultural Officer - the submitted Arboricultural Report (December 2012) subsequently addressed many initial concerns. The main concerns relate to: potential loss of trees within the TPO, to facilitate the proposed access route, and ways to limit such losses, and the feasibility of utilising an existing point of access, to avoid excessive impact on the TPO, should be fully investigated. As part of the final design process, an Arboricultural Impact Assessment and Arboricultural Method Statement should be used as a guide. The recommendations within the submitted Tree Survey Schedule should be implemented, as site inspection indicates that highlighted works are outstanding. These works are important as the TPO is mature and has amenity value to the site in relation to visual, wildlife and biodiversity terms.

Response: The potential for loss protected trees within the TPO to facilitate the indicative access shall require to be carefully reconsidered. Suitable conditions can also be attached requiring that both an Arboricultural Impact Assessment and Arboricultural Method Statement be undertaken and used to guide the detailed design process and that the recommendations within the submitted Tree Survey Schedule are implemented. An informative can be attached to any planning permission, advising the applicant to contact the Arboricultural Officer.

NAC Environmental Health - Advise that the recommendations contained within the 2010 ground investigation report submitted be implemented, relating to ground gas protection measures, buried concrete and service pipe design, supplementary ground investigations be undertaken following site clearance, and written verification of remediation works is submitted. That appropriate construction and demolition practices are followed. No further comments were made following the submission of additional documentation comprising: Air Quality Review and Noise & Vibration Report.

Response: These matters could be addressed by appropriate conditions. An informative can be attached advising the applicant to contact Environmental Health in relation to appropriate construction and demolition practices.

SEPA - No objection, raised initial issues associated to risk of flood, foul drainage issues, Surface Water Drainage and further regulatory advice in relation to construction work and pollution prevention, directing the applicant to the SEPA website for details. Following the submission, in December 2012 of a Flood Risk Assessment (FRA); and Drainage Impact Assessment (DIA) and Outline Drainage Strategy (ODS), SEPA provided the following comments.

Flood Risk

Due to the risk from flooding from the nearby culverted watercourse and the sensitivity of the use, the 1:1000 year flood return period should be considered as well as access/egress and the incorporation of flood resilient and resistant materials highlighted in PAN 69: Planning and Building Standards Advice on Flooding. In reviewing the recommendations contained in section 5.2 of the FRA, SEPA request clarification regarding the culverting of the Red Burn. Further consultation, due to the sensitivity of the use, should take place following detailed remodelling. It is advised that an objection is likely if development is proposed within the 1:1000 year flood risk area. The applicants are referred to technical and procedural guidance.

Surface Water Drainage

Details of the treatment train are requested. There has not been an allowance for amenity design. Detailed design provides opportunity to provide amenity and interest within SUDS design for both residents and staff to enjoy. A planning condition requiring an updated SUDS document clearly detailing all aspects of the methods for collection, treatment and disposal of surface water runoff is sought. Any landscaping at the site should result in habitat enhancement, e.g. planting of native species, creation of green corridors, etc. The deculverting of the Red Burn would offer environmental benefits and reduction of flood risk. The applicant is directed to the CIRIA C697 manual and SEPA guidance. The advice of the local Roads and Flood Authority in relation to acceptable run-off rates for flood control should be sought.

Response: These matters could be addressed by appropriate conditions.

NAC Flood Engineer -

Agree that the 2010 Flood Risk Assessment is limited and needs to be revisited, and that the modelling should be extended to assess the flood risk and the impact of the proposal to the adjacent upstream residential developments. The 1:1000 year return period flood risk from all sources needs to be assessed, and finished floor level(s) adjusted as per SEPAs comments. It is unlikely that tidal effect would have any impact to the proposal. Requests that the culverted section of the Red Burn, within the wider NHS site, is opened due to its fragile condition and likely recreational and aesthetic benefits, improved operational and maintenance aspects and reduced risk of flooding due to blockages.

As a best engineering practice a more holistic approach across the wider NHS site is recommended on: surface water runoff; drainage; and flood risk and mitigation.

Response: These matters could be addressed by appropriate conditions. An informative can be attached to any planning permission advising that all flood and drainage related matters should be scoped with NAC's Flood Engineer.

Scottish Water - No objection. Advise that a licensed provider is required to act on behalf of applicants for new water and waste water connections, that the impact on infrastructure would require to be assessed by the submission of a Development Impact Assessment, and should there be impacts on existing infrastructure Scottish Water would provide advice on how to protect such apparatus. Assistance on such matters can be obtained direct from Scottish Water.

Response: Noted. An informative can be attached requiring that the applicant contact Scottish Water directly regarding these matters.

Historic Scotland - No comments, and advise that the application should be determined without further reference to them.

Response: Noted. Issues associated to the impact on the setting of the listed buildings in proximity to the site are discussed in the Analysis section below.

Irvine Community Council - No comments.

Response: Noted.

The Coal Authority - Advise satisfaction with the broad conclusions of the Ground Investigation Report, that coal mining legacy issues are not likely to be significant and are not likely to pose a risk to the proposed development. No objections are raised and no specific mitigation measures are considered to be required.

Response: Noted.

Scottish Wildlife Trust (SWT) - No comments.

Response: Noted.

Architecture and Design Scotland (A&DS) - No comments.

Response: Noted.

3. Analysis

Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 require that planning decisions by planning authorities shall be in accordance with the Development Plan, unless material considerations indicate otherwise. In this case the Development Plan comprises the Ayrshire Joint Structure Plan (AJSP) and the North Ayrshire Local Plan (excluding Isle of Arran) (NALP). North Ayrshire Council's prepared draft Local Development Plan (dLDP) is also a material consideration. Given the fact that both the NALP and the dLDP continue the strategy and themes of the AJSP it is not considered necessary that a direct assessment of the proposal against the AJSP is necessary.

It is also important to note that the use of the site as a hospital is acceptable in principle, given that such use would not constitute any material change from the present situation. The submitted information indicates that the proposed development would not result in a significant increase in the level of use, staffing levels are to increase by c.30, and patient numbers are to remain similar. As such the issues which require to be discussed are largely matters of detail which can be addressed by conditions, including the siting, design and access/egress arrangements.

North Ayrshire Local Plan (Excluding Isle of Arran)

In relation to the NALP the following policies are relevant and shall be assessed in turn.

Policy TRA1 and Policy TRA2 can be assessed against the emerging Policy PI 1 (Walking, Cycling and Public Transport) of the dLDP, see below. Policy TRA10 (Taxis) can be addressed by a suitable planning condition and an informative. Policy INF6 (Flooding) can be assessed against the emerging dLDP Policy PI 8 (Drainage, SUDS and Flooding).

In terms of Policy OS3 a suitable planning condition could be attached to any planning permission requiring that open space provision is addressed in the detailed design of the proposed hospital facility and in a supporting Design Statement, which should include a section detailing how amenity open space and wildlife areas have been incorporated, such that the establishment of a wider "green corridor" network is supported, including for amenity, outdoor recreation, landscape and nature conservation. An informative could also be attached advising that the detail of such design solutions should be subject to consultation with SNH, SEPA, NAC Streetscene and the Scottish Wildlife Trust. The proposal is acceptable subject to detailed assessment at the MSC application stage.

In respect of Policy ENV16 Environmental Health advises that suitable conditions should be attached to any planning permission, requiring that the recommendations contained within the 2010 ground investigation report, submitted in support of the application, be implemented. An informative can be attached advising the applicant to contact Environmental Health on these matters. Subject to these considerations the proposal accords with Policy ENV16.

Policy BE5 (Listed Buildings) requires that development in the setting of a listed building which would have an adverse impact on that setting shall not accord with the Local Plan. Historic Scotland offered no adverse comments. The proposal is acceptable in principle, in relation to Policy BE5. However, detailed analysis and further consultation with Historic Scotland would take place during the assessment of the MSC application.

An appropriate condition would address Policy BE13 (Art in the Community) which encourages the provision of art in the community. The proposal is acceptable in principle, in relation to Policy BE13

Policy BE14 (Design Guidance) relates to design guidance, which can be addressed in the MSC..

Development Control Statement (DCS)

All development proposals require to be assessed against the relevant criterion of the Development Control Statement (DCS). It is considered that criteria (a) Siting, Design and External Appearance, (b) Amenity, (d) Access, Road Layout, Parking Provision and (e) Water and Sewerage, are relevant.

(a) Siting, Design and External Appearance

Matters of detail associated to the siting, design and external appearance require to be reserved, by condition, to the MSC application stage. An informative can be attached advising the applicant to contact NAC's Planning Service for guidance in relation to the scope and format of such a Design Statement.

(b) Amenity

Again, as this application seeks planning permission in principle only, issues related to Noise, Vibration and Air Quality are addressed in submitted supporting documentation. Consultation with NAC Environmental Health has raised no issues in relation to the content of the Noise and Vibration Report (December 2012), Air Quality Review Document (December 2012). Given that these submissions recommend that a detailed Noise and Vibration Report should support any MSC application and that a review of issues associated to Air Quality should be reviewed against detailed designs, suitable planning conditions can be applied to any planning permission. A suitable informative can be attached advising the applicant to contact EH in this regard.

Advice from the Council's Arboricultural Officer, based on the indicative layouts contained within the Design & Access Statement (DAS) and the content of the Arboricultural Report (AR) submitted in support of the application, shows that there is a high likelihood of the loss of trees protected by a TPO, to facilitate the indicative access. NAC Roads & Transportation indicate that it is not clear why a new access is promoted, from either an engineering or operational perspective and that the use of existing accesses off Kilwinning Road could be utilised. Suitable conditions can be attached requiring that both an Arboricultural Impact Assessment and Arboricultural Method Statement be undertaken and used to guide the detailed design process and that the recommendations within the submitted Tree Survey Schedule are implemented. Matters associated to the access arrangements are discussed below. Detailed landscaping to include measures to preserve and supplement trees and hedgerows are also required

(d) Access, Road Layout, Parking Provision

Given the discussion in relation to roads matters against policies TRA1, TRA2, TRA10 and PI 1, and the consultation responses from NAC Roads and Transportation, Transport Scotland, SPT and NAC's Access Officer, it is considered that the principle of the development is acceptable and that matters of detail can be addressed by planning conditions, which would allow detailed assessments to be undertaken at the MSC application stage.

(e) Water and Sewerage

Given the discussion in relation to water and sewerage issues against policies INF6, PI 1 and PI 8, and the consultation responses from NAC's Flood Engineer, SEPA and Scottish Water, it is considered that the principle of the development is acceptable and that matters of detail can be satisfactorily controlled by suitable planning conditions, which would allow detailed assessments to be undertaken at the MSC application stage.

In view of the foregoing, the proposed development accords with the relevant Local Plan Policies and Development Control Statement criteria of the NALP.

Other Material Considerations

Draft Local Development Plan (dLDP)

The North Ayrshire Council draft Local Development Plan (dLDP) was published on 29 April 2011 and represents the considered opinion of North Ayrshire Council. Following consultation, this emerging plan is now a material consideration and the following policies are considered to provide the Council's updated position in relation to this case.

PI 1 (Walking, Cycling and Public Transport), PI 8 (Drainage, SUDS and Flooding), PI 10 (Community Infrastructure) and PI 13 (Carbon Emissions and New Buildings).

The other LDP policies of relevance, are similar to policies contained in the Adopted North Ayrshire Local Plan (excluding Isle of Arran), which have been assessed above. Similarly the General Policy is equivalent to the Development Control Statement of the adopted Local Plan which have also been addressed above.

Infrastructure

PI 1 (Walking, Cycling and Public Transport)

Development proposals which result in significant trip generation shall require to demonstrate that account has been taken of the needs of walkers, cyclists and public transport users through demonstration that the listed criterion have been addressed.

The issues detailed in the criterion are largely matters of detail and shall be assessed at the MSC application stage.

However, in order to ensure that these issues are considered in those detailed designs, and to address the issues raised by NAC Roads & Transportation, SPT, NAC's Access Officer, etc, conditions can be applied requiring that the following documents are prepared in support of any MSC application:

Fully Detailed Transport Assessment; Green Travel Plan; Parking Strategy; Public Transport Strategy and Signage Strategy. The scope and content of these documents should be agreed with the relevant parties, in advance of any MSC submission, and an informative can be attached in this regard.

Otherwise further conditions can be applied to facilitate bus service penetration, supported by consultation with SPT, a not can be applied to any permission advising of this; the needs of pedestrians and cyclists should be fully considered in the layout and design of the development; that funding to support the diversion of bus services off Kilwinning Road is provided; that the continuation of the link from the national cycle route, incorporating improvements on Kilwinning Road as well at provision within the site should be put in place. It is considered that the proposals are acceptable in principle and that detailed assessment shall take place at the MSC stage.

PI 8 (Drainage, SUDS and Flooding)

In order to comply with Policy PI 8, conditions can be attached requiring that the following matters are included in any MSC submission: a comprehensive Drainage Assessment be subject to consultation with NAC's Flooding Risk Management section. SUDs techniques are incorporated; that a Flood Risk Assessment be completed, demonstrating that the issues raised within PI 8 have been addressed,. The scope and detail of the FRA shall be agreed with NAC's Flooding Risk Management section. It is considered that the proposals are acceptable in principle and that detailed assessment shall take place at the MSC stage.

PI 10 (Community Infrastructure)

This policy requires that sites demonstrate a high level of accessibility, particularly for walking, cycling and public transport. In relation to social care facilities, locations should be in reasonable walking distance of local facilities and a public transport node.

Issues of accessibility are addressed above in relation to Policy PI 1 and criterion (d) of the DCS, it is considered that the site can be demonstrated to be accessible and in the most appropriate location. Detailed assessment of this issue can be undertaken at the MSC application stage.

PI 13 (Carbon Emissions and New Buildings)

This policy requires that all new buildings must reduce their CO2 emissions above or in line with building standards through appropriately designed: on-site low or zero carbon generating technologies (LZCGTs); and/or passive/operational energy efficiency measures. Such measures should be demonstrated and a suspensive condition may be used to submit energy saving or on-site LZCGT schemes at the time of Building Warrant submissions. In order to address these issues a condition can be applied to any planning permission .

It is considered that the proposed development accords with the Development Plan comprising the Ayrshire Joint Structure Plan and the adopted North Ayrshire Local Plan (Excluding Isle of Arran) (NALP) and also the prepared Local Development Plan. There are no other material planning considerations which would outweigh the provisions of the Development Plan. Planning permission can therefore be granted.

4. Full Recommendation

See Appendix 1.

A handwritten signature in black ink, appearing to be 'CH', written over a horizontal line.

CRAIG HATTON
Corporate Director (Development and Environment)

Cunninghame House, Irvine
7 January 2013

For further information please contact Kristian Smith, Senior Planning Officer , on
01294 324 317

APPENDIX 1

RECOMMENDATION FOR PLANNING APPLICATION REF NO 12/00475/PPPM

Grant subject to the following conditions:-

1. Prior to the commencement of development on site, a further application(s) for the approval of the matters specified in this condition must be submitted to and approved by North Ayrshire Council as Planning Authority. These matters are as follows:
 - (a) the layout of the site, including all roads, footways, shared paths, car parking areas, cycle parking and open spaces;
 - (b) the siting, design and external appearance of all building(s) and any other structures, including plans and elevations showing their dimensions and type and colour of external materials;
 - (c) detailed cross-sections of existing and proposed ground levels, details of under-building and finished floor levels in relation to a fixed datum, preferably ordnance datum and detailing how flood issues are addressed.
 - (d) the means of access to the site;
 - (e) the design and location of all boundary treatments including walls and fences;
 - (f) the landscaping proposals for the site, including details of existing trees and other planting to be retained and tree protection measures together with proposals for new planting specifying number, size and species of all trees and shrubs and a woodland management implementation programme;
 - (g) the means of drainage and sewage disposal including Sustainable Urban Drainage Systems (SUDS);
 - (h) details of the phasing of development (covering all relevant aspects of development detailed in (a) above);
 - (i) a design and access statement: design issues addressed in the formulation of the proposals shall be set out in line with the relevant supplementary design guidance produced by North Ayrshire Council.
2. The application(s) for approval of these further matters must be made to the Council as Planning Authority before whichever is the latest of the following:
 - (a) expiry of 3 years from when permission in principle was granted
 - (b) expiry of 6 months from date when an earlier application for approval was refused, and
 - (c) expiry of 6 months from date on which an appeal against the refusal was dismissed.

Approval of the further specified matters can be made for -

- (i) different matters, and
- (ii) different parts of the development at different times.

Only one application for approval of matters specified in conditions can be made after 3 years from the grant of planning permission in principle.

3. That the further application(s) required under the terms of Condition 1 above shall include the retention of the existing access points off Kilwinning Road to serve the development, unless it can be demonstrated that there are sound technical and operational requirements for a replacement access and that satisfactory measures can be taken to minimise the loss of trees, to the satisfaction of North Ayrshire Council as Planning Authority.
4. That the further application(s) required under the terms of Condition 1 above shall include a detailed design of any required improvements to the local road network and design issues associated to accommodating public transportation needs, multi-user/pedestrian crossing facilities within the site and any required improvements to crossing points on the road network external to the site, all for the approval in writing of North Ayrshire Council as Planning Authority.
5. That the further application(s) required under the terms of Condition 1 above shall include a detailed Transport Assessment and Parking Strategy, including a detailed internal layout of the development including a swept path assessment for servicing, for the approval in writing of North Ayrshire Council as Planning Authority.
6. That the further application(s) required under the terms of Condition 1 above shall include details of the shared path / cycle way connections throughout the site and linkages to the National Cycle Route all for the approval in writing of North Ayrshire Council as Planning Authority.
7. That the further application(s) required under the terms of Condition 1 above shall include a Public Transport Strategy detailing the frequency and routing of new/amended bus services for the consideration and detailed approval of the Council as Planning Authority. The strategy may include public transport infrastructure (bus stops and shelters), provision for taxi access and drop-off / pick-up, travel information to ensure users are aware of pedestrian, cycle and public transport provision which may also include for the provision of real time information unless otherwise agreed by North Ayrshire Council as Planning Authority.
8. That before the commencement of the use, hereby approved, the recommendations of the Public Transport Strategy, outlined in condition 7 above shall be implemented to the satisfaction of North Ayrshire Council as Planning Authority.
9. That the further application(s) required under the terms of Condition 1 above shall include a Green Travel Plan and any measures detailed therein to reduce car trips, shall be implemented and thereafter monitored to the satisfaction of North Ayrshire Council as Planning Authority. The needs of walkers, cyclists and public transport users should also be considered, with reference to the criteria in Policy PI 1 of the draft Local Development Plan.

10. That the further application(s) required under the terms of Condition 1 above shall include a Signage Strategy to improve directional and information provision to the satisfaction of North Ayrshire Council as Planning Authority.
11. Development shall not commence until an assessment of the potential for the proposed use to cause noise and vibration nuisance including, if applicable, noise produced by the ventilation equipment, to occupants in the surrounding area, has been submitted to the Council as Planning Authority. Where potential noise or vibration disturbance is identified, proposals for the attenuation of that noise or vibration shall be submitted to and approved in writing by North Ayrshire Council as Planning Authority. The approved scheme shall cover both development and operational phases and be implemented prior to either commencement of development or the development being brought into use, whichever is relevant, and shall thereafter be retained in accordance with the approved scheme to the satisfaction of North Ayrshire Council as Planning Authority. Such an assessment and the recommendation of any attenuation measures shall be carried out by a suitably qualified person.
12. (a) Prior to commencement of any works on site, the recommendations contained within the 2010 Geo-Environmental Assessment and Ground Investigation Report, submitted in support of the application, shall be implemented. Any amendments to the approved remediation plan shall not be implemented unless approved in writing by North Ayrshire Council as Planning Authority.

(b) On completion of the remediation works, the developer shall submit a completion report to North Ayrshire Council as Planning Authority, confirming that the works have been carried out in accordance with the approved remediation plan and that the works have successfully reduced risks to acceptable levels.

(c) Any previously unsuspected contamination which becomes evident during the development of the site shall be brought to the attention of North Ayrshire Council as Planning Authority within one week or earlier of it being identified. A more detailed site investigation to determine the extent and nature of the contaminant(s) and a site-specific risk assessment of any associated pollutant linkages, shall then require to be submitted to and approved in writing by the Council as Planning Authority.

13. That before work commences on site a local air quality monitoring and modelling assessment shall be carried out and the information submitted to and approved by North Ayrshire Council as Planning Authority, unless otherwise agreed. The information shall be used to assess potential impacts of the development on existing air quality during both the construction and operational phases. The assessment shall have regard to the contributory impact on air quality that the development may pose.
14. That the further application(s) required under the terms of Condition 1 above shall include:
 - (a) an updated Flood Risk Assessment for the approval in writing of North Ayrshire Council as Planning and Flood Authority. Such an assessment shall include: finished floor levels against ordinance datum; protection against a 1:1000 year flood event; and that flood resilient and resistant materials are incorporated.
 - (b) comprehensive assessment of the wider flood and surface water drainage issues within the applicants ownership, including: the opening up of the Red Burn; and SUDs provision.
 - (c) a comprehensive Drainage Assessment.
15. That the further application(s) required under the terms of Condition 1 above shall include an Arboricultural Impact Assessment and Arboricultural Method Statement. Such documents should be used to guide the detailed design process. The recommendations within the submitted Tree Survey Schedule shall be implemented to the satisfaction of North Ayrshire Council as Planning Authority. Demonstration of the undertaking and/or programming of the Tree Survey Schedule recommendations shall be submitted for the approval in writing of North Ayrshire Council as Planning Authority.
16. The recommendations within the Extended Phase 1 Ecology Assessment, submitted in support of the application, shall be implemented to the satisfaction of North Ayrshire Council as Planning Authority. Details shall be submitted demonstrating of the undertaking and/or programming of these recommendations implementation.
17. That the further application(s) required under the terms of Condition 1 above shall include detailed landscaping proposals. Such details should contribute to the establishment of a wider "green corridor" network, for outdoor recreation, and landscape and nature conservation, and provide for amenity grounds for users of the development.

18. That the further application(s) required under the terms of Condition 1 above shall include submission of a strategic assessment of how new buildings shall reduce their CO2 emissions to a level above or in line with the building standards through appropriately designed: on-site low or zero carbon generating technologies (LZCGTs); and/or passive/operational energy efficiency measures. The specific implementation/detail documentation shall be submitted at the time of submission for Building Warrant
19. Within the detailed design proposals details shall be incorporated showing how the provision of public art shall be integrated into the development.

The reason(s) for the above condition(s) are:-

1. In order that these matters can be considered in detail.
2. To comply with section 59 of the Town and Country Planning (Scotland) Act 1997, as amended.
3. To meet the requirements of North Ayrshire Council as Roads Authority.
4. To meet the requirements of North Ayrshire Council as Roads Authority.
5. To meet the requirements of North Ayrshire Council as Roads Authority.
6. Requirements of Roads and Transportation Services, North Ayrshire Council's Access Officer and SPT.
7. Requirements of Roads and Transportation Services, North Ayrshire Council's Access Officer and Strathclyde Partnership for Transport.
8. Requirements of Roads and Transportation Services, North Ayrshire Council's Access Officer and Strathclyde Partnership for Transport.
9. Requirements of Roads and Transportation Services and North Ayrshire Council's Access Officer.
10. In the interests of traffic safety and to reduce clutter.
11. To meet the requirements of Environmental Health.
12. To meet the requirements of Environmental Health.
13. To meet the requirements of Environmental Health.

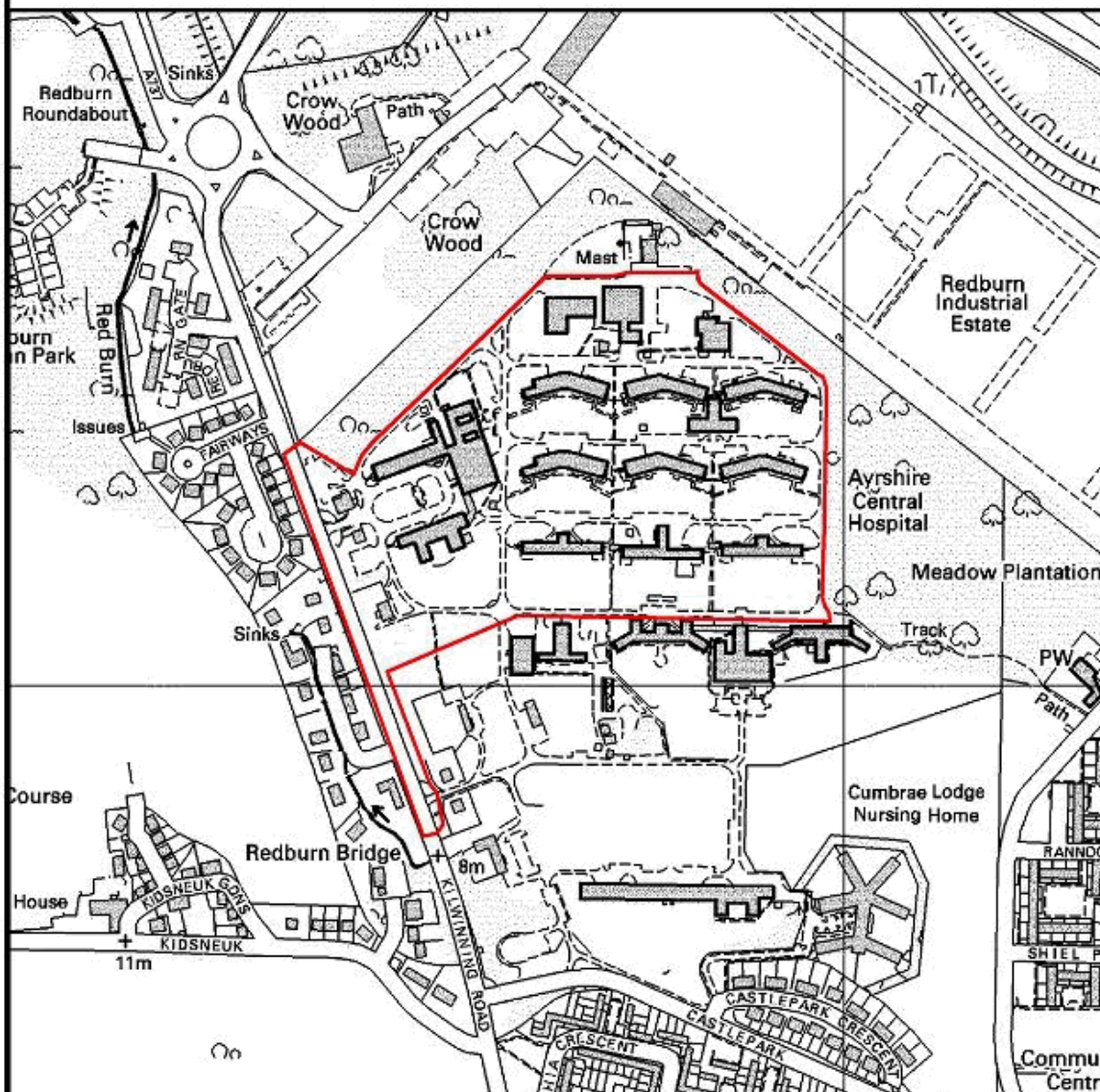
14. Requirements of North Ayrshire Council as Flood Authority and SEPA.
15. To secure the preservation and protection of trees.
16. In the interests of preserving and protecting flora and fauna.
17. To secure a landscaping scheme in the interest of amenity and biodiversity.
18. To secure a sustainable development.
19. In the interests of amenity and to secure community involvement.

Reason(s) for approval:

1. The proposal complies with the relevant provisions of the development plan and there are no other material considerations that indicate otherwise.

Committee Plans

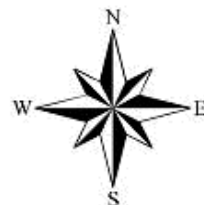
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**NORTH AYRSHIRE
COUNCIL**

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NORTH AYRSHIRE COUNCIL

Agenda Item 5

Planning Committee

20 February 2013

Planning Area

North Coast and Cumbraes

Reference

12/00427/PP

Application

20th December 2012

Registered

Decision Due

20th February 2013

Ward

North Coast and Cumbraes

Recommendation**Grant as per Appendix 1**

Location

Barrfields Stadium, Brisbane Road, Largs

ApplicantMartin Philips
3 Acheson Gardens
Largs
KA30 8TN**Proposal**Alterations to grass pitch to form synthetic turf
including ground operations (retrospective)

1. Description

This application seeks retrospective planning permission for the installation of synthetic turf to cover the area of the former grass pitch and gravel track at Barrfields Stadium, Brisbane Road, Largs. The synthetic pitch covers an area of approximately 8500 square metres. The pitch is formed of rolls of synthetic carpet laid on top of regraded top soil. Drainage channels have been formed and a base for the carpet laid. The carpet is held down by adhesive with sand and rubber in-fill material applied on top.

The application site is owned by North Ayrshire Council. However the site is held on a Lease by Largs Thistle Football Club. The works have been carried out by Largs Thistle and it is on their behalf that the application is made.

The site is located towards the northern end of Brisbane Road on its western side. The site is opposite the junction of Brisbane Road and Burnside Road and to the south of the junction with Brisbane Street. It is bounded to the north and south by residential properties and to the west by Vikingar. The eastern boundary of the site is Brisbane Road.

The site is allocated as leisure and open space in the adopted North Ayrshire Local Plan (excluding Isle of Arran) and the proposal requires to be assessed against Policy OS1 (Protection of Open Space) and the Development Control Statement, within which the relevant criteria is (a) Siting, Design and External Appearance.

There is no recent planning history for the site.

2. Consultations and Representations

Neighbour notification has been carried out. Two letters of objection have been received from neighbours. The concerns of the neighbours can be summarised as follows:-

1. The works have been carried out without planning permission. What has been put in position to ensure that no further work will be carried out at Barrfields Stadium without the required planning permission?

Response - The Planning Acts make provision for retrospective applications for the retention of works requiring planning permission. Largs Thistle have been made aware that any future works, without permission, would be at their risk and that the Council has enforcement powers to seek the removal of unauthorised works.

2. There was no notification prior to works commencing and the work caused disturbance both through noise and from dust.

Response - The Council can only notify neighbours following the receipt of a valid application. The disturbance caused during the period of works which has now finished is noted.

3. There appears to be a problem regarding maintenance of the ground surrounding the pitch. Grass cutting and removal of litter has accumulated over recent months. There appears to be no plan in operation to carry out this maintenance.

Response - These areas do not relate to the synthetic pitch forming the subject of this application. However the maintenance of areas within Barrfields Stadium is a matter for Largs Thistle, in accordance with any relevant requirements within their Lease.

4. Has there been an assessment of road hazards in the near area as result of significant increase of usage and parking required?

Response - The laying of the synthetic pitch has not increased the potential capacity of Barrfields Stadium and therefore it is considered there will be no impact on traffic or parking due to this development.

Estates - no comments.

3. Analysis

The application requires to be assessed against Policy OS1 of the adopted North Ayrshire Local Plan (excluding Isle of Arran). Policy OS1 states that development of land, identified on the Local Plan map as protected leisure and open space, shall not accord with the Local Plan unless it can satisfy certain criteria. The relevant criteria are:

- the proposed development should not have a detrimental impact upon amenity, character and appearance of the area;
- where the proposed development is for an outdoor recreational or leisure use it will improve the quality and range of sports leisure facilities within the Local Plan area and not lead to a net loss of open space or playing fields;
- where the development affects existing playing fields or other outdoor recreational facilities there will be no loss of amenity and alternative provision of equal community benefit and accessibility will be made available.

The development is for a synthetic pitch only. It does not include an application to change the use of the site or intensify its use. The site has been the home football pitch of Largs Thistle since 1927. The pitch is to remain in use for their home games as well as to allow training for the team.

The pitch is for the use of Largs Thistle Football Club and the synthetic surface will allow them to host home matches throughout the winter. The synthetic pitch is therefore seen as an improvement over the previous grass pitch. The area remains an open space, there has been no detrimental impact upon amenity and no alternate provision for another playing field is required.

The application also requires to be assessed against the Development Control Statement of the Adopted North Ayrshire Local Plan (excluding Isle of Arran). The relevant criterion is (a) Siting, Design and External Appearance. The siting of any development should have regard to the relationship of the development to existing buildings and the visual effects of the development on the surrounding area and landscape. External appearance should have regard to the locality in terms of style, materials and colours.

The siting of the pitch is unchanged. The synthetic pitch replaces the former grass pitch and a gravel track. The synthetic pitch is oval in shape reflecting the shape of the former pitch and track. The synthetic pitch is green in colour to match the previous grass pitch. A football pitch has been marked out in the centre of the pitch. Behind each goal a small area for 5 a-side football has been laid out and a logo of the Largs Thistle badge has been laid into the pitch in each of the corners adjacent to the 5 a-side pitches. The synthetic pitch in terms of finish and colour is similar to that previously on the site. The development has no significant visual impact on the surrounding area.

It is considered that the synthetic pitch accords with the relevant Local Plan Policies and Development Control Statement criteria and therefore planning permission can be granted.

4. Full Recommendation

See Appendix 1.

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CRAIG HATTON
Corporate Director (Development and Environment)

Cunninghame House, Irvine
18 January 2013

For further information please contact Iain Davies, Planning Inspector , on 324320

ID/FG

APPENDIX 1

RECOMMENDATION FOR PLANNING APPLICATION REF NO 12/00427/PP

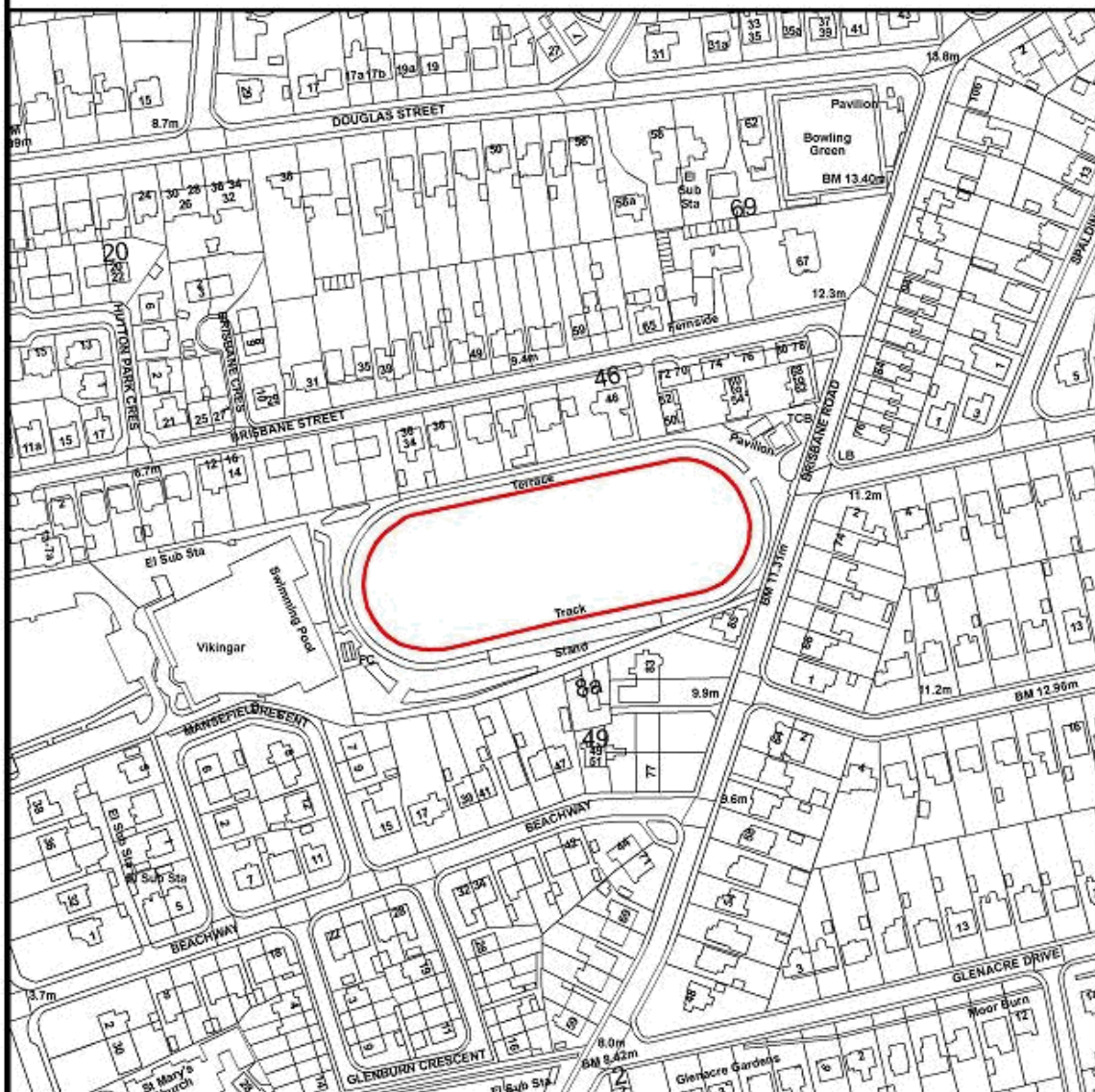
Grant (No conditions).

Reason(s) for approval:

1. The proposal complies with the relevant provisions of the development plan and there are no other material considerations that indicate otherwise.

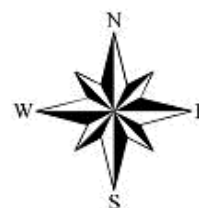
Committee Plans

12/00427/PP



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NORTH AYRSHIRE COUNCIL

Agenda Item 6

20 February 2013

Planning Committee

Subject: **Scottish Government Consultation on the Draft
Scottish Marine Regions Order 2013**

Purpose: To advise Members of the consultation being undertaken by the Scottish Government to define the boundaries of future Scottish Marine Regions (SMRs) and to seek approval of this report as the basis of a response to Marine Scotland.

Recommendation: That Members agree that this report and the attached Appendix 1 form the basis of the Council's response to the consultation.

1. Introduction

- 1.1 The Marine (Scotland) Act 2010 marked a major change in safeguarding the future of Scotland's seas and laying the foundation for a simplified marine planning and licensing system. It introduced a duty to protect and enhance the marine environment and included measures to help boost economic investment and growth in areas such as marine renewables. It established for the first time a statutory three tier marine planning system: internationally, through the EU Marine Strategy Framework Directive; nationally, through the preparation of a Scottish Marine Plan; and regionally through the development of Regional Marine Plans and delegation of powers to Scottish Marine Regions.

2. Current Position

- 2.1 Under the Act, Ministers have agreed to delegate powers and regional planning functions to Marine Planning Partnerships. These bodies will have a responsibility to develop marine regional plans. The marine partnerships will comprise of stakeholders that represent a range of interests within the marine region, including local authorities, recreational and commercial interests. A key step in setting up this framework is to identify and designate appropriate Scottish Marine Regions (SMRs).

- 2.2 Scottish Government consulted on the identification and designation of an appropriate set of SMRs to implement marine planning at a regional level in Scotland. The public consultation “Scottish Marine Regions – Defining their Boundaries” was held from November 2010 to February 2011. This consultation paper was reported to the Planning Committee on 15 February 2011 when it was agreed that:
- Preference be expressed for the creation of a Marine Region covering the Clyde Estuary (Option 3);
 - The SMR boundary to be aligned to local authority boundaries;
 - An outer seaward boundary of 6nm be created to ensure the largest possible input by the Council on future marine proposals that may affect the Firth of Clyde;
 - The use of Strategic Sea Areas should be limited and as a general rule marine planning should seek to ensure that issues which require to be addressed are either included within the area covered by the National Marine Plan or fall within the areas covered by Scottish Marine Regions.
- 2.3 The results of the consultation process concluded that there was strong support for the creation of Scottish Marine Regions and that the preferred option for marine boundaries was option 3 which was based on physical characteristics but with modification to ensure marine regions were not too large on the west and east coast. This option would create 11 Marine Regions including South West, Clyde, Argyll, Western Isles, West Highlands, Orkney, Shetland, North Coast, Moray, North East and South East. The consultation exercise also indicated only limited support for excluding Strategic Sea Areas and, therefore, these areas are included within the regions under the Order.
- 2.4 Marine Scotland is considering approaches to developing regional marine planning and is currently working with relevant stakeholders to develop a marine spatial plan for the Pentland Firth and Orkney waters. It is anticipated that the products of the work would feed into future regional plans. Marine Scotland is liaising with interested parties in a number of other localities to discuss possible governance arrangements. The Ayrshire Joint Planning Unit has been representing North Ayrshire and South Ayrshire Councils in these discussions.

3. Proposals

- 3.1 Scottish Ministers have the power to designate and identify the boundaries of Scottish Marine Regions through secondary legislation and that is the subject of the present consultation. Scottish Government have invited views on the proposals in the Scottish Marine Regions Order 2013 and are particularly interested in any comments on the Order as drafted; the co-ordinates establishing the marine region boundaries; the names of the regions suggested; and the illustrative map. Some four questions are raised in the consultation paper on these aspects (see Appendix 1). The closing date for comments is 28 February 2013. A copy of the full consultation is available in the Members Lounge.
- 3.2 The current Scottish Marine Regions Order 2013, as drafted, delivers the 11 Marine Regions identified in paragraph 2.2 above, with the added variation of an extension of the seaward limits of Scottish territorial waters to 12 nautical miles from baseline (not included as an option within the original consultation). It is recommended that the Council welcomes the naming of the SMR for “Clyde” and supports the extension of the seaward limit of SMRs to 12 nm as this new outer limit will help ensure the largest possible input by the Council on future marine proposals that may affect the SMR for Clyde. An illustrative map of all 11 SMRs is included within the draft Order (see Appendix 2).
- 3.3 The scope of the present consultation relates only to the identification and establishment of the SMRs in legislation. Further discussions with stakeholders regarding the formation of Marine Planning Partnerships will be held after the legislation setting out the boundaries is in force. The Committee is invited to agree the response at Appendix 1 as the Council response to the consultation.

4. Implications

Financial Implications

- 4.1 None arising from this consultation. However, there may be future financial implications for the Council, the details of which will become clearer with the establishment of the SMRs and their governance arrangements through Marine Planning Partnerships.

Human Resource Implications

- 4.2 None arise from this consultation.

Legal Implications

- 4.3 None arise directly from this consultation; however, dependent on the final outcome of the consultation there may be a requirement to review existing schemes of administration and delegation.

Equality Implications

- 4.4 None arise from this consultation.

Environmental Implications

- 4.5 None arise from this consultation.

Implications for Key Priorities

- 4.6 Regional marine planning and terrestrial planning should be seen as complementary, with both seeking to develop an integrated approach to resource use, development and environmental protection particularly at the interface between land and sea. Such an integrated approach will contribute to the implementation of Single Outcome Agreement 2 “Realising Economic Potential” and Outcome 12 “Our Environment is Protected and Enhanced”.

5. Consultations

- 5.1 The Council has previously commented on the implications of the Marine (Scotland) Act 2010 and on the pilot spatial plan developed for the Clyde through the Scottish Sustainable Marine Environment Initiative. Consultation has taken place with Legal Services, partners in the Firth of Clyde Forum and the Ayrshire Joint Planning Unit.

6. Conclusion

- 6.1 The Marine (Scotland) Act 2010 marked a major change in safeguarding the future of Scotland's seas and introduces a new basis for a simplified planning and licensing system, incorporating a marine spatial planning mechanism to assist in the delivery of economic investment through the sustainable management of the marine environment. Under the Act, some 11 marine regions are proposed and the identification of the Clyde as our local marine region is welcomed. Members are asked to agree the terms of the report and the attached appendix 1 as the basis of a response to the Scottish Government's consultation on the identification of specific boundaries for the Clyde SMR.



CRAIG HATTON
Corporate Director (Development and Environment)

Reference : RRH/FG

For further information please contact Richard Henry, Planning Officer (Development Plans), Development Planning on (01294) 324777.

Background Papers

Scottish Government - Consultation on the draft Scottish Marine Regions Order 2013.

Appendix 1

Consultation on the Draft Scottish Marine Regions Order 2013 – Consultation Questions

Q1. Do you agree with the proposals set out in the draft Scottish Marine Regions Order 2013?

Yes ✓ No

If no, please explain why not and your suggested alternative(s).

Comments – None.

Q2. Do you have any further comments? In particular we are seeking views on

- **The drafting of the Order**
- **The co-ordinates establishing the marine region boundaries**
- **The boundaries outlined at paragraph 8 of the Order**
- **The names of the Regions suggested; and**
- **The illustrative map**

Comments – a) the Council welcomes the naming of the Scottish Marine Region for “Clyde”; b) Council supports the extension of the seaward limit of SMRs to 12 nm in the illustrative map as this new outer limit will help ensure the largest possible input by the Council on future marine proposals that may affect the SMR for Clyde; and c) no other comments.

Q3. Do you believe that the creation of Scottish Marine Regions discriminates disproportionately between persons defined by age, disability, sexual orientation, gender, race and religion and belief?

Yes No✓

Q4. If you answered yes to question 3 in what way do you believe that the creation of Scottish Marine Regions is discriminatory?

Comments – None.

Illustrative map referred to in the explanatory note to the Scottish Marine Regions Order 2013

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- | | | |
|---|--|--|
|  Argyll |  North East |  South West |
|  Clyde |  Orkney |  West Highlands |
|  Moray |  Shetland |  Western Isles |
|  North Coast |  South East |  12nm Limit |

