

Local Development Plan Committee
17 June 2013

IRVINE, 17 June 2013 - At a Meeting of the Local Development Plan Committee of North Ayrshire Council at 12.45 p.m.

Present

Marie Burns, Ronnie McNicol, John Bell, Matthew Brown, John Bruce, Ian Clarkson, Anthea Dickson, John Easdale, John Ferguson, Alex Gallagher, Willie Gibson, Tony Gurney, Alan Hill, John Hunter, Elizabeth McLardy, Alex McLean, Catherine McMillan, Peter McNamara, Ruth Maguire, Tom Marshall, Alan Munro, David O'Neill, Donald Reid and Joan Sturgeon.

In Attendance

D. Hammond, Team Manager (Development Plans) (Development and Environment); and M. McKeown, Committee Services Manager and D. McCaw, Committee Services Officer (Chief Executive's Service).

Apologies for Absence

Robert Barr, Joe Cullinane, Jean Highgate, Jim Montgomerie, Irene Oldfather and Robert Steel.

1. Declarations of Interest

In terms of Standing Order 16 and Section 5 of the Code of Conduct for Councillors, Councillor McLardy, by association to the Kirktonhall Creative Media Group, declared a non financial interest in Agenda Item 8: West Kilbride Conservation Area Appraisal, and took no part in the discussion on that item of business.

2. Minutes

The accuracy of the Minutes of the previous meeting of the Committee held on 10 December 2012 was agreed, subject to the addition of Councillor Gurney's apologies, and the Minutes signed in accordance with paragraph 7(1) of Schedule 7 of the Local Government (Scotland) Act 1973.

3. Modified Local Development Plan (As Submitted): Representations

Submitted report by the Corporate Director (Development and Environment) on the proposed responses to the additional tranche of representations to the Modified Local Development Plan (As Submitted).

The Modified Local Development Plan (MLDP) (As Submitted) was submitted to the Directorate for Planning and Environmental Appeals (DPEA) for formal examination on 15 February 2013. Following discussions with the DPEA, the Council opted to provide an additional consultation period on the plan to allow the opportunity for comment on the minor changes which were made to the Plan prior to its submission to the DPEA. These changes were made in consideration of the representations received in the previous consultation period. The Examination was paused to allow the additional consultation period on the MLDP (As Submitted) to take place. The additional consultation period closed on 22 May 2013.

Officers prepared responses to the additional representations received which included objections to 2 employment land allocations, and a request for allocation of an additional housing site as shown on the location plan at Appendix 2 to the report.

On agreement of the response to the outstanding issues, the additional representations will be submitted to the DPEA. The Examination of the MLDP (As Submitted) will then resume and the Reporter's findings are anticipated in late 2013, with the formal adoption of the Local Development Plan following thereafter.

The Committee agreed to (a) approve the responses outlined in Appendix 1 to the report; and (b) note the new issues raised in the representations to the MLDP (As Submitted).

4. Publication of Updated Development Plan Scheme and Statement of Conformity with the Participation Statement

Submitted report by the Corporate Director (Development and Environment) on the revised Development Plan Scheme (DPS) and Statement of Conformity with the Participation Statement for submission to Scottish Ministers.

Revisions to both the Development Plan Scheme (DPS) and Statement of Conformity documents are necessary to provide updated information regarding the steps taken to consult on the Modified Local Development Plan (As Submitted), and to allow the LDP examination to proceed. The updated DPS now programmes adoption of the LDP for Winter 2013 due to the delay arising from the publication of the Modified Plan and the additional consultation period. Effective project management has generated time gains in other steps of the LDP preparation process, which has mitigated some of the delay. The DPS also provides further details on the final stages in the plan making process for public information.

The Committee agreed to (a) approve the revised Development Plan Scheme and Statement of Conformity with the Participation Statement for submission to Scottish Ministers; and (b) note the new timescale for adoption of the LDP.

5. Supplementary Guidance: Developer Contributions

Submitted report by the Corporate Director (Development and Environment) on approval to publish draft Supplementary Guidance on Strategic Transport Developer Contributions for public consultation.

Developer contributions are 'obligations' placed upon developers to make a contribution toward the infrastructure and services needed to make new developments acceptable in land-use planning terms. The report detailed the context and principles of the proposed draft guidance, dealing with contributions solely in respect of the trunk road network.

In the preparation of the LDP, officers have worked in close partnership with a range of agencies to establish the infrastructure requirements to support future development. Strategic transport modelling has been undertaken to assess the cumulative impact on the trunk road network from future development across the Irvine Bay Area. Additional carriageway provision at Pennyburn Roundabout and the signalisation of Stanecastle, Warrix and Eglinton Interchanges, have been identified as areas where improvements would be necessary.

It is the intention that the improvements be funded by the development industry on a 'roof tax' basis, which works by seeking a flat rate contribution towards the transport improvements per consented housing unit. The contributions would be held in a fund and used to pay for the improvements as the development progresses.

The consultation period provides the Council with an opportunity to further refine the approach following stakeholder comments before adoption as statutory guidance to the North Ayrshire Local Development Plan.

Members asked questions and received clarification on the information presented.

The Committee agreed to approve the publication of the draft Supplementary Guidance on Strategic Transport Developer Contributions for public consultation.

6. Scottish Planning Policy: Consultation Draft

Submitted report by the Corporate Director (Development and Environment) on the publication of the 'Scottish Planning Policy: Consultation Draft' and on the proposed consultation response for submission to the Scottish Government.

Key points from the consultation draft include:

- Town centre performance should be monitored by planning authorities, preferably every 2 years through health checks;
- Greater steer is provided on what constitutes a 'generous housing land supply'. When undefined, this term has proved problematic for planning authorities and Scottish Government Reporters making decisions on housing issues within Local Development Plans;
- Separation of windfarm development from communities is increased to 2.5 km, up 0.5km; and
- National Parks and National Scenic Areas are considered by SPP to be unacceptable for wind farm development.

There is a lack of specific protected status for Clyde Muirshiel Regional Park from wind farm development within SPP. This is despite the Council's Supplementary Guidance confirming the Park has limited carrying capacity for such development. It is therefore recommended within the proposed response that the Park should be designated as 'areas of significant protection', the second highest level of safeguarding offered by SPP. Justification for this protection is further evidenced by the Park's significance to natural heritage and recreational interests.

The proposed response to the consultation draft sets out comments which reflect the Council's interests on a variety of planning topics such as renewable energy and housing development. The response seeks amendments to a number of statements made in the SPP, including increased protection for Clyde Muirshiel Regional Park from wind turbine development.

The Committee agreed to (a) approve the issue of the proposed consultation response to the Scottish Government as the Council's formal response to the Scottish Planning Policy: Consultation Draft; and (b) note the key points arising from the consultation draft.

7. Draft National Planning Framework 3: Initial Consultation Response

Submitted report by the Corporate Director (Development and Environment) on the proposed consultation response to the draft National Planning Framework 3 for submission to the Scottish Government.

The purpose of the National Planning Framework (NPF) is to set the context for development planning in Scotland by providing the Scottish Government's strategic development priorities over the next twenty to thirty years. It identifies 'National Developments', which includes strategic infrastructure, transport, and drainage projects essential to Scotland's spatial development at a national scale. The NPF is updated at least every five years. A draft NPF3 framework has now been published for consultation, with comments invited by 23 July 2013.

The proposed initial response to NPF3 was informed by Members' comments at a workshop held in May, and incorporates the following key points:

- A request for commitment to improvements to the A737 and A78 within NPF3;
- Continued recognition of the potential of Ardeer as an energetics cluster, with potential for other types of industrial activity of national significance on the site; and
- Calls for North Ayrshire to be included within the Firth of Clyde region within NPF3, as opposed to the South West Coast region, on the basis that North Ayrshire has stronger links to the Glasgow city region (e.g. transport, commuting, leisure, retail links).

Following the close of the consultation period, the Scottish Government will consider the comments made before publishing a 'proposed' version of NPF3. The document will then be laid before parliament, and, following consideration of the parliamentary report, the final NPF3 is programmed for publication in Summer 2014 at which point it will replace NPF2.

Members were advised that on completion of the Competitive Advantage Study for Hunterston, a further submission to the Scottish Government would be presented for approval at a meeting of the Committee to be held on 28 August 2013.

Councillor McNamara, seconded by Councillor Gallagher, moved that the Committee revise the response to question 4 to reflect Council policy in support of a Hunterston C power station.

As an amendment, Councillor Dickson, seconded by Councillor Gurney, moved that the Committee approve the initial consultation response as detailed within the report.

On a division, there voted for the amendment 12 and for the motion 12. On the casting vote of the Chair, the amendment was declared carried.

Accordingly, the Committee agreed to approve the initial consultation response for submission to the Scottish Government as detailed in Appendix 1 to the report.

8. West Kilbride Conservation Area Appraisal

Submitted report by the Corporate Director (Development and Environment) on the adoption of the West Kilbride Conservation Area Appraisal.

A Conservation Area Appraisal identifies the special interest and changing needs of a Conservation area, which enables the planning authority to fulfil its statutory duties to preserve and enhance the Conservation areas. Appraisals can inform policy, assist with development management, help developers formulate development proposals, and assist with proposals for funding support for historic buildings. An Appraisal has been prepared for the West Kilbride Conservation Area.

The approval of the West Kilbride Conservation Area Appraisal will assist funding applications in relation to the Kirktonhall and potentially other buildings within the Conservation area, and inform future management of development in the area.

The Committee agreed to adopt the West Kilbride Conservation Area Appraisal.

The Meeting ended at 1.20 p.m.