

Planning Committee  
6 April 2010

**IRVINE, 6 April 2010** - At a Meeting of the Planning Committee of North Ayrshire Council at 2.00 p.m.

**Present**

Elizabeth McLardy, Margie Currie, Robert Barr, Matthew Brown, Ian Clarkson, John Ferguson, Ronnie McNicol, Pat McPhee, John Moffat and Ryan Oldfather.

**Also Present**

Alex Gallagher.

**In Attendance**

R. Forrest, Planning Services Manager, J. Miller, Chief Development Management Officer, J. Law, Solicitor (Corporate Services); and L. McEwan, Communications Manager and M. Anderson, Committee Services Officer (Chief Executive's Service).

**Chair**

Councillor McLardy in the Chair.

**Apologies for Absence**

David Munn and Robert Rae.

**1. Declarations of Interest**

There were no declarations of interest by Members in terms of Standing Order 16.

**2. Isle of Arran**

**09/00698/PP: Brodick: Auchrannie Road: Site to North of Boarding Kennels**

Malcolm Kerr, Cairndale, Brodick, Isle of Arran, has applied for planning permission for the erection of a detached dwellinghouse on a site to the north of the Boarding Kennels at Auchrannie Road, Brodick, Isle of Arran. 1 objection has been received, as detailed in the report.

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

1. That, prior to the commencement of the development, the applicant shall submit for the written approval of North Ayrshire Council as Planning Authority exact details of (i) all external finishes to the dwellinghouse; (ii) a revised parking layout showing the provision of two parking spaces within the site; and (iii) details of the surface finish to the parking area.

2. That no development shall take place until: (i) the applicant has submitted for the written approval of North Ayrshire Council as Planning Authority a plan showing proposals to erect a barrier to exclude plant and materials from the root protection areas required by the trees along the north-east boundary of the application site and (ii) the approved root protection measures shall be implemented prior to the commencement of the development and maintained throughout the construction of the dwellinghouse hereby approved, all to the satisfaction of North Ayrshire Council as Planning Authority.
3. That, prior to the commencement of the development, the applicant shall submit for the written approval of North Ayrshire Council as Planning Authority a specification for the construction of the vehicle access to the site which shall be undertaken by hand digging only and no root severance over 2cm in diameter shall be permitted; construction of the access shall be undertaken in accordance with the approved specification and the finished vehicle access shall have a permeable surface, all to the satisfaction of North Ayrshire Council as Planning Authority.
4. 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.
5. That the finished floor level of the proposed dwellinghouse shall be 5.68m AOD.
6. That, prior to the commencement of the development, the applicant shall submit for the written approval of North Ayrshire Council's Planning Authority a report by a consulting engineer certifying that the proposed construction of the dwellinghouse will not have an adverse impact on the riverbank adjacent to the site or that of any nearby properties; any recommendations contained within the engineering report shall be implemented to the satisfaction of North Ayrshire Council as planning authority prior to the occupation of the dwellinghouse hereby approved.
7. That, prior to the commencement of the development hereby approved, the hedge across the frontage of the site shall be lowered and maintained at a height not exceeding 1.05 metres above carriageway level, to the satisfaction of North Ayrshire Council as Planning Authority.
8. That the first 2 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.

9. That, notwithstanding the permission granted by Article 3 of Classes 1, 3 and 5 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 dwellinghouse.

### **3. Irvine/Kilwinning**

#### **10/00030/PP: Irvine: Riverside Business Park: 6 Brewster Place**

R & R Investments Ltd., 197 Firpark Street, Glasgow, have applied for planning permission for a proposed change of use of the vacant industrial unit to Class 6 (Storage & Distribution) at 6 Brewster Place, Riverside Business Park, Irvine.

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

1. That the premises hereby granted planning permission shall be only used for a storage and distribution use by ALH Group in conjunction with the premises occupied by the ALH Group at 3 Brewster Place, unless express permission is granted in writing to the contrary.

2. That all goods shall be stored within the building.

### **4. North Coast and Cumbraes**

#### **09/00481/PPM: Largs: 102-106 Greenock Road**

W. Madden, no. 102 and T. Marshall, no. 106, both Greenock Road, Largs, have applied for planning permission for the erection of 55 dwelling flats with associated access, parking and landscaping, including the demolition of the existing residential properties at 102-106 Greenock Road, Largs. 29 objections have been received, as detailed in the Annex to the report. An objection has also been received from Largs Community Council.

The Chief Development Manager Officer advised of the receipt of 3 further representations, including a letter of objection from Councillor Gallagher, and responded to the issues contained therein.

The Committee agreed to grant the application subject to (a) the applicants entering into a Section 75 Agreement or other suitable arrangement deemed appropriate by the Council to provide a commuted sum for the provision of or upgrading of play facilities in the locality; and (b) the following conditions:-

1. That, prior to the commencement of the development, the applicants shall submit for the written approval of North Ayrshire Council as Planning Authority the exact details of (i) all external finishes to the buildings; (ii) all hard surfaces, including parking and manoeuvring areas, footpaths, etc.; and (iii) all proposed boundary enclosures including proposals for increasing the height of the boundary enclosure along the north boundary of the site to the east of block B, in the interest of maintaining the privacy of the occupants of the adjoining residential property. All existing boundary walls shall be retained and the stone wall along Greenock Road extended across the accesses from Greenock Road that are to be closed off and around the access radii; thereafter the walls shall not be lowered or removed without the prior written approval of North Ayrshire Council as Planning Authority.

2. That visibility splays shall be provided and maintained on each side of the new access 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 centre line of the access driveway (set back dimension) and the near side 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 drivers eye height of between 1.05m and 2.00m positioned at the set back dimension to an object height of between 0.26m and 1.05m anywhere along the Y dimension. All land contained within the visibility splay outwith the trunk road boundary shall be within the control of the applicant.

3. 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 by the Department of Transport Advice Note TA 41/95 (Vehicular Access to All-Purpose Trunk Roads) (as amended in Scotland) complying with Layout 3. 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.

4. That the new access to the site shall be formed and the existing accesses along the frontage of the development site shall be closed off before any works commence on the site.

5. That no development shall take place until there has been submitted to and approved by North Ayrshire Council as Planning Authority a scheme of landscaping of which shall include details of species, planting densities, soil treatment and aftercare and shall include proposals for the planting of a minimum of 3 semi-mature trees along the Greenock road frontage of the site.

6. That all planting, seeding or turfing comprised in the approved details of landscaping 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.

7. That, prior to the commencement of the development, the applicants shall submit for the written approval of North Ayrshire Council as Planning Authority revised proposals for the protection of the trees along the north boundary of the site to take into account the reduction in size of the frontage blocks of flats. The approved revised tree protection measures together with the protection measures for the other trees within the site, including hand digging in the vicinity of the proposed retaining wall, all as detailed in the tree survey report by Alan R Motion received on 09/03/10 and hereby approved, shall be implemented prior to the commencement of any works and maintained thereafter throughout the duration of the development, unless North Ayrshire Council as Planning Authority gives written consent to any variation.

8. That, prior to the commencement of the development, the applicants shall submit for the written approval of North Ayrshire Council as Planning Authority proposals for the provision of access to the woodland at the eastern edge of the site for maintenance purposes. The approved access to the woodland shall be formed prior to the occupation of the flats and maintained thereafter, all to the satisfaction of North Ayrshire Council as Planning Authority.

9. 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.

10. 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.

11. That, prior to the occupation of any of the flats hereby approved, foul drainage from the development shall be connected to the public sewerage system, to the satisfaction 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, prior to the commencement of the development, the applicants shall submit for the written approval of North Ayrshire Council as Planning Authority a Drainage Assessment prepared in accordance with the SUDS Working Party Guidelines "Drainage Assessment, A Guide for Scotland" which can be found on the SEPA website. The discharge of storm water from the development shall comply with the stipulated design criteria, current SUDS Design Guidance (CIRIA Report C521) and any requirements of Scottish Water. In addition the Drainage Assessment shall address the following: the effects of a 1 in 200 year storm and run-off, plus climate change, the effects of differing storm conditions shown on a site plan to ensure that no water enters buildings or restricts movement of emergency vehicles, including an assessment of flow routing of surface water through the site, a strategy for dealing with any field drainage affected by the works, and a maintenance regime for surface water drainage measures. All calculations shall be approved and certified by an appropriately qualified person.

14. That, prior to the commencement of the development, the applicants shall submit for the written approval of North Ayrshire Council as Planning Authority detailed proposals for: (i) the installation of a Schweigler 1 FR bat tube incorporated into the structure of Block B or a Schweigler IFQ low profile bat box on the exterior of Block B; (ii) the lighting to be used during construction of the development which shall be designed to minimise light spill by use of hoods and cowls and direct light away from the woodlands to protect bat flyways from disturbance; and (iii) the installation of tree bat boxes in suitable locations in the mature woodland to the east of the proposed flats to provide additional roosting habitat; the approved additional tree bat boxes shall be implemented prior to any demolition works taking place to the satisfaction of North Ayrshire Council as Planning Authority.

15. That demolition of buildings shall take place only between the start of October and the end of March.

16. That (i) prior to the buildings being demolished the area where the bat roost has been located shall be checked by a licensed bat surveyor for the presence of bats; (ii) the slate cladding where the bat roost was located shall be hand stripped and checked for the presence of bats; and (iii) if the presence of bats is detected during the demolition of the buildings, all works shall stop immediately and the applicants shall contact North Ayrshire Council as Planning Authority prior to further works taking place. A report by the licensed bat surveyor regarding (i) and (ii) above shall be submitted for the written approval of North Ayrshire Council as Planning Authority prior to any demolition works taking place.

17. That no tree felling, pruning or vegetation clearance shall take place within the bird breeding season, i.e. March to July inclusive.

The Meeting ended at 2.35 p.m.