

Planning Committee
24 April 2013

IRVINE, 24 April 2013 - At a meeting of the Planning Committee of North Ayrshire Council at 2.00 p.m.

Present

Matthew Brown, John Ferguson, Robert Barr, John Bell, John Bruce, Joe Cullinane, Jim Montgomerie and Robert Steel.

In Attendance

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

Chair

Councillor Brown in the Chair.

Apologies for Absence

Ronnie McNicol and Tom Marshall.

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 accuracy of the Minutes of the previous meeting of the Planning Committee held on 13 March 2013 was agreed and the Minutes signed in accordance with paragraph 7(1) of Schedule 7 of the Local Government (Scotland) Act 1973.

3. Ardrossan, Saltcoats and Stevenston

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

Irvine Bay Developments Ltd, 43 Ardrossan Road, Saltcoats have applied for planning permission for the extension to Ardrossan Marina, comprising new breakwater, marina facilities building, improved access arrangements, car parking and boat storage, a new pedestrian link bridge and a drop-off car park facility at Ardrossan Marina, Dock Road, Ardrossan. 23 objections and one letter of representation have been received, as detailed in the report.

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

1. That, unless otherwise provided for by the terms of this permission, the applicant shall construct and operate the development in accordance with the provisions of the application, the Environmental Statement and submitted plans and, where necessary, shall implement recommended mitigation measures contained in the Environmental Statement to the satisfaction of North Ayrshire Council as Planning Authority.
2. That prior to the commencement of the development the applicant shall submit for the written approval of North Ayrshire Council as Planning Authority a customer and staff parking management plan with the aim of preventing the use of adjacent and nearby public roads, and parking bays within Mariners View by vehicles associated with the Marina use. The management plan should also include details of enforcement measures to secure compliance.
3. That prior to the commencement of the development the applicant shall submit for the written approval of North Ayrshire Council as Planning Authority full details of (i) the proposed facilities building, (ii) the pedestrian link bridge, (iii) the proposed fencing around the secure compound within the drop-off car park, and (iv) provision for storage of refuse containers within the drop-off car park.
4. That prior to the commencement of the development the applicant shall submit information to demonstrate to the satisfaction of North Ayrshire Council as Planning Authority that the proposed facilities building has been designed to be protected against a 1:200 year extreme still water level derived from the Coastal Flood Boundary Method (3.61mAOD).
5. That no construction shall take place during the bird breeding season unless the use of nest sites within the application site is prevented prior to the commencement of the bird breeding season.
6. That prior to the commencement of the development the applicant shall submit for the written approval of North Ayrshire Council as Planning Authority (i) details of alternative nest sites, comprising a minimum of 5 nest boxes, to be provided in locations unaffected by the development, and (ii) proposals for the incorporation of new black guillemot nest sites within the breakwater structure.
7. That prior to the commencement of the development, hereby approved, details of a scheme to treat the surface water arising from the drop-off car park and facilities building 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.

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

9. That the applicant shall ensure that vehicular access is maintained to the 'Inner Roll-on/Roll-off berth' at Winton Pier at all times and that prior to the commencement of the development shall submit for the written approval of North Ayrshire Council as Planning Authority and amended layout plan of the car park/boat storage area to indicate the proposed vehicular route between the berth and the main harbour access road.

10. That prior to the commencement of the development the applicant shall submit for the written approval of North Ayrshire Council as Planning Authority full details of the proposed drop-off car park, including surface treatment, ground levels, access control barrier, and drainage proposals, and that prior to the use of the berths hereby approved, the drop-off car park shall be fully constructed to the satisfaction of North Ayrshire Council as Planning Authority.

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

Ardrossan North Shore LLP, 43 Ardrossan Road, Saltcoats have applied for planning permission for the proposed redevelopment of the site, providing mixed use development comprising residential units, nursing home, commercial units, distributor road and coastal defence works, at Ardrossan Harbour, Montgomerie Street, Ardrossan. 4 objections and 6 representations have been received, as detailed in the report.

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

1. That the approval of North Ayrshire Council as Planning Authority with regard to the siting, design and external appearance of, landscaping and means of access to the proposed development shall be obtained before the development is commenced.

2. That prior to the commencement of the development, hereby approved, the applicant 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 as advocated in BS10175: 2011. Remediation proposals shall also be presented in relation to any significant findings. All documentation shall be verified by a suitably qualified Environmental Consultant and submitted to North Ayrshire Council as Planning Authority. Any required remediation measures shall be undertaken, prior to the commencement of the development to the satisfaction of North Ayrshire Council as Planning Authority. 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 an agreed remediation scheme. On completion of the proposed works written verification, detailing what was done by way of any remediation, shall also be submitted to the North Ayrshire Council as Planning Authority.

3. That prior to the commencement of the development, hereby approved, the applicant shall submit for the written approval of North Ayrshire Council as Planning Authority, a Strategy for Open Space which shall include proposals for (i) the provision of open space and play provision, in accordance with the North Ayrshire Council policy "Provision and Maintenance of Landscaping, Open Space and Play Areas in New Housing Developments" together with proposals for the management and maintenance thereof; (ii) the protection, upgrading, management and maintenance of the Core Path (Right of Way) and Ayrshire Coastal Path which pass through the site; and (iii) the diversion of the National Cycle Route through the site, together with proposals for the management and maintenance thereof.

4. That prior to the commencement of the development, hereby approved, the applicant shall submit a revised Phasing Plan for the written approval of North Ayrshire Council as Planning Authority to include all land within the application site, and the development shall progress in accordance with the approved Phasing Plan unless North Ayrshire Council as Planning Authority gives written consent to any variation.

5. That prior to the commencement of the development, hereby approved, the applicant shall submit for the written approval of North Ayrshire Council as Planning Authority, proposals for the implementation of the proposed coastal defence works, including details of ownership, management, and inspection and maintenance measures.

6. That the further application(s) for approval under the terms of Condition 1 shall be accompanied by 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 further application(s) for approval under the terms of Condition 1 shall be accompanied by (i) supplementary Transportation Assessments; and (ii) Flood Risk Assessments.

8. That the proposed nursing home, and any other essential civil infrastructure, shall be protected from the 1:1000 year extreme still water level, as derived from the Coastal Flood Boundary Method, (3.96mAOD).

9. The proposed development shall be designed in accordance with the principles of the Scottish Government's "Designing Streets" and "Designing Places" policy documents and North Ayrshire Council's Neighbourhood and Coastal Design Guidance to the satisfaction of North Ayrshire Council as Planning Authority.

10. That the proposed commercial component of the proposed development shall be limited to Marina uses or marine related uses only and for no other purpose (including any other purpose in Classes 2, 3, and 4 of the Schedule to the Town and Country Planning (Use Classes) (Scotland) Order 1997 or in any provision equivalent to those Classes in a statutory instrument revoking or re-enacting that Order) unless North Ayrshire Council as Planning Authority gives written consent to any variation. For the avoidance of doubt, Class 1 (retail) uses shall require to serve a local area and satisfy the requirements of relevant Local Plan policy.

11. That all coastal defence work shall be provided to a standard to meet the 1:200 year extreme still water level derived from the Coastal Flood Boundary Method.

12. That the height of any flatted properties shall be generally consistent in scale with properties in Mariners View.

13. That no direct vehicular access shall be formed between the application site and Mariners View.

4. Irvine/Kilwinning

13/00184/ADC: Kilwinning: 3 Almswall Road

Shona Thorne, Thorne Travel, 172 Main Street, Kilwinning has applied for planning permission for the erection of two internally illuminated fascia signs to the front and side of the shop at 3 Almswall Road, Kilwinning.

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

1. That the display shall be for a period of 5 years from the date of this consent.

5. North Coast and Cumbraes

13/00080/PP: Largs: The Promenade: Beachcombers

Ross Irvin, 39 Donald Wynd, Largs has applied for planning permission for the siting of a static hot food kiosk at Beachcombers, The Promenade, Largs.

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

1. That the use hereby permitted shall be discontinued and the land restored to its former condition on or before the 24 April 2016.
2. That prior to the commencement of the development the applicant shall submit for the written approval of North Ayrshire Council as Planning Authority details or samples of the proposed external finishes.
3. That, prior to the commencement of the development, details of the retractable canopy, shall be submitted for the written approval of North Ayrshire Council, as Planning Authority.

The meeting ended at 2.10 p.m.