

Planning Sub Committee of Corporate Services Committee
17 March 2003

IRVINE, 17 March 2003 - At a meeting of the Planning Sub Committee of the Corporate Services Committee at 2.00 p.m.

Present

David Munn, Robert Reilly, Jack Carson, Gordon Clarkson, Ian Clarkson, Jane Gorman, Elizabeth McLardy, John Moffat, David O'Neill, Robert Rae, and John Reid.

In Attendance

I. T. Mackay, Assistant Chief Executive and W. Stewart, Senior Development Control Officer (Legal and Protective); R. Forrest, Principal Planner (Development and Promotion); and M. McKeown, Corporate and Democratic Support Officer and A. Wattie, Communications Officer (Chief Executive's).

Chair

Councillor Munn in the Chair.

Apologies for Absence

Samuel Gooding.

1. Arran Local Plan Area

1.1 N/02/00743/PP: Sliddery: Ross Road: Glenscorrodale

Ropka Trust, Samye Ling, Eskdalemuir, have applied for a change of use of the former farm steading at Glenscorrodale Farm, The Ross, Sliddery, Isle of Arran, to form a retreat centre, including the erection of an accommodation building, alterations to outbuildings, and demolition of an existing farmhouse. An objection has been received from Mrs H. Driver, Hazel Burn, Largimeanoch, Whiting Bay, Isle of Arran, together with representations from Arran Civic Trust per Mr J. Roberts 3 Glen Place, Brodick, Isle of Arran, and from Scottish Natural Heritage.

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

1. That the proposed use shall be provided with an adequate and wholesome water supply, details of which shall be submitted for the written approval of North Ayrshire Council's Planning Authority prior to the commencement of the development.
2. That prior to the commencement of the development the applicant shall submit for the written approval of North Ayrshire Council as Planning Authority samples of the proposed external finishes.
3. That prior to the commencement of the development hereby approved the applicant shall submit for the written approval of the North Ayrshire Council as Planning Authority full details of the proposed drainage arrangements.

4. That visibility splays of 2.5 metres by 60 metres shall be provided and maintained on land within the applicant's control, such that there is no obstruction to visibility above a height of 1.05 metre measured above the adjacent carriageway level to the satisfaction of North Ayrshire Council as Planning Authority.

5. That the water supply and drainage arrangements arising from conditions 1 and 3 above shall be fully implemented to the satisfaction of North Ayrshire Council as Planning Authority prior to the commencement of the use.

6. That prior to the commencement of the development the applicant shall submit for the written approval of North Ayrshire Council as Planning Authority, proposals for measures to prevent birds gaining access to the buildings at the start of the breeding season, and also for the provision of alternative external nesting structures for the duration of the approved works.

1.2 N/02/00762/PP: Whiting Bay: The Workshop

Douglas J. M. Graham, 101 Caiyside, Edinburgh, has applied for a change of use of an existing workshop and showroom at Whiting Bay, Isle of Arran, to form a single residential dwelling with a drying area to the rear. A letter dated 18 February 2003 from the applicant in support of the application was tabled.

The Sub Committee, having considered the terms of the letter, agreed to refuse the application on the following grounds:-

1. The proposed development would be contrary to the requirements of Policy HOU3 in the adopted Isle of Arran Local Plan, as the proposal fails to achieve an acceptable standard of amenity and parking within the site and is considered to be over-development, detrimental to the character and amenity of the surrounding area.

2. The proposed development would be contrary to the requirements of the Development Control Statement contained in the Finalised Isle of Arran Replacement Local Plan as the proposal will result in over-development of the site contrary to the character and amenity of the surrounding area.

1.3 N/02/00827/PP: Whiting Bay: Montrose Terrace: Site to East of Mother Goose Flat

MacLeod Supplies, Creag Dhubh, Golf Course Road, Whiting Bay, Isle of Arran, have applied for a change of use of the store to the east of Mother Goose Flat, Montrose Terrace, Whiting Bay, Isle of Arran, to form a one bedroomed dwellinghouse. Objections have been received from Alison Prince, Burnfoot, Whiting Bay, Julie Nelson, Tigh-on-Uillt, Shore Road, Whiting Bay, and Arran Civic Trust per Mr J. Roberts, 3 Glen Place, Brodick, all of the Isle of Arran.

The Sub Committee, having considered the terms of the objections, agreed to refuse the application on the following grounds:-

1. The proposed development would be contrary to the requirements of Policy HOU3 in the adopted Isle of Arran Local Plan, and given the restricted nature of the site, the proposal fails to achieve acceptable standards of amenity, access and drainage and is considered to be over-development. Therefore it fails to achieve a satisfactory level of amenity for the proposed house and is likely to have a significant detrimental affect on the amenity of the neighbouring properties.

2. The proposed development would be contrary to the requirements of the Development Control Statement contained in the Isle of Arran Replacement Local Plan, Consultative Draft, as the proposal will result in over-development of the site with a resulting detrimental affect on the character and amenity of the surrounding area.

2. Garnock Valley Local Plan Area

N/01/00315/PP: Kilbirnie: Dipple Road: Redheugh House

Harlequin Homes Scotland Ltd, 10 Clydeholm Road, Whiteinch, Glasgow, have applied for planning permission for a residential development of 25 dwellings, including the formation of access roads, car parking and children's play area, at Redheugh House, Dipple Road, Kilbirnie. An objection has been received from Mrs R. Urquhart, 65 Lynn Drive, Kilbirnie.

The Sub 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 samples of the proposed external finishes.

2. That the surface water arising from the site shall be treated in accordance with the principles and practices contained in CIRIA's "Sustainable Urban Drainage Systems Design Manual for Scotland and Northern Ireland 2000" to the satisfaction of North Ayrshire Council as Planning Authority.

3. That visibility splays of 2.5m X 90m in both directions shall be provided and maintained on land within the applicant's control, such that there is no obstruction to visibility above a height of 1.05 metres measured above the adjacent carriageway level to the satisfaction of North Ayrshire Council as Planning Authority and which shall be provided prior to the commencement of the development.

4. That the first 2 metres of the driveways, 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.

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 (i) proposals for the widening of Dipple Road, from its junction with Dipple Court northwards to the southern entrance of Redheugh Estate, to provide 5.5 metre carriageway; (ii) the provision of a turning facility in advance of the transition to the walled garden; (iii) the relocation of the transition to the two shared surface areas in the 'meadow' area; and the provision of an additional length of footway between the new Dipple Road junction and the 1st dwellinghouse.

6. That the applicant shall resurface Dipple Road over the length specified in condition 5(i) above to the satisfaction of North Ayrshire Council as Planning Authority prior to the occupation of the last dwellinghouse.

7. 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 details of the tree planting proposals referred to in the site layout plan hereby approved.

8. That the planting referred to in condition 7 above 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.

9. 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 full details of the proposed children's play area and associated play equipment all of which shall be fully installed and operational to the satisfaction of North Ayrshire Council as Planning Authority prior to the occupation of any of the dwellinghouses hereby approved.

3. Irvine/Kilwinning Local Plan Area

3.1 N/01/00741/PP: Irvine: 10 Academy Road

Mr & Mrs Craig, 10 Academy Court, Irvine, have applied for planning permission for the erection of a conservatory to the rear of the dwellinghouse at that address.

The Sub Committee agreed to refuse the application on the following grounds:-

1. The proposed conservatory would prevent the use of land allocated on the approved plans for planning permission 00/00440/PP as a parking space required to meet Roads Development Guide for a single dwellinghouse and as such would be against the interests of road safety and the free flow of traffic in Academy Road.

3.2 N/02/00867/PP: Irvine: Second Avenue: Heatherhouse Industrial Estate:

Sigma Aldrich, Second Avenue, Irvine, have applied for planning permission for the erection of external site fencing (part retrospective) at that address. An objection has been received from J. Bell, 20 Second Avenue, Irvine.

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

1. That one month of the closure of the vehicular access fronting the recently erected outgoing goods extension the footway shall be extended across this gap to link into existing footways on either side to the satisfaction of North Ayrshire Council as Planning Authority.
2. That within one month of the permission hereby granted the timber screen fence around the waste skip area in the southeast corner shall be extended to include the north side as far as the fire exit as shown on the site plan.

3.3 N/03/00020/PP: Irvine: Old Caley Road: Wimpey Housing Development (Site 2)

George Wimpey West Scotland Ltd, Renfrew Road, Paisley, have applied for planning permission for the erection of 31 dwellinghouses with associated roads and services at Old Caley Road, Irvine. An objection has been received from Robert Steven, 36 James Crescent, Irvine.

The Sub 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 full details of:
i) the proposed external finishes to the dwellinghouses; and ii) the surface finish to the car park and parking court access roads.
2. 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, which shall include details of species, planting densities, soil treatment and aftercare and shall include indications of all existing trees and hedgerows on the land and details of any to be retained together with measures for their protection in the course of the development.
3. 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.

4. That the footpath link between the site and James Crescent shall be upgraded to an adoptable standard including provision of lighting units and prior to the commencement of the development the applicants shall submit for the written approval of North Ayrshire Council as Planning Authority details of proposals for the upgrading of the footpath and the provision of lighting units.
5. That prior to the commencement of the development the applicant shall submit the written approval of North Ayrshire Council as Planning Authority details of proposals for the delineation of the boundary between the edge of the carriageway and the parking bays.
6. That the access to the private area serving plots 21-27 shall be via a dropped kerb footway crossing as per NAC Roads Development Guide.
7. That the driveways for plots 1-8 inclusive shall have a minimum length of 10 metres.
8. That all boundary and screen fences and walls shown on the approved site layout the plan relating to or adjacent to each plot shall be erected prior to the occupation of dwellings in that plot.
9. That lockable gates shall be provided on pedestrian accesses to rear areas prior to the occupation of the adjoining houses.
10. That notwithstanding the permission granted by Article 3 of and Classes 1 and 7 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 enlargement, improvement or other alteration of the dwellinghouses or the erection of fences, walls or other means of enclosure forward of the front building line.
11. That if any significant contamination of the land is discovered during the development of the site, the applicants shall notify North Ayrshire Council as Planning Authority.
12. That the surface water arising from the site shall be treated in accordance with the principles and practices contained in CIRIA's "Sustainable Urban Drainage Systems Design Manual for Scotland and Northern Ireland 2000" to the satisfaction of North Ayrshire Council as Planning Authority.

3.4 N/03/00061/PP: Irvine: 1-87 Sanderson Avenue

Irvine Housing Association, Bridgegate House, Irvine, have applied for planning permission for a residential development comprising 46 units at 1-87 Sanderson Avenue, Irvine.

The Sub Committee agreed to grant the application subject to (a) the applicants entering into an agreement in terms of Section 75 of the Town and Country Planning (Scotland) Act 1997 to provide for the payment to the Council of a commuted sum to contribute towards the provision of play facilities in Irvine; and

(b) the following conditions:-

1. That visibility splays of 2.5m x 60m at the junctions of the culs-de-sac and Sanderson Avenue shall be provided and maintained on land within the applicant's control, such that there is no obstruction to visibility above a height of 1.05 metres measured above the adjacent carriageway level to the satisfaction of North Ayrshire Council as Planning Authority.
2. That the corner radii at the junctions with Sanderson Avenue shall be 6m.
3. That the width of the over-run area at the central turning circles shall be 2m.
4. That the first 2 metres of the vehicle accesses, 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 accesses onto the carriageway.
5. 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 or samples of the proposed external finishes of the dwellinghouses and the finish to the shared surface road.
6. 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, which shall include details of species, planting densities, soil treatment and aftercare and shall include indications of all existing trees and hedgerows on the land and details of any to be retained together with measures for their protection in the course of the development.
7. 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.

8. That the surface water arising from the site shall be treated in accordance with the principles and practices contained in CIRIA's "Sustainable Urban Drainage Systems Design Manual for Scotland and Northern Ireland 2000" to the satisfaction of North Ayrshire Council as Planning Authority.

4. North Coast and Cumbraes Local Plan Area

4.1 N/02/00729/PP: West Kilbride: 5 Well Street

McAlindon Design Studio, 40-42 Charles Street, Largs, have applied for planning permission for the erection of two detached dwellinghouses at 5 Well Street, West Kilbride. Objections have been received from I. S. Thriepland, G/R 9 Well Street, E. B. W. Gemmill, 'Ashfield', 61 Ritchie Street, D. E. Struijk, 9 Well Street, and M. M. Kerr, 63 Ritchie Street, all of West Kilbride.

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

1. That the vehicular accesses hereby approved shall be constructed with a drop kerb footway crossing to be formed as detailed in sections 5.2 and 10.8 (and figure 10.16) of the Roads Development Guidelines.
2. That the first 2.0 metres of the accesses, 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.
3. That the driveways shall be completed and available for use prior to the occupation of the dwellinghouses hereby approved, and thereafter maintained, all to the satisfaction of North Ayrshire Council as Planning Authority.
4. That following the demolition of the existing buildings on site and prior to the commencement of building works, the applicant shall submit details of all necessary repairs required to the gable wall of 9 Well Street and the boundary wall along the eastern boundary of the site, in writing to the local Planning Authority.
5. Prior to any construction work commencing on site, the applicant shall complete all the necessary repairs specified under the terms of Condition 4.
6. Details of the design, construction and location of all walls and fences to be erected being approved by the local Planning Authority before work commences.
7. That the surface water arising from the site shall be treated in accordance with the principles and practices contained in CIRIA's "Sustainable Urban Drainage Systems Design Manual for Scotland and Northern Ireland 2000" to the satisfaction of North Ayrshire Council as Planning Authority.

4.2 N/02/00739/PP: Largs: 1 Queens Avenue

In terms of Standing Order 18, the Chair advised that the Sub Committee would receive a Petition in respect of an application by Mr I. A. Harrison, 1 Queens Avenue, Largs, for planning permission for a change of use of common ground at that address to form a garden area, and for the erection of a 1.8m high fence (retrospective) and hardstanding to form off road parking for three taxi vehicles. In addition to the petition of objection signed by 12 residents of Glenacre Drive and Queens Avenue, Largs, objections have been received from Kim Foster, 53 Glenacre Drive, Mr J. Chalmers, 63 Glenacre Drive, Mr and Mrs G. Mackay, 59 Glenacre Drive, Mrs Caroline Ramage, 67 Glenacre Drive, and Mr & Mrs D. Riddell, 65 Glenacre Drive, all of Largs.

The Sub Committee heard Mrs Kim Foster and Mrs Caroline Ramage in connection with the objections and concerns set out in the letter of petition dated 1st November 2002. The applicant, Mr Harrison, was then heard in response to the petitioners' concerns. Following the presentations, Members asked questions of both parties before hearing the Principal Planner present his report on the planning application.

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

1. That the planning permission hereby granted shall enure not for the benefit of the land to which it relates but for the benefit of the applicant only.
2. That a maximum of three taxis only shall be parked on the site.
3. That the site shall only be used for the parking of the applicant's three taxis, or the driver's personal vehicles whilst operating the applicant's taxis, unless North Ayrshire Council as Planning Authority gives written consent to any variation.
4. That no repairs or servicing of any vehicle shall be carried out within the site, and any washing shall be carried out during daylight hours only.
5. That planning permission hereby granted does not give consent to the parking area shown on the submitted plans and prior to the commencement of the development the applicants shall submit for the written approval of North Ayrshire Council as Planning Authority revised proposals incorporating a significant reduction in the size of the proposed parking area.
6. That prior to the commencement of the development the applicant shall submit for the written approval of North Ayrshire Council as Planning Authority a sample or full details of the proposed block paving for the proposed parking area.

7. 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, which shall include details of species, planting densities, soil treatment and aftercare and shall include indications of all existing trees and hedgerows on the land and details of any to be retained together with measures for their protection in the course of the development.

8. 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.

9. That prior to the commencement of the use, the applicant shall form a footway crossing to North Ayrshire Council Roads Guidelines to the satisfaction of North Ayrshire Council as Planning Authority.

10. 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.

4.3 N/02/00744/OPP: West Kilbride: Hunterston Road: Site to East of 9

The congregation of St Bride's Church, c/o Mr J. McLaughlin, 20 Corsehill Drive, West Kilbride, have applied for outline planning permission for the erection of a two storey, six apartment detached house and detached double garage, and for the formation of access by the relocation of an existing garage to the adjacent presbytery at St Bride's R C Church, on a site to the east of 9 Hunterston Road, West Kilbride. Objections have been received from A. M. McKenzie, 7 St Bride's Drive, and Mr and Mrs R. L. Jolliffe, 6 St Bride's Drive, all of West Kilbride.

The Sub Committee, having considered the terms of the objections, agreed to refuse the application on the following grounds:-

1. The proposed development would be contrary to the criteria of Policy HOU7 in the adopted North Coast and Cumbraes Local Plan, as the proposal fails to achieve an independent access and outlook, and is likely to adversely effect the amenity of the neighbouring properties.

2. The proposal will result in backland development which will be detrimental to the amenity and character of the surrounding area and as such does not accord with the Development Control Statement contained in the Finalised North Ayrshire Local Plan (Excluding Isle of Arran).

4.4 N/02/00900/PP: Largs: 8 Main Street

Mr T. Quinn, 16A The Moorings, Largs, has applied for a change of use from Class 1 (shop) to Class 2 (financial and professional) at 8 Main Street, Largs. Representations were received from Nardini at the Moorings Ltd, 2/4 Main Street, and Mr and Mrs P. Feeney, The Moorings, 14G Main Street, all of Largs.

The Sub Committee, having considered the terms of the representations, agreed to grant the application.

5. Irvine: 83 High Street:

5.1 Listed Building Enforcement Notice

Submitted report by the Assistant Chief Executive (Legal and Protective) on the proposed servicing of a Listed Building Enforcement Notice in respect of the failure of the owner of the premises at 83 High Street, Irvine, to comply with Condition 1 of Listed Building Consent N/2/98/0023 requiring the removal of unauthorised solid roller shutters.

On 30 July 1999 conditional Listed Building Consent was granted for an extension to the rear of the property at 83 High Street, Irvine, to form a store with roller shutters (retrospective). Condition 1 attached to the consent stated that 'the solid roller shutters shall be removed within one month of the date of this permission and the open grill roller shutter hereby approved shall be erected'.

Despite repeated requests by the Development Control Section, the owner of the premises has failed to comply with the condition.

The Sub Committee agreed to approve the servicing of a Listed Building Enforcement Notice for the removal of the unauthorised solid roller shutters at 83 High Street, Irvine.

5.2 Advertisement Enforcement Notice

Submitted report by the Assistant Chief Executive (Legal and Protective) on the failure of the owner of the premises at 83 High Street, Irvine, to comply with Condition 1 of Advertisement Consent N/03/98/0062, requiring the removal of an unauthorised illuminated box fascia sign.

On 30 July 1999 conditional advertisement consent was granted subject to standard conditions and to a condition that 'within 1 month of the date of this permission the unauthorised fascia sign shall be removed and the sign hereby approved erected'.

Despite repeated requests by the Development Control Section the owner of the premises has failed to comply with the condition.

The Sub Committee agreed to approve the servicing of an Enforcement Notice for the removal of the unauthorised illuminated box fascia sign at 83 High Street, Irvine.

The meeting ended at 2.45 p.m.