

Planning Sub Committee of Corporate Services Committee
20 June 2005

IRVINE, 20 June 2005 - At a Meeting of the Planning Sub Committee of Corporate Services Committee of North Ayrshire Council at 2.00 p.m.

Present

David Munn, Tom Barr, Elizabeth McLardy, Elisabeth Marshall, David O'Neill and Robert Rae.

Also Present

Margie Currie (Items 1.1, 1.2, 1.3, 1.4, 1.5, 1.6 and 1.7).

In Attendance

A. Fraser, Manager, Legal Services; J Miller, Chief Development Control Officer and L Johnston, Planning Technician (Legal and Protective); R. Forrest, Planning Services Manager (Development and Promotion); and M. Anderson, Corporate and Democratic Support Officer (Chief Executive's).

Chair

Councillor Munn in the Chair.

Apologies for Absence

Jack Carson, Ian Clarkson, Stewart Dewar, Drew Duncan, Alan Munro, John Reid and Ian Richardson.

1. Arran Local Plan Area

1.1 05/00225/OPP: Whiting Bay: Middle Road: Site to the South of Rockholm

Mr. and Mrs. I. Monteith, Rockholm, Middle Road, Whiting Bay, Isle of Arran, have applied for outline planning permission for a residential development on a site to the south of that address.

The Local Member, Councillor Currie, expressed support for the application and indicated concern about the proposed refusal of an application within the village boundary solely on the basis of road standards.

The Sub Committee, having heard the Local Member, agreed (a) to refuse the application on the following ground:-

1. That the proposed development would be detrimental to traffic safety in the area as the standard of the roads (geometry and construction) linking the application site to Whiting Bay and the A841 are poor and would require major improvements being carried out to enable any further development to be undertaken in the area;

and (b) that it be remitted to the Head of Roads to submit a report to the Property Services Committee on the issue of roads access within the area.

1.2 05/00309/OPP: Brodick: Knowe Road: Brookside Cottage

L.F. Cant, per Robert N. Brass & Associates, Invercloy House, Brodick, Isle of Arran, has applied for outline planning permission for a residential development comprising the demolition of an existing cottage and construction of a new dwellinghouse at Brookside Cottage, Knowe Road, Brodick, Isle of Arran. Objections have been received from Captain R.B. Walker, Brookside and Isobel Macdonald, Ceithir, both Knowe Road, Brodick, Isle of Arran.

The Planning Services Manager advised of the receipt of a letter of representation from Mr and Mrs Macdonald, Ceithir, Knowe Road, Brodick, Isle of Arran and, in order to address the matters raised, proposed inclusion of an additional condition in respect of the application.

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

1. That the approval of North Ayrshire Council as Planning Authority with regard to the siting, design and external appearance of landscaping and means of access to the proposed development shall be obtained before the development is commenced.
2. That the existing house, Brookside Cottage, shall be demolished prior to the commencement of building operations for the replacement house, to the satisfaction of North Ayrshire Council as Planning Authority.
3. That effluent disposal arrangements shall comply with the current code of practice BS6297:1983, 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.

1.3 05/00270/LBC: Brodick: 10 Douglas Place

Mr. and Mrs. A. Buchanan, 16 Stanley Grove, Paisley, have applied for listed building consent for the installation of replacement windows at 10 Douglas Place, Brodick, Isle of Arran.

The Planning Services Manager referred to a proposed amendment to condition 1 in respect of the application.

Photographs of the existing windows were circulated at the meeting.

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

1. That the proposed replacement windows would have an adverse effect on the character and appearance of this Category B listed building.

2. That the proposed replacement windows would be contrary to Historic Scotland's advice relating to replacement windows on Category B listed buildings as detailed in the Memorandum of Guidance for Conservation Areas and Listed Buildings (1998).

1.4 05/00286/OPP: Whiting Bay: South Kiscadale: Site to the East of Fiodh-Ban

Mr. and Mrs. P.E. Neal, Fiodh-Ban, South Kiscadale, Whiting Bay, Isle of Arran, have applied for outline planning permission for a residential development on a site to the east of that address.

The Planning Services Manager referred to the proposed inclusion of an additional condition in respect of the application.

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

1. That the approval of North Ayrshire Council as Planning Authority with regard to the siting, design and external appearance of, landscaping and means of access to the proposed development shall be obtained before the development is commenced.
2. That all parking spaces for the development shall be accommodated within the curtilage of the site.
3. That effluent disposal arrangements shall comply with the current code of practice BS6297:1983 to the satisfaction of North Ayrshire Council as Planning Authority. Surface water shall be excluded from the septic tank.
4. That the proposed dwellinghouse shall be provided with a water supply from the public water main, details of which shall be submitted for the written approval of North Ayrshire Council as Planning Authority prior to the commencement of the development.

1.5 03/01153/PP: King's Cross: Scripture Union Camp Site

Scripture Union Scotland, 70 Milton Street, Glasgow, have applied for planning permission for the erection of a dormitory building on existing camp site grounds and a detached garage at the Scripture Union Camp Site, King's Cross, Isle of Arran. Objections have been received from Derek C. Stubbs, Ling Moor, Ms. Wendy Kilroe, Tighvein, Ms. Julie Curtis, Valhalla, Wilma and J. Peter Aitken, Ceol-Na-Mara, Graham Jones, Dunalvinn, William and Elizabeth West, Tanglewood, Mrs. Mary P. Fernie, Tigh Na Mara, Samuel K. Gaw, Ferryway, and Mrs. Elizabeth Ure, Seaholm, all King's Cross, Arran Civic Trust, per John Roberts, 3 Glen Place, Brodick, all Isle of Arran and John W.H. Abram, Seagate, 7 Craigend Road, Troon.

The Planning Services Manager advised of the receipt of a further letter of objection received from Mr. and Mrs. R. Addis, "Meuick", King's Cross, Isle of Arran and 4 further letters of objection from previous objectors. He also referred to the proposed inclusion of 2 further conditions in respect of the application.

A site familiarisation visit was undertaken by the Planning Sub Committee in respect of the application.

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

1. That there shall be no construction work on site before 0800 hours or after 1800 hours, Monday to Friday and 0900 hours to 1600 hours on Saturday and at no time on Sundays or public holidays, without the prior approval of North Ayrshire Council as Planning Authority.
2. That the dormitory units hereby approved shall not be occupied as a permanent residence, nor shall it be occupied for more than 3 consecutive months nor for more than 6 months in total in any calendar year by the same persons.
3. That, notwithstanding the plans hereby approved, the 7.0m high fence proposed along part of the north-western boundary of the site is not hereby approved.
4. That no development shall take place until there has been submitted to, and approved by, North Ayrshire Council as Planning Authority a scheme of screen planting and landscaping to the site frontage, 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.
5. That all planting, seeding or turfing comprised in the approved details of screen planting and 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 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced with others of a similar size and species, unless North Ayrshire Council as Planning Authority gives written consent to any variation.

1.6 05/00372/LBC: Kildonan: Project House

Erk Kanis, Haupt Str, 51, 67229 Gross Karlbach, Germany, has applied for listed building consent for the installation of 5 velux windows and the formation of an external access ramp and doorway to the rear of the detached dwellinghouse at Project House, Kildonan, Isle of Arran. Objections have been received from Mr. and Mrs. J. Campbell, Laphroaig, and Mrs. and Mrs. Boughton, Eas Mhor House, both Kildonan, Isle of Arran.

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

1. That, prior to the commencement of the development and notwithstanding the submitted plans, full details of the replacement windows shall be submitted to, and approved in writing by, North Ayrshire Council as Planning Authority. Thereafter, any such details which may be approved shall be implemented to the satisfaction of North Ayrshire Council as Planning Authority.

1.7 04/01120/PP: Dippen: Site to the West of Dippen Lodge

Ronald and Barbara Stewart, Dippen Lodge, Dippen, Isle of Arran, have applied for planning permission for a change of use from agricultural land and woodland to a tree and garden nursery and the erection of a detached dwellinghouse and garage on a site to the west of that address.

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

1. That the proposed development would be contrary to Policy ENV 1 of the Adopted Isle of Arran Local Plan in that the development would be located in the designated countryside area where the policy seeks to restrict development to situations where a genuine operational need for a worker to live on site has been demonstrated and where occupancy would be restricted to persons employed in agriculture, forestry or similar rural activity or in the business to which the dwellinghouse would be related.

Note to Minute

At its meeting on 28 June 2005 the Council noted that the application at 1.7 above had been withdrawn by the applicant.

2. Ardrossan/Saltcoats/Stevenston Local Plan Area

04/00895/PP: Stevenston: Kilwinning Road: Site to the East of St. John's Church

Thirlestane Lands, 27 Lauriston Street, Edinburgh, have applied for planning permission for the erection of 50 dwellinghouses comprising 10 semi detached and 40 detached, together with the formation of associated access road and car parking on a site to the east of St. John's Church, Kilwinning Road, Stevenston. Objections have been received from Kenneth Law, Gordon Law and Ms. Maureen Law, all 2 Highfield Drive and Mr. and Mrs. J. Ross, 21 Kilwinning Road, all Stevenston.

The Planning Services Manager referred to the proposed inclusion of an additional condition to address concerns expressed by the Local Member, Councillor Munro. He also advised of the proposed imposition of a Footpath Diversion Order in respect of the application.

The Sub Committee, having considered the terms of the objections, agreed (A) 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 enable the provision of surface water drainage to serve the development on land outwith the application site; and (b) 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 the surface water drainage system for the development, including full design calculations as part of a finalised Flood Risk Assessment and Drainage Assessment.
2. That the development shall not be commenced until an order confirming the diversion of the existing footpath linking Kilwinning Road to Morrison Avenue has been confirmed by North Ayrshire Council as Planning Authority. Thereafter, the existing footpath shall remain open to pedestrians until the completion of the phase of the development which includes plots 23 - 31 inclusive together with the associated length of footway required to facilitate safe pedestrian movement between Kilwinning Road and Morrison Avenue. Safe pedestrian access shall be maintained at all times.
3. 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 the external finishes to the dwellinghouses, the surface finish to the driveways and roadways, all boundary and plot division fences and all feature walls.
4. 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.
5. 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.
6. 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 the design of the play area including details of the proposed play equipment, perimeter fencing to prevent dog access, provision of a landscaping buffer between the play area and adjacent housing and details of the programming of the installation of the play facility in the context of the overall development.

7. 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, including the play area. The landscape management plan shall be carried out as approved and the agreed agency shall only be changed with the consent of the majority of householders and the agreement of North Ayrshire Council as Planning Authority.

8. 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 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.

9. That, with the exception of the site access point, the existing hedge on the southern boundary of the application site adjacent to Kilwinning Road shall be retained and shall not be removed without the prior written approval of North Ayrshire Council Planning Authority. For the avoidance of doubt, construction access shall utilise the same opening in the hedge as the permanent access serving the development as detailed in the site layout plan hereby approved.

10. That, prior to the occupation of any dwellinghouse on plots 23 to 31 inclusive, the existing footpath surface and any associated underground services shall be removed and the ground topsoiled for the purpose of rear garden ground. In the event of any tile field drains which appear to run from the cemetery into the development site being discovered or cut as a result of excavation works in this area, these shall be connected into a drain running along the eastern site boundary which shall then discharge into the surface water drainage system serving the development.

11. That any significant contamination which becomes evident during the development of the site shall be brought to the attention of North Ayrshire Council as Planning Authority, together with a scheme of remediation prior to any further work taking place.

12. That, with respect to the internal access road and driveways, the following design requirements shall be met:

- (i) the dimensions of the turning heads shall be amended to accord with the Council's Roads Development Guide,
- (ii) the minimum driveway length in front of a garage shall be 6 metres,
- (iii) all four bedroom houses shall have double driveways, and must retain a minimum of three parking spaces within their respective curtilages (garages constitute one parking space),
- (iv) at least the first 2 metres of each driveway as measured from the heel of the kerb (or road carriageway in the case of shared surfaces) shall be hard surfaced and
- (v) driveway surface water shall be trapped and drained within the curtilage of each property.

13. That vehicular traffic, including all construction vehicles, shall only enter the site from the proposed access at Kilwinning Road, hereby approved, to the satisfaction of North Ayrshire Council as Planning Authority.

and (B) to make a Footpath Diversion Order under Section 208 of the Town and Country Planning (Scotland) Act 1997 in respect of the diversion of the footpath which runs from Kilwinning Road to Morrison Avenue, Stevenston.

3. Garnock Valley Local Plan Area

3.1 05/00312/PP: Ardrossan: Site to the South of Coalhill Farm

Kerr Reid, Coalhill Farm, Ardrossan, has applied for planning permission for the erection of a detached dwellinghouse on a site to the south of that address.

The Sub Committee agreed to grant the application subject to (a) the applicant entering into an agreement in terms of Section 75 of the Town and Country Planning (Scotland) Act 1997 to limit occupation of the house to a person solely or mainly employed, or last employed, in the locality in agriculture as defined in Section 277 of the Town and Country Planning (Scotland) Act 1997 or in forestry, or a dependant of such a person residing with him or her, or a widow or a widower of such a person; 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 samples or exact details of the proposed roof and external wall finishes.

2. That visibility splays of 2.5m x 160m in both directions at the junction of the access with the public road (B780) 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.
3. That the first 10 metres of the access at the junction of the B780 shall be widened to 5.5 metres and shall be hard surfaced in order to prevent deleterious material being carried onto the public road carriageway.
4. That all drainage arrangements shall be to the satisfaction of SEPA and the septic tank and soakaway shall be designed and constructed in accordance with the current code of practice BS6297:1983.
5. That surface water drainage shall be excluded from the septic tank.
6. That no development shall take place until a soil porosity test has been carried out to the satisfaction of North Ayrshire Council as Planning Authority.
7. That the septic tank shall be located in such a position as will enable it to be emptied by road tanker.
8. That the proposed dwellinghouse shall be provided with an adequate and wholesome water supply, details of which shall be submitted for the written approval of North Ayrshire Council as Planning Authority prior to the commencement of the development.

3.2 04/00832/PP: Beith: Threepwood Road: Site to the West of Woodlands

Mr. and Mrs. P.A. Ross, Grangehill, Threepwood Road, Beith, have applied for planning permission for the erection of a single storey agricultural worker's dwellinghouse and detached single garage, together with the formation of an access and associated car parking on a site to the west of woodlands at that address. An objection has been received from Robbie and Mavis Briggs, Woodlands, Threepwood Road, Beith.

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

1. That the proposed development would be contrary to Policy HOU 10 in the Adopted Garnock Valley Local Plan and Policy ENV 1 in the Finalised North Ayrshire Local Plan (excluding Isle of Arran), in that it would constitute a new house in the countryside for which an identified occupational need and justification has not been demonstrated, that it would be located on an obtrusive site and that it may affect significant natural heritage interests through the potential loss of a substantial number of mature trees.

4. Irvine/Kilwinning Local Plan Area

4.1 05/00358/PP: Irvine: 26 Grampian Court

David and Sharon Matthews, 26 Grampian Court, Irvine, have applied for planning permission for the erection of a single storey extension and conservatory to the side elevations of the detached dwellinghouse at that address. An objection has been received from Stephen Watson, 27 Grampian Court, Irvine.

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

4.2 05/00402/NID: Irvine: 168 High Street

North Ayrshire Council Development and Promotion, Perceton House, Irvine, have given notice of intention to develop a change of use of a shop to a public library at 168 High Street, Irvine.

The Chief Development Control Officer advised that, as no representations have been received in respect of this matter, consent is deemed to have been granted under the Town and Country Planning (Development by Planning Authorities) (Scotland) Regulations 1981.

Noted.

4.3 04/00385/ADC: Irvine: Riverway Retail Park: 6 Riverway

Homebase, Beddington House, Railway Approach, Wallington, Surrey, have applied for advertisement consent for the erection of 3 internally illuminated signboards (retrospective) at 6 Riverway, Riverway Retail Park, Irvine.

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

1. That the front illuminated box fascia sign, by way of its size and bulk, would be contrary to Policy RET13 in the Adopted Irvine/Kilwinning Local Plan and Policy TC8 in the Finalised North Ayrshire Local Plan (excluding Isle of Arran) which both require advertisement signs to comply with the Council's Advertisement Policy.

2. That the front illuminated box sign would not comply with the Council's policy for advertisements in Riverway Retail Park which requires fascia signs to be flat and illuminated by overhead lighting or individual illuminated letters;

and (b) to serve an Enforcement Notice under Regulation 24 of the Town and Country Planning (Control of Advertisement) Regulations 1984 to secure the removal of the illuminated box fascia sign on the front elevation of No. 6 Riverway.

4.4 05/00349/PP: Kilwinning: The Torranyard: Bungalow No. 3

Miss Morrison, Bungalow No. 3, The Torranyard, Kilwinning, has applied for planning permission for the erection of an extension to the side of the semi detached dwellinghouse at that address.

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

1. That the proposed extension would be contrary to Housing Policy 10 of the Adopted Irvine/Kilwinning Local Plan and the Development Control Statement in the Finalised North Ayrshire Local Plan (excluding Isle of Arran) due to the inappropriate scale, design, siting and external finish of the extension in relation to the existing house and as the proposed development would significantly detract from the character and amenity of the area.

4.5 04/01235/PP: Kilwinning: Torranyard: 1 The Bungalow

Margaret Hendry, 1 The Bungalow, Torranyard, Kilwinning, has applied for planning permission for the erection of a 1.5 storey detached garage to the side and erection of a 1.8m high boundary fence to the rear and side of the detached dwellinghouse at that address.

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

1. That the proposed garage would be contrary to Housing Policy 10 of the Adopted Irvine/Kilwinning Local Plan and the Development Control Statement in the Finalised North Ayrshire Local Plan (Excluding Isle of Arran) due to the inappropriate scale, design, siting and external finish of the garage in relation to the existing house and the proposed development would significantly detract from the character and amenity of the area.

4.6 05/00365/OPP: Kilwinning: Benslie: Site to the South West of Woodside Cottage

Robert McGill, 4D Sloan Place, Irvine, has applied for outline planning permission for the erection of a dwellinghouse and the formation of a new access road on a site to the south west of Woodside Cottage, Benslie, Kilwinning. An objection has been received from Mrs. J. Hodgetts, Windyhall, Fergushill, Kilwinning.

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

1. That the proposed development would be contrary to Policy ENV1 in the Adopted Irvine/Kilwinning Local Plan and Policy ENV1 in the Finalised North Ayrshire Local Plan (excluding Isle of Arran), in that there is no agricultural justification for the house, it would be located outwith the village envelope of Benslie and it would constitute ribbon development.

2. That the proposed development would not comply with the development guidelines set down and approved for Benslie Village in August 1989.

4.7 05/00149/PP: Springside: 12 Finnie Terrace

L. Fitzimmons, 32 Stepps Road, Irvine, has applied for planning permission for the erection of a detached dwellinghouse at 12 Finnie Terrace, Springside. A joint objection has been received from W. Mitchell, no. 10 and Jean Galleitch, no. 8, both Finnie Terrace, Springside.

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

1. That the proposed development would not accord with Housing Policy 9 in the Adopted Irvine/Kilwinning Local Plan in that it cannot meet criteria (1), (2), (3) and (5) in this policy and also the corresponding criteria listed in the Development Control Statement in the Finalised North Ayrshire Local Plan (excluding the Isle of Arran).

2. That the proposed development would result in insufficient garden space for the flatted dwellinghouse at No 12 Finnie Terrace, to the detriment of the residential amenity of the property.

4.8 05/00009/PP: Kilwinning: Stevenston Road: McKies Garage

Collinton Homes Ltd., c/o 8A McLuckie Drive, Kilwinning, have applied for planning permission for alterations, extension and a change of use from garage and forecourt to form a licensed restaurant with associated car parking and landscaping at McKies Garage, Stevenston Road, Kilwinning.

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

1. That, prior to the commencement of the use hereby approved, the galvanised screen grille required by condition 1 of planning permission 01/96/0703 shall be formed and, thereafter, maintained, at the upstream end of the culvert, and a manhole shall be constructed over the culvert where it joins the A738 trunk road culvert, to the satisfaction of North Ayrshire Council as Planning Authority. There shall be no further extension of the culvert.

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

3. 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 fully implemented prior to the completion of the development and maintained thereafter to the satisfaction of North Ayrshire Council as Planning Authority.

4. That a grease trap shall be installed on the drainage system within the property, to the satisfaction of North Ayrshire Council as Planning Authority.

5. That, prior to the commencement of the development, the applicant shall submit for the written approval of North Ayrshire Council as Planning Authority details of boundary enclosures and treatments.

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, notwithstanding the permission granted by Article 3 of and Classes 10 and 11 of Part 3 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 change of use to any uses within Classes 1 and 2 of the Town and Country Planning (Use Classes) (Scotland) Order 1997.

4.9 04/01310/PP: Irvine: Perceton: 2 Langmuir Avenue

D. Birring, 2 Langmuir Avenue, Perceton, Irvine, has applied for planning permission for alterations to include erection of a second storey and balcony to the side of an existing garage at that address.

The Chief Development Control Officer advised that an objection had been received from D. Gillespie, 4 Langmuir Avenue, Perceton, but that no grounds of objection had been specified.

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

1. That the proposed development would be contrary to Policy HOU 10 of the Adopted Irvine & Kilwinning Local Plan and the Development Control Statement of the Finalised North Ayrshire Local Plan (excluding Isle of Arran) by reason of its scale, siting, design and external appearance, the proposed extension would be detrimental to the character of the area, visual amenity and the privacy of the adjoining dwellinghouses to the north.

4.10 05/00198/PP and 05/00199/LBC: Irvine: 6 Castle Street

P. Battison, 6 Castle Street, Irvine, has applied for planning permission and listed building consent for the erection of a 3 storey block comprising 12 flats, alterations to existing derelict outbuildings, access road and the formation of associated car parking, demolition and alteration of boundary walls within the grounds of the Annfield Hotel, Castle Street, Irvine. Objections have been received from Mr. and Mrs. Iain J.M. Murray and Mr. and Mrs. S.H. Duncan, both per Murray Gillies and Wilson, 22 Bank Street, J. Hawthorn, no. 1, Mrs. Agnes L. Murray, no 11 and Ms. Linda Mair, no. 3, all Arranview Court, Irvine.

A site familiarisation visit was undertaken by the Planning Sub Committee in respect of the application.

The Sub Committee, having considered the terms of the objections agreed (a) to grant planning permission subject to the following conditions:-

1. That, prior to the commencement of the development hereby approved, details of the number of bed spaces and the public floor area of restaurant and any public bar areas within the existing hotel shall be submitted to North Ayrshire Council as Planning Authority. Thereafter, the appropriate number of parking spaces required by the Council, in addition to those for the proposed flats, shall be implemented on site to the satisfaction of North Ayrshire Council as Planning Authority.

2. That, prior to the commencement of the development hereby approved, a revised parking and access layout showing the relocation of parking spaces, details of bins stores and refuse collection points and an amendment to the access road, all as detailed by North Ayrshire Council Roads Services in their consultation reply of 15 April 2005, shall be submitted to, and approved in writing by, North Ayrshire Council as Planning Authority. Thereafter, any such details which may be approved shall be implemented on site to the satisfaction of North Ayrshire Council as Planning Authority.

3. That, prior to the commencement of the development hereby approved, a Drainage Impact Assessment shall be submitted to, and approved in writing by, North Ayrshire Council as Planning Authority. Thereafter, any such details, which may be approved, shall be implemented on site to the satisfaction of North Ayrshire Council as Planning Authority.
4. That replacement trees for nos 31 to 41 in the submitted tree survey, to be felled to make way for the proposed development, shall be heavy standard, details of the species and siting to be agreed in writing with North Ayrshire Council as Planning Authority prior to planting. No other 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, prior to the commencement of the development, the applicant shall submit for the written approval of North Ayrshire Council as Planning Authority full details or samples of the proposed external finishes.
6. That the lintels in the outbuilding (former coachhouse) shall be retained and shall not be replaced by arched openings.
7. 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 fully implemented prior to the completion of the development and maintained thereafter to the satisfaction of North Ayrshire Council as Planning Authority.
8. That the presence of any significant unsuspected contamination which becomes evident during the development of the site shall be brought to the attention of Environmental Health. Thereafter, a suitable investigation strategy as agreed with North Ayrshire Council shall be implemented and any necessary remediation works carried out prior to any further development taking place on the site, all to the satisfaction of North Ayrshire Council as Planning Authority.
9. That 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 that has been submitted by the applicant 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.

10. 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.

11. 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;

and (b) to grant listed building consent, subject to (i) no direction being issued in response to the referral of the application to Historic Scotland; and (ii) 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 or samples of the proposed external finishes.

2. That the lintels in the outbuilding (former coachhouse) shall be retained and shall not be replaced by arched openings.

5. North Coast and Cumbraes Local Plan Area

5.1 04/01288/PP: West Kilbride: Law Farm

Gerard Sweeney, Law Farm, West Kilbride, has applied for planning permission for alterations and extension to the side and rear of the existing detached dwellinghouse and erection of 2 detached dwellinghouses at that address. Objections have been received from D. Queen, no. 11 and Mrs. C. Wilson, no. 12, both Ailsa View and West Kilbride Community Council, per John G. Lamb, Chairperson, 97 Ardrossan Road, Seamill.

The Local Member, Councillor McLardy, expressed the view that the development would exacerbate road safety issues in the area and would be detrimental to the amenity of the area and the setting of the listed building.

The Sub Committee, having considered the terms of the objections, and having heard the Local Member agreed to grant the application subject to (a) written confirmation from Historic Scotland that it does not object to the application in terms of its effect on the amenity of the listed building; 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 full details of the proposed external finishes and boundary enclosures.
2. That both the two dwellinghouses hereby approved and the existing dwellinghouse which is being extended shall be connected to the public sewer to the satisfaction of North Ayrshire Council as Planning Authority, written confirmation of which shall be provided to the Planning Authority prior to the occupation of any of the dwellinghouses hereby approved.
3. 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 fully implemented prior to the completion of the development and maintained thereafter to the satisfaction of North Ayrshire Council as Planning Authority.
4. That the developer shall secure the implementation of an archaeological watching brief, to be carried out by an archaeological organisation acceptable to North Ayrshire Council as Planning Authority, during development work. The retained archaeological organisation shall be afforded access at all reasonable times and allowed to record and recover items of interest and finds. Terms of Reference for the watching brief will be supplied by West of Scotland Archaeology Service. The name of the archaeological organisation retained by the developer shall be given to North Ayrshire Council as Planning Authority and to the West of Scotland Archaeology Service in writing no fewer than 14 days before the development commences.
5. 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.
6. That the applicant shall ensure that any vehicles associated with construction works in relation to the implementation of this planning permission shall be parked off-road within the site to ensure that clear access is maintained for other road users and shall also ensure that only one HGV/delivery vehicle is serving the site at any one time.

Note to Minute re Item 5.1

At its meeting held on 28 June 2005, the Council was advised that Historic Scotland have expressed concerns about the design of this application and have asked for it to be reconsidered. The application was therefore remitted back to the next Planning Committee.

5.2 05/00255/PP: Largs: Site to the North East of 161 Glen Avenue

G. Craig, 161 Glen Avenue, Largs, has applied for planning permission for the erection of a dwellinghouse on a site to the north east of that address. Objections have been received from S. Shanks, no. 157 and Mr. and Mrs. Paton, no. 163, both Glen Avenue, Largs.

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

1. That the proposed development would be detrimental to the privacy and amenity of both the donor and adjacent dwellinghouses, and result in the loss of off-street parking facilities for no. 159 Glen Avenue to the detriment of traffic safety in the area, which would be contrary to the provisions of Policy HOU 7(b), (c) and (d) of the Adopted North Coast and Cumbraes Local Plan.

2. That the proposed development would be contrary to the Finalised North Ayrshire (excluding Isle of Arran) Local Plan which requires parking and access standards to North Ayrshire Council's Roads Development Guidelines and the avoidance of piecemeal and backland development.

5.3 05/00211/PP: Skelmorlie: Site to the East of The Lane

Lawrence Etchells, 22 Seton Terrace, Skelmorlie, has applied for planning permission for the erection of a detached dwellinghouse with attached garage, formation of access, footpath and ancillary works on a site to the east of The Lane, Skelmorlie. An objection has been received from Mr. and Mrs. Cooper, 20 Seton Terrace, Skelmorlie.

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 or samples of the proposed external finishes.

2. That vehicular access to the site shall be provided with a drop kerb footway crossing to be formed, as detailed in Section 5.2 and 10.8 (and FIG 10.16) of the Roads Development Guidelines, to the satisfaction of North Ayrshire Council as Planning Authority.

3. That, prior to the occupation of the house, a 2m wide footway over and above the required road widening, shall be provided along the frontage of the site linking into the widened roadway in front of No. 33A The Lane, at the developer's expense and to the satisfaction of North Ayrshire Council as Planning Authority.

4. That the access/driveway shall be designed in such a way that no surface water shall issue from it onto the public road.

5. That, prior to the commencement of the development, the applicant shall submit for the written approval of North Ayrshire Council as Planning Authority a plan showing details of all existing trees and hedgerows on the site and details of those to be retained together with measures for their protection in the course of the development.

6. That, prior to the occupation of the house, the existing road shall be widened by the applicant to 5.3m to tie-in with the adjacent sections of widened carriageway on either side of No.35 The Lane all at the developer's expense and to the satisfaction of North Ayrshire Council as Planning Authority.

7. That the lamppost located in the footway, immediately to the south of the application site shall be repositioned to the heel of the footway, at the applicant's expense, prior to occupation of the dwellinghouse hereby approved.

8. That the telegraph pole located immediately to the north of the application site, shall be relocated within the applicant's front garden, at the applicant's expense, prior to occupation of the dwellinghouse hereby approved.

9. 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.

6. Supplementary Guidance on Bin Storage for Residential Development

Submitted report by the Assistant Chief Executive (Development and Promotion) on the introduction of supplementary guidance on bin storage for residential development to support the Statutory Development Plan and Development Control.

The Sub Committee agreed to approve the Supplementary Guidance on Bin Storage for Residential Development as detailed in the appendix to the report.

The Meeting ended at 3.20 p.m.