

Planning Committee
5 February 2007

IRVINE, 5 February 2007 - At a Meeting of the Planning Committee of North Ayrshire Council at 2.00 p.m.

Present

David Munn, Tom Barr, John Moffat, Ian Clarkson, Margie Currie, Elizabeth McLardy, Elisabeth Marshall, Margaret Munn, Alan Munro, David O'Neill, Robert Rae, Donald Reid and John Reid.

In Attendance

I.T. Mackay, Assistant Chief Executive, A. Fraser, Manager Legal Services, R. Forrest, Planning Services Manager and J. Miller, Chief Development Control Officer (Legal and Protective); and A. Wattie, Communications Officer and M. Anderson, Corporate Support Officer (Chief Executive's).

Chair

Councillor D. Munn in the Chair.

Apologies for Absence

Ian Richardson.

1. Declarations of Interest

Councillor Margaret Munn declared an interest in item 8.6: 06/01141/PP: Largs: 41 Moorburn Road, and left the room for that item of business. Councillor Donald Reid declared an interest in that item of business and took no part in the discussion thereon.

A. ITEMS REQUIRING APPROVAL BY COUNCIL

2. Supplementary Guidance on the interpretation of Policies ENV 1A, Criteria (b) of the North Ayrshire Local Plan (Excluding Isle of Arran) and the Isle of Arran Local Plan - Conversion, Rehabilitation or Replacement of Existing Buildings in the Countryside

Submitted report by the Assistant Chief Executive (Legal and Protective) providing clarification of Substantial Residual Fabric as referred to in Policy ENV 1A Criterion (b) of the Adopted Local Plans.

Policy ENV1A of both the Adopted North Ayrshire Local Plan (Excluding Isle of Arran) and the Isle of Arran Local Plan concerns the conversion, rehabilitation or replacement of existing buildings in the countryside.

Criterion (b) of the policy requires that the existing building has substantial residual fabric and is capable of re-use. The intention is provide opportunities for residential development and to utilise rural buildings for their architectural and historic interest and the contribution they make to the visual impact of the landscape. It is not intended that there should be substantial re-building, radical alteration or excessive extension which would obliterate the character of the existing building.

The following was proposed as Supplementary Guidance to the policy:-

"To have substantial residual fabric suitable for conversion, rehabilitation or replacement, an existing building must have its front elevation intact to wallhead height with all other external walls largely intact to a similar level and have the capacity for the new use while maintaining the form, scale and character for the original building".

The Supplementary Guidance is not completely prescriptive and the policy remains open to an element of interpretation within the principle of ensuring that the form, scale and character of the existing building is maintained. Examples of degrees of residual fabric were set out in Appendix 1 to the report.

The Committee agreed to approve the Supplementary Guidance as outlined in section 3 of the report.

3. Largs: Routenburn Road: Largs Waste Water Treatment Works: 06/00492/PP

Submitted report by the Assistant Chief Executive (Legal and Protective) on the service of a Breach of Conditions Notice in the event of the dismissal of the current Appeal and updating the Committee on the development at Largs Water Treatment Works.

At its meeting on 19 November 2006, the Committee agreed to refuse an application by Scottish Water for the removal of Condition 9 of an earlier permission (04/00398/PP) in respect of the construction of the new waste water treatment works at Routenburn Road, Largs. Condition 9 states that "the lamella tanks and biofilter contained within the waste water treatment works shall be covered. Details of the means of enclosure in terms of design, size and colour shall be submitted to, and agreed in writing with, the Planning Authority prior to any work commencing on site. Thereafter both tanks will be covered in accordance with the approved details prior to the facility becoming operational."

An appeal against the refusal to modify Condition 9 has been submitted to the Scottish Ministers by the applicant and the outcome is awaited.

In the meantime, Scottish Water has advised that any failure to commission the water treatment works would result in a failure to meet the EU Urban Waste Water Treatment Directive 91/271/EEC and then incur fines and thwart the quality of the water during next year's bathing season. In addition, they advise that existing SEPA consent to discharge the waste to the water expired in December 2006. The effect of the applicant's action in proceeding to commission the treatment works, is that they are in breach of Condition 9 and a Breach of Condition Notice can be served.

Scottish Water has confirmed that it will continue with the design of the covers to meet the requirement of Condition 9, for implementation in the event of the company's appeal being unsuccessful. However, the current timescales following the decision of the appeal indicate that it will be between 15 and 21 months to install the scale of covers required over an active waste water treatment works.

Whilst there is no right of appeal against the service of a Breach of Condition Notice, it is reasonable to expect that Scottish Water would challenge either the validity of the Notice or the validity of the Planning Authority's decision to serve it, through judicial review or by defence of submissions in the Courts in the event of a prosecution. It is also questionable whether the Courts would pursue a prosecution whilst there is an outstanding appeal. Accordingly, it is considered that the Council should continue to defend its position in terms of the submitted appeal and, if unsuccessful, pursue the applicant through a Breach of Condition Notice when the decision letter on the appeal is issued.

The Committee agreed to the service of a Breach of Conditions Notice in the event of the dismissal of the current Appeal.

4. Street Naming: Largs: Site off Brisbane Glen Road

Submitted report by the Assistant Chief Executive (Legal and Protective) on the naming of streets within a new housing development by Mactaggart & Mickel Ltd. on a site off Brisbane Glen Road, Largs.

The Committee agreed to name the streets within the development "Provost Way", "Doris Place", "White Court", "Acheson Gardens" and "Donald Wynd".

ITEMS DETERMINED UNDER DELEGATED POWERS

5. Arran Area

5.1 06/01287/PP: Whiting Bay: Tor Alvey: Plot 2

Kirsty Watson and Mark West, Plot 2, Tor Alvey, Whiting Bay, Isle of Arran, have applied for planning permission for the modification of Condition 1 of permission 05/00952/PP to extend the time limit from 5 December 2006 to 5 December 2007. 2 letters of objection have been received, both from Bill Roberts, Sealladh a'Chluaidh, Whiting Bay, Isle of Arran.

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

1. That the development hereby permitted shall be discontinued, the caravan and the access road serving it shall be removed and the site restored to the satisfaction of North Ayrshire Council as Planning Authority prior to the occupation of the dwellinghouse to be erected on the site in terms of planning permission 06/00494/PP, or by 5th August 2007, whichever date is the earlier. Without prejudice to the foregoing, the restoration of the site shall include the repair of damaged road surfaces, all to the satisfaction of North Ayrshire Council as Planning Authority.

5.2 06/01267/OPP: Brodick: Site to the West of Greyholme

Mr. and Mrs. C. Glen-Stuart, Greyholme, Brodick, Isle of Arran, have applied for outline planning permission for the erection of a detached dwellinghouse on a site to the west of Greyholme, Brodick, Isle of Arran. Objections have been received from Graeme H. Wallace, 10 Townhead, Inverbervie, Montrose, and from Ann Banks, High Glencloy, on behalf of Arran Civic Trust and William Wallace, Rosalynn, both Brodick, Isle of Arran.

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

1. That the proposed development would result in the loss of trees and mature landscaping, which would be contrary to (i) Policy BE4 of the Adopted Isle of Arran Local Plan in that it would have an adverse impact on the setting of Greyholme, which is a Category B listed building; and (ii) the Development Control Statement of the Adopted Isle of Arran Local Plan in that it would be detrimental to the character and amenity of the surrounding area.

5.3 06/01098/PP: Shannochie: Tor Nan Euan

D. Murchie Construction Limited, Cairnhouse Stables, Blackwaterfoot, Isle of Arran, have applied for planning permission for the conversion of a vacant barn, including alterations and extensions, to form 2 dwellinghouses at Tor Nan Euan, Shannochie, Isle of Arran.

Councillor D. Munn, seconded by Councillor Barr, moved that the Committee refuse the application on the ground contained within the report.

As an amendment, Councillor Currie, seconded by Councillor Marshall, moved that the Committee grant the application.

On a division, there voted for the amendment 3 and for the motion 9 and the motion was declared carried.

Accordingly, the Committee, agreed to refuse the application on the following ground:-

1. That the proposed development would be contrary to Policy ENV1A and the Development Control Statement of the Adopted Isle of Arran Local Plan, in that (i) the existing building has insufficient residual fabric to justify conversion or rehabilitation for residential purposes and the material that does remain requires to be significantly altered and (ii) it would represent unnecessary residential development within the countryside for which no specific locational need has been justified which would establish an undesirable precedent for other similar developments within the countryside and would, therefore, be detrimental to the amenity and character of the countryside.

6. Ardrossan/Saltcoats/Stevenston Area

6.1 06/01220/PP: Ardrossan: 5 Knockrivoch Place

Mr. and Mrs. S. Foster, 5 Knockrivoch Place, Ardrossan, have applied for planning permission for the erection of an extension to the rear of the semi-detached dwellinghouse at that address. An objection has been received from M. & A. Girvan, 7 Knockrivoch Place, Ardrossan.

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

1. That the external finishes to the extension shall match those of the existing dwellinghouse, to the satisfaction of North Ayrshire Council as Planning Authority.

6.2 07/00022/PP: Ardrossan: 19 Central Avenue

Miss S. Clifford and Mr. K. Pollock, 19 Central Avenue, Ardrossan, have applied for planning permission for the erection of a 2-storey extension to the side, incorporating a garage, and a single-storey extension to rear of the end-terraced dwellinghouse at that address. An objection has been received from J. Noon, 22 Queens Drive, Ardrossan.

The Committee expressed the view that the removal of the existing garage prior to the commencement of the work should be secured by condition.

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

1. That the external finishes to the extension shall match those of the existing dwellinghouse, to the satisfaction of North Ayrshire Council as Planning Authority.
2. That the garage hereby approved shall be used only for purposes incidental to the enjoyment of the dwellinghouse.
3. That a drop kerb footway crossing shall be formed to North Ayrshire Council Roads Guidelines to the satisfaction of North Ayrshire Council as Planning Authority.
4. That, prior to the commencement of development, the applicant shall submit details of 3 no. parking spaces being provided within the curtilage of the site for the written approval of North Ayrshire Council as Planning Authority. The parking spaces shall be formed prior to the occupation of the extension and retained thereafter to the satisfaction of North Ayrshire Council as Planning Authority.
5. That, prior to the occupation of the extension, a double width driveway shall be formed to the satisfaction of North Ayrshire Council as Planning Authority.
6. That, prior to the commencement of works, the existing detached garage shall be removed to the satisfaction of North Ayrshire Council as Planning Authority.

7. Irvine/Kilwinning Area

7.1 07/00056/PP: Irvine: 70 Bank Street

Mr. and Mrs. Sharma, 70 Bank Street, Irvine, have applied for planning permission for the erection of a first-floor extension to the mid-terraced dwellinghouse at that address. An objection has been received from Charles and Joanne Adrain, 72 Bank Street, Irvine.

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

7.2 06/00812/PP: Irvine: Perceton: 44 The Grange

Mr. and Mrs. McGregor, 44 The Grange, Perceton, Irvine, have applied for planning permission for the erection of a 2-storey extension to form a link between the detached double garage and the detached house at that address.

The Committee agreed to refuse the application on the following ground:-

1. That the proposed development would not meet the requirements of the criteria in (a) of the Development Control Statement of the Adopted North Ayrshire Local Plan (excluding Isle of Arran), in that the design and siting of the extension would be detrimental to the visual appearance and character of the existing dwellinghouse and the area and would lead to the formation of a visual link between the house and the garages located between and serving the properties at Nos. 44 and 46 The Grange, to the detriment of the visual appearance of the area.

8. North Coast and Cumbraes Area

8.1 06/01279/PP: Largs: 8 Blythswood Crescent

Barry Corkindale, 8 Blythswood Crescent, Largs, has applied for planning permission for the formation of a dormer extension to the front of the detached dwellinghouse at that address. An objection has been received from J. McGowan and Miss K. Baird, 23 Blythswood Crescent, Largs.

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

1. That the roof and side walls of the dormer shall be clad in slate to match the roof finish of the dwellinghouse, to the satisfaction of North Ayrshire Council as Planning Authority.

8.2 06/00193/PP: Millport: 5 Miller Street: First Floor

Ms. P. Broadley, 9 Serenity, 30 Moss Lane, Sale, Cheshire, has applied for retrospective planning permission for the installation of 1 window on the side elevation and the replacement of windows on the rear elevation of the first floor flat at 5 Miller Street, Millport, Isle of Cumbrae. Objections have been received from Douglas Park, 1st Floor Flat, no. 5 and Mrs. Mone A. Hislop, (c/o Avonlea, Waterloo, Bankfoot, Perth), no. 3, both Miller Street, Millport, Isle of Cumbrae.

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

8.3 06/01235/PP: Largs: 7 Waterside Street

Grenville Ltd., 21 Luss Avenue, Greenock, have applied for planning permission for the demolition of the dwellinghouse and the erection of 9 dwellingflats and office block to the rear, with associated car parking, at 7 Waterside Street, Largs. A representation has been received from G. Narducci, proprietor of 9/13 Waterside Street, Largs.

The Committee, having considered the terms of the representation, agreed to grant the application subject to 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 including colours, (ii) all hard surfaces throughout including footpath, turning areas and car parking areas, (iii) all boundary enclosures and (iv) the proposed bin enclosure.
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, 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.

5. That, prior to the commencement of the development hereby approved, the applicants shall submit for the written approval of North Ayrshire Council as Planning Authority in consultation with Transport Scotland, Trunk Roads Network Management Directorate, exact details of proposals for the formation of a yellow boxed junction on Main Street at the junction with Waterside Street in accordance with The Traffic Sign Regulation and General Directions 1994, Dia.1044 and, prior to the occupation of the flats or offices hereby approved, the applicants shall provide the approved boxed junction to the satisfaction of North Ayrshire Council as Planning Authority.

6. 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 Design Manual for Scotland and Northern Ireland 2000" 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. In addition, prior to the commencement of the development hereby approved, details of the proposed factor or management agency and a management plan, including a risk assessment for public safety, management responsibilities and maintenance schedules for the approved scheme, shall be submitted to, and approved in writing by, North Ayrshire Council as Planning Authority. The 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.

7. That the office premises shall be used for the purposes of an office and for no other purpose (including any other purpose in Class 2 of the Schedule to the Town and Country Planning (Use Classes) (Scotland) Order 1997 or in any provision equivalent to that Class in a statutory instrument revoking or re-enacting that Order).

8.4 06/01284/PP: Largs: Douglas Street: Largs Bowling Club

T-Mobile (UK) Limited, Hatfield Business Park, Hatfield, Hertfordshire, have applied for planning permission for the installation of a 12m flagpole with antennas within GRP shroud, associated equipment housing and ancillary development at Largs Bowling Club, Douglas Street, Largs. Objections have been received from Nancy McLean, no. 41 and Sam Cathcart, no. 43, both Douglas Street, Largs.

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

1. That, within 6 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.

8.5 06/01060/PP: Millport: 39 Glasgow Street

Mr. Kane, 10 Taverners Crescent, Littleover, Derby, has applied for planning permission for the conversion of the church to form 5 flatted properties and 1 dwellinghouse with associated parking at 39 Glasgow Street, Millport, Isle of Cumbrae. Objections have been received from Ms. Christine Smith, no. 40 and John W. McCubbin, Flat 1/L, no. 42, both Glasgow Street, Millport, Isle of Cumbrae.

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

1. That, prior to the occupation of any of the properties hereby approved, (i) the access/driveway shall be designed in such a way that no surface water shall issue onto the public road and (ii) the first 2 metres of the driveway shall be surfaced in bituminous material in order to prevent deleterious material from being deposited onto the public road.
2. That, prior to the occupation of the properties hereby approved, the 6 no. parking spaces illustrated on the approved drawings (reference N/06/01060/PP) shall be formed and thereafter maintained to the satisfaction of North Ayrshire Council as Planning Authority.
3. That, prior to the commencement of the development, details of the pedestrian access to the properties hereby approved shall be submitted for the written approval of North Ayrshire Council as Planning Authority. The pedestrian access shall be formed prior to the occupation of the first property and maintained thereafter to the satisfaction of North Ayrshire Council as Planning Authority.
4. That, prior to the commencement of the development, the applicant shall submit details of the proposed rooflights for the written approval of North Ayrshire Council as Planning Authority. For clarification, it should be noted that all rooflights should be of a conservation style and flush to the roof plane.

5. That, prior to the commencement of development, the applicant shall submit details of the proposed bin storage area for the written approval of North Ayrshire Council as Planning Authority. Prior to the occupation of the first property, the bin storage area shall be formed and maintained thereafter to the satisfaction of North Ayrshire Council as Planning Authority.

8.6 06/01141/PP: Largs: 41 Moorburn Road

Cunninghame Housing Association Ltd., 82-84 Glasgow Street, Ardrossan, has applied for planning permission for the erection of 7 dwellinghouses and 8 flats, together with the formation of a new access road at 41 Moorburn Road, Largs.

The Committee agreed to grant the application subject to (a) the applicant entering into a Section 75 Agreement, or other suitable arrangement deemed appropriate by the Council, to provide a financial contribution to the Council for the provision of play facilities in the local area; and (b) the following conditions:-

1. 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 Design Manual for Scotland and Northern Ireland 2000" 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.

2. That, the parking bays shall be designed in such a way that no surface water shall issue onto the public road.

3. That visibility splays of 2.5 metres by 60 metres, 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 metre measured above the adjacent carriageway level to the satisfaction of North Ayrshire Council as Planning Authority.

4. That, prior to the commencement of the development hereby approved, the applicants 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 by PAN 33 and BS10175: 2001. 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.

5. That, prior to the commencement of the development hereby approved, the applicant shall submit proposals for hard and soft landscaping for the written approval of North Ayrshire Council as Planning Authority.

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 occupation of any of the flats 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.

8. That, prior to the commencement of the development, the applicant shall submit for the written approval of North Ayrshire Council as Planning Authority details/samples of the proposed external finishes.

9. That, prior to the commencement of the development, details of the site boundary enclosures and the plot division enclosures shall be submitted for the written approval of North Ayrshire Council as Planning Authority. The approved enclosures shall be erected prior to the occupation of the first property, unless otherwise agreed in writing, and maintained thereafter to the satisfaction of North Ayrshire Council as Planning Authority.

8.7 06/00444/PP: Skelmorlie: 11a/11b Shore Road

Ossian Construction, 1 Glasgow Road, Paisley, has applied for planning permission for the demolition of 2 residential flats and the erection of 10 flatted dwellings, formation of new access and associated car parking at 11a/11b Shore Road, Skelmorlie. 15 objections have been received as detailed in Annex 1 to the report.

Councillor Marshall, seconded by Councillor Currie, moved that the Committee refuse the application on the ground that the proposed development would have a detrimental impact on the amenity of the area by reason of its massing and size.

As an amendment, Councillor D. Munn, seconded by Councillor Barr, moved that the Committee approve the recommendations contained in the report.

On a division, there voted for the amendment 9 and for the motion 4 and the amendment was declared carried.

Accordingly, the Committee, having considered the terms of the objections, 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 financial contribution to the Council for the provision of play facilities in the local area; and (b) 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 building and areas of hard standing throughout the site, (ii) the proposed boundary wall along the site frontage and parapet wall around parking spaces number 13 and 14, (iii) all other means of boundary enclosure and (iv) the proposed bin store and bin collection area.

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, including the trees and vegetation on the cliff face and measures for their protection in the course of the development and maintenance thereafter.

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, 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.

5. That no construction works shall take place at the weekends or on public holidays without the prior written approval of North Ayrshire Council as Planning Authority.

6. 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 Design Manual for Scotland and Northern Ireland 2000" 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. In addition, prior to the commencement of the development hereby approved, details of the proposed factor or management agency and a management plan, including a risk assessment for public safety, management responsibilities and maintenance schedules for the approved scheme, shall be submitted to, and approved in writing by, North Ayrshire Council as Planning Authority. The 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.

7. 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 which shall be prepared in accordance with the SUDS Working Party Guidelines "Drainage Assessment, a Guide for Scotland" and shall address the following: the effects of a one in 200 year storm and run-off plus climate change, the effects of differing storm intensities over and above the 10 year return, the extents of differing flood conditions, shown on a plan to ensure that no water enters the building 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 a suitably qualified person and any works required as a result of the drainage assessment shall be undertaken prior to the occupation of the flats hereby approved.

8. That the proposed means of access to the trunk road and car park layout shall be constructed to the details of the submitted plan (Drawing number 2157/SK01) subject to a change to the footway width being provided at 2m along the frontage of the development. The amendment to the layout shall be submitted for the written approval of North Ayrshire Council as Planning Authority, after consultation with Transport Scotland, Trunk Roads Network Management, before the development is commenced.

9. That the gradient of the access road shall not exceed 1 in 50 for a distance of 5m from the nearside edge of the trunk road carriageway and measures shall be adopted to ensure that drainage from the site does not discharge onto the trunk road.

10. That the access road serving the site shall be designed to be capable of supporting a vehicle with an access load of at least 11 tonnes.

8.8 06/01186/PP: West Kilbride: Seamill: Summerlea Road: Ardchattan

Ossian Homes Limited, 1 Glasgow Road, Paisley, have applied for planning permission for the demolition of the existing dwellinghouse and the erection of 4 dwellinghouses and garages at Ardchattan, Summerlea Road, Seamill, West Kilbride. 27 objections have been received from West Kilbride Community Council, per J. Lamb, 97 Ardrossan Road, Seamill, West Kilbride and from the parties detailed in Annex 1 to the report.

The Committee requested further information on the proposals for the upgrading/redesign of the access bridge at this location.

The Committee, having considered the terms of the objections, agreed (a) to grant the application subject to 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 exact details of (i) all external finishes to the dwellinghouses, (ii) all hard surfaces, parking and manoeuvring areas and (iii) all plot division boundary enclosures.
2. That the existing boundary wall along the north east and north west edges of the site shall be retained and shall not be removed or altered without the prior written approval of North Ayrshire Council as Planning Authority.
3. That, notwithstanding the permission granted by Article 3 of and Class 7 of Part 2 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 gates, fences, walls, or other means of enclosure within the curtilage of the dwellinghouses.
4. 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 Design Manual for Scotland and Northern Ireland 2000" shall be submitted to, and approved by, North Ayrshire Council as Planning Authority. Thereafter, any scheme which 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. In addition, prior to the commencement of the development hereby approved, details of the proposed factor or management agency and a management plan, including a risk assessment for public safety, management responsibilities and maintenance schedules for the approved scheme, shall be submitted to, and approved in writing by, North Ayrshire Council as Planning Authority. The 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.
5. That, prior to the occupation of any of the dwellinghouses hereby approved, foul drainage from the development shall be connected to the public sewer.
6. 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.

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 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, prior to the commencement of the development hereby approved, the applicants shall (i) submit for the written approval of North Ayrshire Council as Planning Authority proposals for the upgrading/redesign of the access bridge and road serving the development which shall require to be to an adoptable standard and will require the existing bridge deck to be replaced; and (ii) implement the approved road and bridge upgrading/redesign to the satisfaction of North Ayrshire Council as Planning Authority

11. That 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, agreed by the West of Scotland Archaeology Service, 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 North Ayrshire Council as Planning Authority in agreement with the West of Scotland Archaeology Service.

and (b) that a report be submitted to a future meeting setting out the detailed proposals for the upgrading/redesign of the access bridge.

The Meeting ended at 3.25 p.m.