



**NORTH AYRSHIRE**  
COUNCIL

Cunninghame House,  
Irvine.

20 September 2012

### **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 26 SEPTEMBER 2012** 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 5 September 2012 will be signed in accordance with paragraph 7(1) of Schedule 7 of the Local Government (Scotland) Act 1973 (copy enclosed).

**3. Garnock Valley**

Submit report on the following application:-

**12/00460/PP: Beith: 2 Headlands Grove: Site to the South West**

Change of Use from open space to form garden ground

(copy enclosed).

**4. Irvine/Kilwinning**

Submit reports on the following applications:-

**4.1 12/00462/PP: Irvine: Woodlands Avenue: Woodlands Primary School**

Erection of sprinkler tank with 3 metre high fence enclosure associated with previously approved extension to Woodlands Primary School (12/00151/PP)

**4.2 12/00481/PP: Dreghorn: 21 Main Street: Site to the South of Dreghorn Library**

Erection of telecoms cabinet

**4.3 12/00446/PP: Irvine: Castlepark: Carron Place: Castlepark Primary**

Erection of sprinkler tank with 3m high fence enclosure associated with previously approved extension to Castlepark Primary School (12/00152/PP)

(copies enclosed).

**5. Urgent Items**

Any other items which the Chair considers to be urgent.

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## Planning Committee

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Sederunt: Matthew Brown (Chair)  
Elizabeth McLardy (Vice-Chair)  
Robert Barr  
John Bell  
John Bruce  
Joe Cullinane  
John Ferguson  
Ronnie McNicol  
Tom Marshall  
Jim Montgomerie

Chair:

Attending:

Apologies:

Meeting Ended:



Planning Committee  
5 September 2012

**IRVINE, 5 September 2012** - At a Meeting of the Planning Committee of North Ayrshire Council at 2.00 p.m.

**Present**

Matthew Brown, Elizabeth McLardy, Robert Barr, John Bell, John Bruce, Joe Cullinane, John Ferguson, Ronnie McNicol, Tom Marshall and Jim Montgomerie.

**In Attendance**

J. Miller, Senior Planning Services Manager, K. Smith, Senior Planning Officer, D Hammond, Team Manager (Development Plans) and J. Law, Solicitor (Contracts and Conveyancing) (Corporate Services); K. Dyson, Communications Officer and D. McCaw, Committee Services Officer (Chief Executive's Service).

**Chair**

Councillor Brown in the Chair.

**1. Declarations of Interest**

There were no declarations of interest by Members in terms of Standing Order 16 and Section 5 of the Code of Conduct for Councillors.

**2. Minutes**

The Minutes of the previous meeting of the Committee held on 15 August 2012 were signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

**3. Isle of Arran**

Submitted report on the following application:-

**12/00174/PP: Brodick: Springbank: Site to the east of Belmont**

John Thomson Construction, Lamlash, Isle of Arran has applied for planning permission for the erection of detached dwellinghouse on plot 4 at a site to the east of Belmont, Springbank, Brodick. Five letters of objection have been received, as detailed in the report.

A site familiarisation visit was undertaken by the Planning Committee on 20 August 2012 in respect of this application.

The Senior Planning Services Manager advised of a further condition in relation to the pedestrian route across the site from Alma Road to Brathwic Place (condition 16).

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

1. That the footpath corridor along the rear (west) boundary of the site shall be widened to 5.5m and the existing turning area at the south-west corner of the site shall be excluded from the application site. Prior to the commencement of the development the applicants shall submit for the written approval of North Ayrshire Council as Planning Authority, a revised site plan showing the widened section of footpath, including associated landscaping and also the turning area excluded from the site. Thereafter the site boundaries shall be formed in accordance with the revised site plan, all to the satisfaction of North Ayrshire Council as Planning Authority.
2. That prior to the occupation of the dwellinghouse hereby approved, the footpath connecting the principal site access road with Springbank Terrace shall be constructed to adoptable standard which shall be surfaced in tarmac and shall include lighting, all to the satisfaction of North Ayrshire Council as Planning Authority.
3. That no development shall take place until there has been submitted to and approved by North Ayrshire Council as Planning Authority, a revised scheme of landscaping to take account of the changes to the site boundary required by Condition 1 above; the revised proposals shall include details of the fencing to be employed to protect the three trees within Plot 4 to the west of the proposed house which fencing shall be erected prior to the commencement of the development and shall be maintained throughout the period of construction, to the satisfaction of North Ayrshire Council as Planning Authority.
4. That unless North Ayrshire Council as Planning Authority gives written consent to any variation, all planting, seeding or turfing comprised in the approved revised details of landscaping shall be carried out in the first planting season and seeding seasons following the occupation of the house or 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.
5. That no trees or hedges on the site shall be felled or lopped without the prior written approval of North Ayrshire Council as Planning Authority.

6. That notwithstanding the permission granted by Article 3 of and Classes 1(A), 1(B), 3(A), 3(B), 3(C), 3(D) of Part 1 of Schedule 1 of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (or any Order revoking or re-enacting that Order) the express approval of North Ayrshire Council as Planning Authority shall be required in respect of any development within the curtilage of the dwellinghouse.

7. That no development shall commence on plot 4 until the applicants' programme of Knotweed eradication from the site, dated 5 July, 2012 has been demonstrated to be effective, to the satisfaction of North Ayrshire Council as Planning Authority.

8. That prior to the occupation of the dwellinghouse hereby approved, a temporary turning head shall be formed to the south of Plot 4, details of which shall be submitted for the written approval of North Ayrshire Council as Planning Authority prior to the commencement of the development.

9. That prior to the occupation of the dwellinghouse hereby approved, the access road and pavement serving the dwellinghouse and plots 1 - 3 to the north shall be constructed to adoptable standards and in accordance with the details shown on the site plan hereby approved, to the satisfaction of North Ayrshire Council as Planning Authority.

10. That the first two metres of the access, measured from the heel of the footway shall be hard surfaced in order to prevent deleterious material being carried onto the carriageway and designed in such a way that no surface water shall issue from the access onto the carriageway.

11. That prior to the occupation of any of the 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, including 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.

12. 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.

13. That the presence of any significant unsuspected contamination that becomes evident during the development of the site shall be brought to the attention of Environmental Health. Thereafter a suitable investigation strategy as agreed with North Ayrshire Council shall be implemented and any necessary remediation works carried out prior to any further development taking place on the site, all to the satisfaction of North Ayrshire Council as Planning Authority.

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 finish to all boundary fencing and retaining walls. Prior to the occupation of the dwellinghouse, hereby approved, the boundary fencing and retaining walls, as may be approved, shall be erected and thereafter maintained to the satisfaction of North Ayrshire Council as Planning Authority.

15. That prior to the commencement of the development the applicant shall submit for the written approval of North Ayrshire Council as Planning Authority, revised proposals for the siting and design of the south facing rooflights, to minimise the degree of overlooking of the properties to the rear. Prior to the occupation of the dwellinghouse, hereby approved, the revised proposals, as may be approved, shall be implemented to the satisfaction of North Ayrshire Council as Planning Authority.

16. That within two weeks of the date of this permission the pedestrian route across the site from Alma Road to Brathwic Place shall be re-opened, including the provision of appropriate safety fencing and maintained thereafter throughout the duration of the development with the exception of the period during which the construction of the access road, footpaths and temporary turning facility serving the development takes place when users shall be temporarily diverted to the route between Springbank Terrace and Alma Road, all to the satisfaction of North Ayrshire Council as Planning Authority.

#### **4. Irvine/Kilwinning**

##### **4.1 12/00400/PP: Irvine: Girdle Toll: Site to the South East of 4 Overton Place**

Robert Paterson, 4 Nevis Way, Bourtreehill North, Irvine has applied for planning permission for the erection of two storey end terraced dwellinghouse and alteration to existing car parking at a Site to the South East of 4 Overton Place, Girdle Toll.



The Senior Planning Services Manager advised on 3 objections received in respect of this application.

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

1. That, prior to the formation of the new vehicular access, one additional on street parking space as detailed on the approved block plan, shall be formed in accordance with the Roads Development Guide and thereafter maintained to the satisfaction of North Ayrshire Council as Planning Authority. For the avoidance of doubt, a drop kerb footway shall be formed as detailed in sections 5.2 & 10.8 (and Fig 10.16) of the Roads Development Guidelines. (driveway access footway crossing).

2. That a minimum of 2 parking spaces shall be formed and maintained within the confines of the site.

#### **4.2 11/00002/PPM: Kilwinning: Torransyde: Site to South of Viewfield Manor Holiday Village**

Mr S. Jackson, Viewfield Manor Holiday Village, Torransyde, Kilwinning has applied for planning permission for a 196 unit extension to existing holiday village incorporating new public access road at a Site to South of Viewfield Manor Holiday Village. Two representations have been received.

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

1. The occupancy of any caravans shall be limited to 11 months in any one year and shall not be used as permanent residential dwellings.

2. Prior to commencement of development a timetable for the provision of the proposed access, including the right turn lane, and associated upgrades, off and to the A736, shall be agreed in writing with North Ayrshire Council as Planning Authority, thereafter the access shall be constructed and available for use in line with that approved timetable.

3. Prior to the commencement of development details shall be submitted showing the form and locations of advisory notices and signs giving direction to cyclists and pedestrians regarding public transport, responsible access, local path networks and 'quiet roads', for the prior written approval of North Ayrshire Council as Planning Authority. Thereafter such approved details shall be provided prior to the first use of the approved facility.

4. No development shall take place within the development site as outlined in red on the approved plan until the developer has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted by the applicant, and approved by North Ayrshire Council as Planning Authority. Thereafter the developer shall ensure that the programme of archaeological works is fully implemented and that all recording and recovery of archaeological resources within the development site is undertaken to the satisfaction of the Planning Authority.

5. The small scale mitigation measures recommended in the Environmental Statement, submitted in support of the application, shall be undertaken to the satisfaction of North Ayrshire Council as Planning Authority.

6. That the presence of any significant unsuspected contamination that becomes evident during the development of the site shall be brought to the attention of Environmental Health. Thereafter a suitable investigation strategy as agreed with North Ayrshire Council shall be implemented and any necessary remediation works carried out prior to any further development taking place on the site, all to the satisfaction of North Ayrshire Council as Planning Authority.

7. Prior to the commencement of development a programme for the undertaking of the proposed landscaping and planting schemes, including future maintenance arrangements, shall be submitted for the prior written approval of North Ayrshire Council as Planning Authority. Thereafter such an approved programme shall be implemented to the satisfaction of North Ayrshire Council.

8. Prior to the commencement of development full details of the proposed children's play facilities, dates for provision and future maintenance arrangements, shall be submitted for the prior written approval of North Ayrshire Council as Planning Authority. Such facilities should cater for a range of age groups and should be complementary to any other facilities within the wider site. Thereafter such approved details shall be implemented to the satisfaction of North Ayrshire Council.

9. For the avoidance of doubt the landscaping alongside the route of the A736 shall be planted to a minimum depth of 5 metres and thereafter retained, all to the satisfaction of North Ayrshire Council as Planning Authority.

#### **4.3 12/00228/PPM: Irvine: Broomlands: St Kilda Bank: Broomlands Primary School**

North Ayrshire Council, Education and Skills, Cunninghame House, Irvine have applied for planning permission for the demolition of existing primary school and erection of new primary school with associated external hard and soft landscaping, car parking, playgrounds, sprinkler tank enclosure, substation enclosure, external bin store, external equipment store, gas meter housing, CCTV cameras and external lighting at Broomlands Primary School, St Kilda Bank, Broomlands.

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

1. Prior to the commencement of the use of the school, hereby approved, a footway with a minimum width of 3m, and preferably 4m, along the frontage of the site shall be provided to the satisfaction of North Ayrshire Council as Planning Authority. Details of such improvements shall be submitted for the approval in writing, of North Ayrshire Council as Planning Authority.
2. Prior to the commencement of the use of the school, hereby approved, road narrowing works at key pedestrian crossing points on St Kilda Bank, shall be provided to the satisfaction of North Ayrshire Council as Planning Authority. Details of these works shall be submitted for the approval in writing of North Ayrshire Council as Planning Authority.
3. Prior to the commencement of the use of the school, hereby approved, pedestrian and cycling routes to the school shall be assessed and if necessary improved/widened as required. Details of any improvements shall be submitted for the approval in writing of North Ayrshire Council as Planning Authority.
4. Prior to the commencement of the use of the school, hereby approved, additional car parking shall be provided, within reasonable walking distance of the school, to meet the required capacity. Details of the improvements shall be submitted for the approval in writing of North Ayrshire Council as Planning Authority.
5. Prior to the commencement of the use of the school, hereby approved, the measures identified within the proposed Travel Plan, as outlined in the submitted Transport Statement, shall be implemented and thereafter maintained and reviewed on a regular basis. Details of the final Travel Plan shall be submitted for the approval in writing of North Ayrshire Council as Planning Authority.
6. Prior to the commencement of the use of the school, hereby approved, a minimum of 60 cycle parking places for pupils and 10% for staff and ancillary facilities, shall be provided to the satisfaction of North Ayrshire Council as Planning Authority. Details of these facilities shall be submitted for the approval in writing of North Ayrshire Council as Planning Authority.
7. Prior to the commencement of the use of the school, hereby approved, the 20 mph zones at the school shall be extended to an agreed standard. Details of the extended zones shall submitted for the approval in writing of North Ayrshire Council as Planning Authority.
8. Prior to the commencement of the use of the school, hereby approved, details of the kitchen ventilation arrangements shall be submitted for the approval in writing of North Ayrshire Council as Planning Authority.

9. Prior to the commencement of the development, hereby approved, full details of the revised landraising works within the floodplain and the compensatory storage provision shall be submitted for the approval in writing of North Ayrshire Council as Planning Authority. Thereafter the details, as may be approved, shall be implemented within an agreed timescale to the satisfaction of North Ayrshire Council as Planning Authority.

10. Prior to the commencement of the use of the school, hereby approved, details of the upgrades to the sports pitches to the south shall be submitted for the approval in writing of North Ayrshire Council as Planning Authority. Thereafter the upgrades, as may be approved, shall be implemented to the satisfaction of North Ayrshire Council as Planning Authority.

11. The proposed landscaping and planting works shall be undertaken during the first available planting season to the satisfaction of North Ayrshire Council as Planning Authority, unless otherwise agreed in writing by North Ayrshire Council as Planning Authority.

12. The details contained within the Noise Assessment Report, submitted in support of the application, shall be implemented to the satisfaction of North Ayrshire Council as Planning Authority.

## **5. Enforcement Notice: Ardrossan: 1 Montfode Court**

Submitted report by the Solicitor to the Council on the serving of an Enforcement Notice to remove an unauthorised shed.

On 12 August 2010, a complaint was received regarding the siting of a shed erected forward of the northern elevation of the property at 1 Montfode Court, Ardrossan. An application for planning permission to retain the shed was refused on 20 December 2010. A subsequent application for a Notice of Review was submitted outwith the statutory timeframe. The owner of the property was contacted on 10 January and 11 July 2011 and advised that, as the shed had not yet been removed, formal enforcement action would be commenced. A site inspection on 16 July 2012 confirmed that the shed had not been removed.

The Committee agreed, in the interests of the amenity of the area, to approve the serving of an Enforcement Notice in terms of Section 127(1) of the Town and Country Planning (Scotland) Act 1997 to secure the removal of shed at 1 Montfode Court, Ardrossan.

The meeting ended at 2.40 p.m.

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**NORTH AYRSHIRE COUNCIL**

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**Agenda Item 3**

Planning Committee

**26 September 2012**

Planning Area

**Garnock Valley**

Reference

**12/00460/PP**

Application

**14th August 2012**

Registered

Decision Due

**14th October 2012**

Ward

**Kilbirnie and Beith**

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

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**Location**Site to the south west of 2 Headlands Grove  
Beith**Applicant**Mr and Mrs Danks  
2 Headlands Grove  
Beith  
KA15 2EW**Proposal**Change of use from open space to form garden  
ground

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**1. Description**

The application seeks the change of use of an area of open space, located some 12m to the south of the property at 2 Headlands Grove, Beith, to form garden ground. The area is irregularly shaped unmaintained ground extending to approximately 241sqm. A garage building adjoining the south east corner of the site is owned by the applicant, with the application site in Council ownership. The area is bounded to the east and north by 2m high close board fencing and access is obtained by a 2m high gate on the eastern boundary from Headlands Grove.

The application site is located on the west side of Headlands Grove and beyond the former Head Street Church, now a community hall. The timber fence defines the boundary with Headlands Grove, a similar fence marks the northern boundary where it adjoins the rear garden of property on Aitken Drive. There are residential properties to the north and south, whilst to the west is a further area of unmaintained/overgrown land, the boundary with which is undefined and extends to Head Street. There are trees located in the western and northern areas of the site. The applicants have indicated their intention to clear the site to make it usable garden ground.

The application site is within a residential area as identified in the Adopted North Ayrshire Local Plan (Excluding Isle of Arran) and is unaffected by any site specific policies or proposals.

Policy OS1 (Protection of Open Space) is relevant and states that development of land identified as protected leisure and open space and small areas of recreational and amenity open space, not individually identified on a Local Plan map shall not accord with the Local Plan unless it can satisfy a range of criteria. These include the impact on the amenity, character and appearance of the area and the need to avoid the setting of an undesirable precedent for further incremental loss of open space. The proposal also requires to be assessed against the Development Control Statement (DCS) contained within the Local Plan, where the relevant criteria would be (a) Siting, Design and External Appearance; and (b) Amenity.

The applicants' statement in support of the application states that the area is overgrown and in a poorly maintained condition, and has been vacant for more than 30 years, with no means of access for maintenance. The site does not have any recreational or amenity value to the surrounding area, and concludes that the site lies to the rear of 47 and 49 Head Street and is not visible from any public roadway or footpath.

Planning consent was refused in April 2006 for a similar proposal on the site with slight boundary differences to the current proposal. The application was refused on the basis that it adjoined a wider area of open space which fronts onto Head Street and that the loss of open space could set an undesirable precedent for further incremental loss into this wider area, which occupies a prominent position on Head Street. (Ref: 06/00180/PP).

## **2. Consultations and Representations**

The standard neighbour notification has been issued by the Council and the proposal was advertised in a local newspaper on 22 August 2012 for neighbour notification purposes.

One representation has been received which mainly refers to tender documents produced by NAC Estates with regards to the sale of the site. There are also concerns raised that the site may be developed for residential purposes in the future and that the site is in fact "a greenfield site" and should not be developed.

*Response: The issues relating to the tender document are not a material planning consideration. The site is within a residential area as identified within the Local Plan and the relevant Policy would be Policy OS1 (Protection of Open Space) and the relevant criteria of the DCS (see analysis). Any proposal to develop the site would require planning permission and any such application would be considered on its merits.*

### **Consultations**

**NAC Estates** - Advise that the site and adjoining area is infected by Japanese Knotweed. It is also advised that the site has been without any formal purpose for some time (approx. 40-50 years) and is considered surplus to requirements.

*Response - Noted. An appropriate condition could be imposed to address the issue of Japanese Knotweed.*

## **3. Analysis**

The application requires to be determined against the relevant policies and provisions of the Development Plan and any other material considerations. Relevant policies are OS1 (Protection of Open Space) and the Development Control Statement (DCS).

With regard to Policy OS1, criteria 1 and 3 are considered relevant.

Criterion 1 states that proposals should not have a detrimental impact upon the amenity, character and appearance of the area concerned. The site is currently enclosed by fencing along its northern and eastern boundary and is not readily visible from public areas. NAC Estates advise that the site has been unused for some time and has not been formally maintained. It is also considered that the site is enclosed and overgrown and serves no recreational and limited amenity value to the surrounding area. It is considered that the proposed use as garden ground would be acceptable and most likely significantly improve the condition and appearance of the area. A condition could also be imposed to ensure that details of the means of boundary treatment and landscaping are submitted for prior approval. In view of the above, it is considered that the proposal would accord with criterion 1 of Policy OS1.

Criterion 3(a) requires that the recreational value of any active or passive open space is not adversely affected, when considered in relation to the overall level of provision in the local area. In this regard the site is currently enclosed, overgrown and as detailed above has remained unused for some time. It is considered that the site has no recreational and limited amenity value to the surrounding area. For these reasons, it is considered that its use as garden ground would have no impact on any other areas of recreational or passive open space.

Criterion 3(b) requires that no undesirable precedent is set for further incremental loss of open space. Although there was a previous refusal (Ref: 06/00180/PP) on this concern as the site adjoins a wider area of open space. The larger area fronts onto Head Street, which unlike the application site, is considered to be visually prominent with a prominent street frontage. Therefore a distinction can be made between these areas, and on balance, it is considered that the proposal would not set an undesirable precedent for further loss. For these reasons it is considered that the proposal would accord with criterion 3(b) of Policy OS1.

Criteria (a) and (b) of the DCS are relevant to the consideration of this application. For the reasons given above it is considered that the proposal would not have an adverse impact on the character or amenity of the surrounding area and would enhance an unmaintained area of ground. For these reasons it is considered that the proposal would accord with criteria (a) and (b) of the DCS.

In summary it is considered that the proposal would accord with the relevant provisions of the Development Plan, subject to the aforementioned conditions. There are no other material considerations. It is therefore recommended that planning permission is approved.



#### **4. Full Recommendation**

See Appendix 1.

A handwritten signature in black ink, appearing to read 'I. T. Mackay', with a stylized flourish at the end.

Ian T Mackay  
Solicitor to the Council

Corporate Services  
Cunninghame House, Irvine  
31 August 2012

For further information please contact Fiona Knighton, Planning Officer , on 01294 324313



## **APPENDIX 1**

### **RECOMMENDATION FOR PLANNING APPLICATION REF NO 12/00460/PP**

Grant subject to the following conditions:-

1. That within 2 months of the date of this consent, details of the timetable for a scheme of remediation measures to eradicate Japanese Knotweed from the site shall be submitted for the written approval of North Ayrshire Council as Planning Authority. Thereafter, the scheme, as may be approved, shall be implemented, and on completion, the applicant shall appoint a suitably qualified person to certify that Japanese Knotweed has been eradicated from the application site, all to the satisfaction of North Ayrshire Council as Planning Authority.
2. That details of the proposed boundary treatment and landscaping including species, planting densities, soil treatment and aftercare shall be submitted for the written approval of North Ayrshire Council as Planning Authority prior to the commencement of works/clearance on site.

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

1. To safeguard the site from the effects of Japanese Knotweed and in the interests of amenity.
2. In the interest of the amenity of the area.

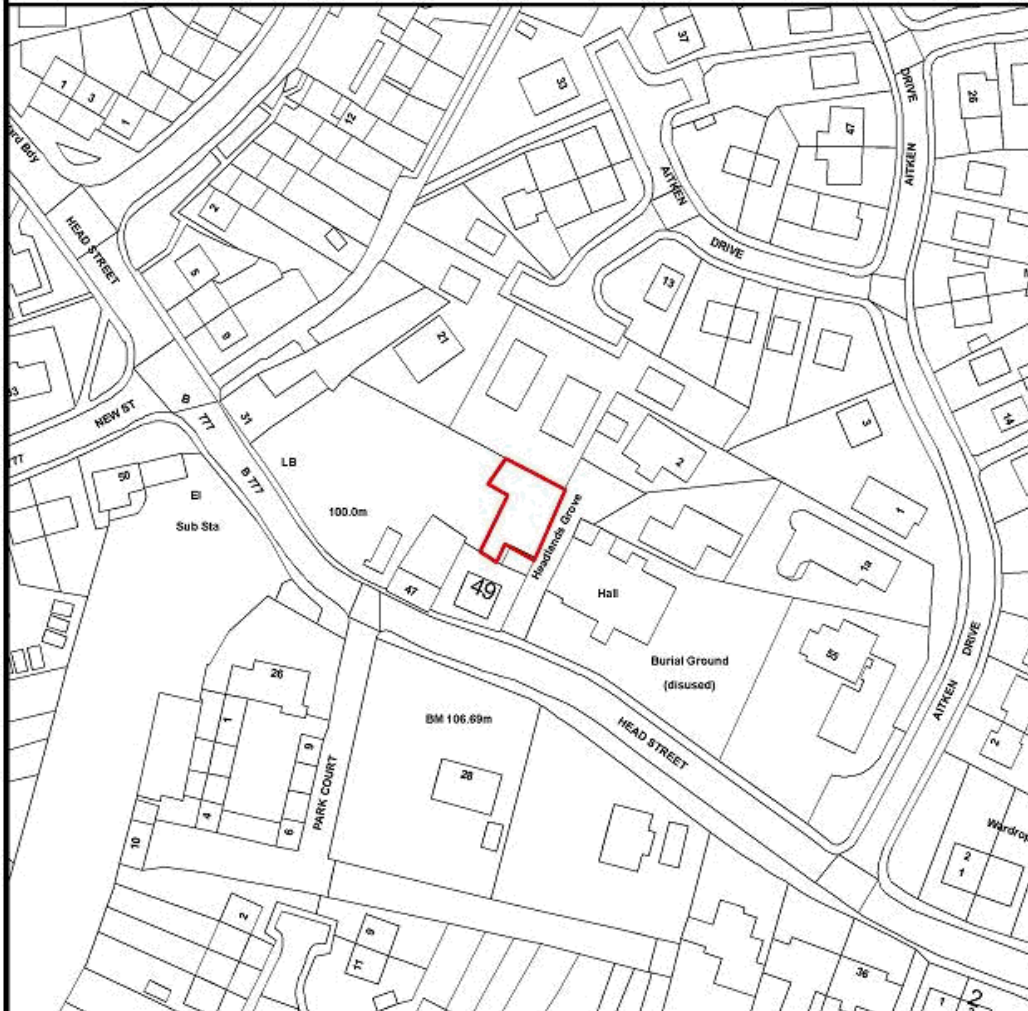
Reason(s) for approval:

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



# Committee Plans

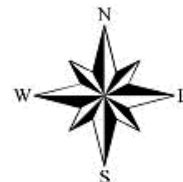
12/00460/PP



**NORTH AYRSHIRE**  
COUNCIL

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**Not To Scale**





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**NORTH AYRSHIRE COUNCIL**

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**Agenda Item 4.1**

Planning Committee

**26 September 2012**

Planning Area

**Irvine/Kilwinning**

Reference

**12/00462/PP**

Application

**20th August 2012**

Registered

Decision Due

**20th October 2012**

Ward

**Irvine West**

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

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**Location**Woodlands Primary School  
Woodlands Avenue  
Irvine  
KA12 0PU**Applicant**North Ayrshire Council Education and Skills  
Cunninghame House  
Irvine  
KA12 8EE**Proposal**Erection of sprinkler tank with 3 metre high fence  
enclosure, all associated to previously approved  
extension to Woodlands Primary School (Ref:  
12/00151/PP)

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**1. Description**

This is an application for the erection of an enclosed water tank and pump associated to the school sprinkler system. It would be positioned approx. 17m south of the previously approved extension to the primary school (Ref: 12/00151/PP).

The tank would have a diameter of 3.8m and would be 2.75m high with a capacity of 27.5 cubic metres. Finishing materials have not been detailed, as this would be decided at a later date following confirmation by the sub contractor. However the applicant's agent has indicated that the tank would have an aluminium finish and the pump house constructed in brick, to match the existing school. The sprinkler tank and pump house would be enclosed by a 3m high timber fence.

The application site is within the grounds of Woodlands Primary School, which are located on the south side of Woodlands Road close to its junction with Bank Street. The school grounds extend to approximately 1.8Ha and are enclosed by high green coated wire mesh fencing. To the north, across Woodlands Road are residential properties. To the east is the rear of commercial premises (car wash and car repair businesses) and residential properties. To the west is a pavilion with local general store beyond. Otherwise, to the south and west are playing fields and a multi use games area.

The sprinkler system would be located to the south of the extended school, close to the south-western boundary with the playing fields, which has mature and high landscaping. The applicant's agent has confirmed that a small area of shrub planting would be removed to accommodate the proposal. It would not impact on any of the more substantial trees along the southern boundary.

The application site is located within a residential area as identified in the Adopted North Ayrshire Local Plan (Excluding Isle of Arran) and is unaffected by any site specific policies or proposals. Given that the proposals are in association to the educational use of the larger school site the application simply requires to be assessed against Development Control Statement (DCS) contained within the local plan where the relevant criteria would be (a) siting, design and external appearance and (b) amenity.

Planning permission was approved in June 2012 for the erection of a single storey extension to provide additional class rooms and nursery accommodation (Ref: 12/00151/PP). The proposed sprinkler system is associated to the wider programme of proposed works.

## **2. Consultations and Representations**

The standard neighbour notification has been issued by the Council and no objections or representations have been received.



## **Consultations**

No consultations were undertaken. Environmental Health was consulted on a similar proposal for a sprinkler system at Castlepark Primary (Ref: 12/00446/PP), due to the proximity to residential properties. The applicant's agent advised that there would be no noise output from the sprinkler system, other than during a fire or periodic testing, which would be infrequent. It is considered that there would be no significant adverse impact on the residential amenity of the surrounding area with regards to noise disturbance (see analysis).

## **3. Analysis**

The application requires to be assessed against the DCS, where the relevant criteria would be (a) siting, design and external appearance; and (b) amenity.

With regards to Criterion (a) although the school is highly visible from Woodlands Road and from within the playing fields to the north and west, the sprinkler system would generally be well screened behind the existing mature landscaping along the southern perimeter. The proposal would be minor in scale, in the overall context of the school complex, and would not have a significant adverse impact on the character and appearance of the school or the wider area. As such it is considered that the proposal would accord with Criterion (a) of the DCS.

With regards to Criterion (b), as discussed above, only in the event of a fire or periodic testing would there be noise from the sprinkler system. There are no residential properties within close proximity of the proposed system, the closest being some 75m to the south-east, across the playing fields. The proposal would accord with Criterion (b) of the DCS. There are no other material considerations, and conditions would not be required. It is therefore recommended that planning permission is approved.

#### **4. Full Recommendation**

See Appendix 1.

A handwritten signature in black ink, appearing to read 'Ian T. Mackay', with a stylized flourish at the end.

Ian T Mackay  
Solicitor to the Council

Corporate Services  
Cunninghame House, Irvine  
5 September 2012

For further information please contact Fiona Knighton, Planning Officer , on 01294  
324313

FK/LN

## **APPENDIX 1**

### **RECOMMENDATION FOR PLANNING APPLICATION REF NO 12/00462/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

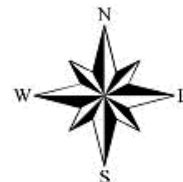
12/00462/PP



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**NORTH AYRSHIRE COUNCIL**

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**Agenda Item 4.2**

Planning Committee

Planning Area

**26 September 2012****Irvine/Kilwinning**

Reference

**12/00481/PP**

Application

**29th August 2012**

Registered

Decision Due

**29th October 2012**

Ward

**Irvine East**

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<b>Recommendation</b>	<b>Grant subject to (i) no significant objections being received prior to the expiry of the statutory neighbour notification period of 28 September 2012; and (ii) conditions contained in Appendix 1.</b>
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<b>Location</b>	Site to the south of Dreghorn Library 21 Main Street Dreghorn KA11 4AQ
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<b>Applicant</b>	Open Reach 123 Judd Street London WC1H 9NP
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<b>Proposal</b>	Erection of telecoms cabinet
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**1. Description**

This application proposes the erection of a telecoms cabinet to be positioned approximately 7m south of Dreghorn Library, on a section of footpath and adjacent to a low wall with decorative railings atop, at Main Street, Dreghorn. The proposed cabinet would be approximately 1.4m high x 0.75m wide and would have a depth of 0.4m.

The proposed cabinet would be positioned on the north side of Main Street, south of the public library and close to the junction with Station Brae. There are two existing BT telecom cabinets situated approximately 5m and 7m to the west of the proposed cabinet, the furthest away of which is redundant. The proposed cabinet would be green in colour and be positioned against an existing 1.3 metre high stone wall with railings. There would also be a width of approximately 5.3m between the cabinet and the edge of the public footpath and the road edge.

The application site is within a residential area as identified in the Adopted North Ayrshire Local Plan (Excluding Isle of Arran) and is situated within the Dregghorn Conservation Area. 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 of 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, Parking Provision.

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

## **2. Consultations and Representations**

Neighbour notification was undertaken by North Ayrshire Council. The application was advertised in a local newspaper on 7 September 2012 for neighbour notification purposes. The advert will expire on 28 September 2012. No objections or representations have been received to date.

### **Consultations**

**Infrastructure and Design Services (Roads)** - No objections. If possible, the redundant cabinet should be removed. A road opening permit would also be required for carrying out work on the footway.

*Response: Noted. An appropriate condition could address the removal of the existing redundant cabinet. An informative could also be attached with regards to the road opening permit.*



### **3. Analysis**

As the proposal involves telecommunications 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. In addition the redundant cabinet to the west can be removed by a condition of planning permission.
- (b) The visual impact of the proposal on the townscape and natural environment is acceptable. It is considered that the visual impact would be limited given the minor nature of the proposal, its positioning in proximity to other similar apparatus and against the adjacent wall and railings.
- (c) There is no negative cumulative visual impact of the development with existing apparatus. It is considered that although there are existing telecommunication cabinets within close proximity, the removal of the existing redundant cabinet would satisfactorily address this issue.
- (d) The applicant has demonstrated that alternative sites has been investigated. The applicant's agent states that the technical limitations require it to be no closer than 2m to the existing cabinet and no further than 50m from it, as broadband speed would be affected.
- (e) The possibility of shared operational facilities has been considered. The applicant's agent has stated that for technical reasons, the cabinet cannot be shared with existing apparatus.

It is also considered appropriate that a condition could be attached to ensure that when the telecommunication cabinet becomes redundant for its purposes that it shall be removed and the footpath restored to its original condition. In view of the above it is considered that the proposal accords with Policy INF8.

With regards to Policy BE1 for the above reasons and with the imposition of the aforementioned conditions, it is considered that due to the minor nature 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 approximately 5.3 metres from the cabinet to the edge of the footway there would be sufficient space for pedestrians to easily pass and as such would accord with criterion (d).

In view of the above and with the imposition of the aforementioned conditions 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.

A handwritten signature in black ink, appearing to read 'Ian T. Mackay', with a stylized flourish at the end.

Ian T Mackay  
Solicitor to the Council

Corporate Services  
Cunninghame House, Irvine  
6 September 2012

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

## **APPENDIX 1**

### **RECOMMENDATION FOR PLANNING APPLICATION REF NO 12/00481/PP**

Agree to grant subject to (i) no significant objections being received prior to the expiry of the statutory neighbour notification period of 28 September 2012; and (ii) the following conditions:-

1. That within six months of the equipment becoming obsolete or redundant it shall be removed and the site reinstated to the satisfaction of North Ayrshire Council as Planning Authority.
2. That prior to the commencement of the development hereby approved, details of a schedule of works with regards to the removal of the redundant cabinet as illustrated on the block plan hereby approved shall be submitted and agreed in writing by North Ayrshire Council as Planning Authority. For the avoidance of doubt, the schedule of works shall include timescales for removal of the cabinet and details of the re-instatement of the footpath.

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

1. In the interest of the amenity of the area.
2. In the interest of the amenity of the area.

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

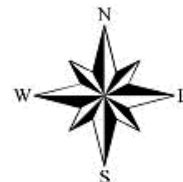
12/00481/PP



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**NORTH AYRSHIRE COUNCIL**

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**Agenda Item 4.3**

Planning Committee

Planning Area

**26 September 2012****Irvine/Kilwinning**

Reference

**12/00446/PP**

Application

**10th August 2012**

Registered

Decision Due

**10th October 2012**

Ward

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<b>Recommendation</b>	<b>Grant as per Appendix 1</b>
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**Location**

Castlepark Primary  
Carron Place  
Castlepark  
Irvine  
KA12 9LQ

**Applicant**

North Ayrshire Council  
Education and Skills  
Cunninghame House  
Irvine  
KA12 8EE

**Proposal**

Erection of sprinkler tank with 3 metre high fence enclosure, all associated to previously approved extension to Castlepark Primary School (Ref: 12/00152/PP)

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**1. Description**

This is an application for the erection of an enclosed water tank and pump associated to the schools sprinkler system. It would be sited in the north-east corner of the school grounds, directly across from residential properties at 7 and 9 Carron Place. The tank would have a diameter of 3.8m and would be 2.75m high with a capacity of 27.5 cubic metres.

Finishing materials have not been detailed, as this would be decided at a later date following confirmation by the sub contractor. However the applicant's agent have indicated that the tank would likely have an aluminium finish and the pump house constructed in brick, to match the existing school. The sprinkler tank and pump house would be enclosed by a 3 metre high timber fence and wall, to match the finishes proposed for the extended school.

The proposal relates to and is within the grounds of Castlepark Primary School, which is located on the corner of Castlepark Circle and Carron Place. The grounds are enclosed by high wire mesh fencing and extend to approximately 1.3 hectares. Some 10m to the north of the sprinkler system, beyond the fence and across a footpath, is a terrace of residential properties (1 - 11 Carron Place). To the east, is the vehicular entrance to the school, off Carron Place, and beyond the gable of 42 Carron Place. To the south and west is the school building and associated grounds. The school is to be substantially upgraded and extended via a recently Planning Committee (20 June 2012) approved permission (Ref: 12/00152/PP).

The application site is located within a residential area as identified in the Adopted North Ayrshire Local Plan (Excluding Isle of Arran) and is unaffected by any site specific policies or proposals. Given that the proposals are in association to the educational use of the larger school site the application simply requires to be assessed against Development Control Statement (DCS) contained within the local plan where the relevant criteria would be (a) siting, design and external appearance; and (b) amenity.

Planning permission was approved in June 2012 for the erection of a single storey extensions to provide additional class rooms and nursery accommodation (Ref: 12/00152/PP). The proposed sprinkler system is associated to the wider programme of proposed works.

## **2. Consultations and Representations**

The standard neighbour notification has been issued by the Council and no objections or representations have been received.



## Consultations

**Environmental Health** - No objections to the proposal, provided that the noise from the plant and equipment does not cause nuisance to any nearby noise sensitive properties.

*Response - The applicant has confirmed that there would be no noise associated to the plant and equipment, with the exception of when the sprinkler system is in use - in the event of fire or during testing. It is considered that this is likely to be infrequent and as such would have no significant impact on the general level of residential amenity of the adjacent properties.*

### 3. Analysis

The application requires to be assessed against the DCS contained within the local plan where the relevant criteria would be (a) siting, design and external appearance; and (b) amenity.

With regards to criterion (a) it is considered that the sprinkler tank and pump house would be located close to the extended school and well concealed within 3m high boundary enclosures, the form of which would match the external materials proposed in the approved extension and refurbishment of the school (Ref: 12/00152/PP). As such the design considerations have been complementary to the wider scheme and would not have a significant detrimental impact on the character and appearance of the surrounding area.

In relation to criterion (b) the applicant's agent has confirmed that there would be no regular/ongoing background noise in relation to the sprinkler system and only operational noise, in the event of a fire or during testing would any noise occur. It is also considered that the proposals are located within the school grounds and in would unlikely have an adverse impact on the residential amenity of any neighbouring properties.

In view of the above it is considered that the proposal would accord with criteria (a) and (b) of the DCS and as such would accord with the local plan. There are no other material planning considerations and it is therefore recommended that planning permission is approved.

#### **4. Full Recommendation**

See Appendix 1.

A handwritten signature in black ink, appearing to read 'Ian T. Mackay', with a stylized flourish at the end.

Ian T Mackay  
Solicitor to the Council

Corporate Services  
Cunninghame House, Irvine  
6 September 2012

For further information please contact Fiona Knighton, Planning Officer , on  
01294 324313.

FK/JW

## **APPENDIX 1**

### **RECOMMENDATION FOR PLANNING APPLICATION REF NO 12/00446/PP**

Grant (No conditions).

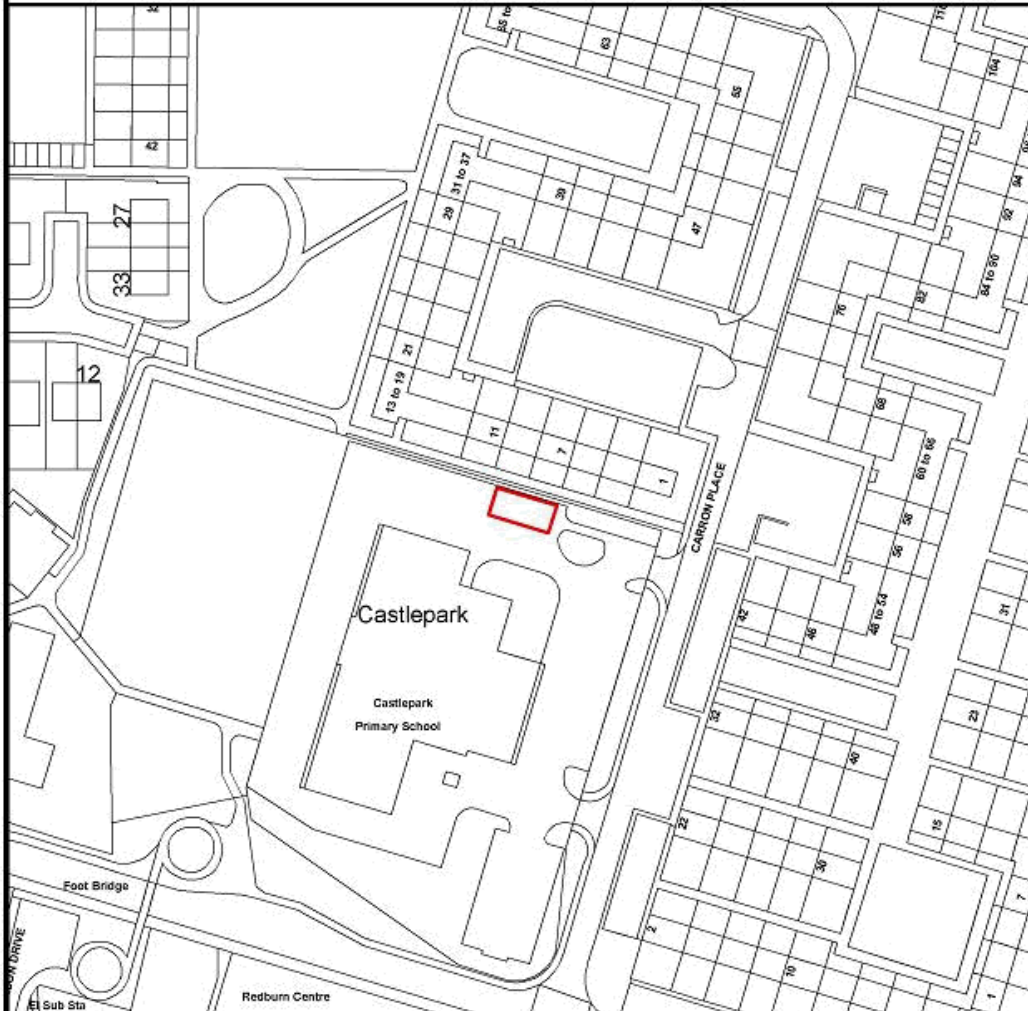
Reason(s) for approval:

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



# Committee Plans

12/00446/PP



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