

Planning Committee
16 April 2007

Irvine, 16 April 2007 - At a Meeting of the Planning Committee of North Ayrshire Council at 2.00 pm.

Present

David Munn, Tom Barr, John Moffat, Ian Clarkson, Margie Currie, Elizabeth McLardy, Margaret Munn, Alan Munro, David O'Neill, John Reid and Ian Richardson.

In Attendance

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

Chair

Councillor D. Munn in the Chair.

Apologies for Absence

Robert Rae.

1. Minutes

The Minutes of the Meeting of the Committee held on 2 April 2007, copies of which had previously been circulated, were confirmed.

2. Declarations of Interest

Councillors M. Munn and O'Neill declared an interest in Agenda item 4.1: 07/00143/PP: Saltcoats: Site to south of Sharphill Industrial Estate and Agenda item 4.5: 07/00128/PP & 07/00129/LBC: Ardrossan: 93 Princes Street, respectively, and left the room for the item of business in question.

ITEMS DETERMINED UNDER DELEGATED POWERS

3. Arran Area

3.1 07/00262/PP: Lamlash: Site to west and north of Fasgadh

John Thomson Construction Ltd, Park Terrace, Lamlash have applied for planning permission for the erection of 9 dwelling houses with associated access road and car parking on a site to west and north of Fasgadh, Lamlash.

The Planning Services Manager advised the Committee of a proposed additional condition in respect of access to the site.

The Committee 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 the proposed external finishes to be used.
2. 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.
3. That, prior to the commencement of the development, a site investigation report shall be submitted giving full details of the extent of contamination within the site, including Japanese Knotweed. The report shall be prepared by a suitably qualified consultant following a detailed programme of site investigation. It shall contain a proposed scheme of remediation for all aspects of contamination within the site for the written approval of North Ayrshire Council as Planning Authority. Thereafter, the remediation measures as may be approved shall be undertaken prior to the commencement of building operations and the developer shall appoint a suitably qualified person to certify that the contamination has been fully remediated and that Japanese Knotweed has been fully eradicated from the application site, all to the satisfaction of North Ayrshire Council as Planning Authority.
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 hereby approved, full details of all boundary enclosures to be erected shall be submitted for the written approval of North Ayrshire Council as Planning Authority. Thereafter, such details as may be approved shall be implemented to the satisfaction of North Ayrshire Council as Planning Authority prior to the occupation of any of the dwellinghouses in general and, specifically, along the boundaries of the neighbouring properties to the southwest and southeast, prior to work commencing on site, unless otherwise agreed in writing by North Ayrshire Council as Planning Authority.

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. 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 the existing access to the site shall not be used as a means of public access to the development. Prior to work commencing on site, details of the treatment of this part of the site 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 prior to the completion of the development to the satisfaction of North Ayrshire Council as Planning Authority.

3.2 07/00202.PP: Whiting Bay: Site to west of Benview

Mr Richmond Murphy and Ms Clare McQuade, c/o Bennan View, Kildonan, Isle of Arran, have applied for planning permission for the erection of a detached dwellinghouse for an agricultural worker on a site to the west of Benview, Whiting Bay.

The Committee agree to grant the application subject to (a) the applicants entering into a Section 75 Agreement to limit the occupation of the house to a person employed in agriculture at the farm unit concerned or a dependent of such a person; and (b) the following conditions:-

1. 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.

2. That the septic tank shall be located in such a position as will enable it to be emptied by road tanker.

3. 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 to be used. For the avoidance of doubt, external walls shall be wet dash rendered and painted, and the roof shall be finished in either slate or slate-effect tiles.

4. 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.

4. Ardrossan/Saltcoats/Stevenston Area

4.1 07/00143/PP: Saltcoats: Site to south of Sharphill Industrial Estate

Cunninghame Housing Association, 82-84 Glasgow Street, Ardrossan, have applied for planning permission for the erection of 25 dwellinghouses and 4 flats with the formation of new access road at site to south of Sharphill Industrial Estate, Saltcoats. A letter of representation has been received from James and Jean Conlan, 111 Dalry Road, Saltcoats.

The Committee expressed the view that, in the interests of road safety, the proposed play area should be located within Phase 2 or Phase 3 of the development, rather than in Phase 1.

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 exact details of (i) all external finishes to the dwellinghouses, (ii) all areas of hard surfacing including access roads, pavements, parking areas, etc. and (iii) exact details of the siting and design of all plot division fences. The 1.8m high fence shown along the north-west boundary is not approved and shall be replaced by a 1m high post and wire fence to the satisfaction of North Ayrshire Council as Planning Authority.

2. That a Local Equipped Area for Play shall be provided within Phase 2 or Phase 3 of the development of the land lying between Sharphill Industrial Estate and Carrick Avenue and, prior to the commencement of the development of Phase 1, the applicants shall submit for the written approval of North Ayrshire Council as Planning Authority details of the proposed siting and design of the Local Equipped Area for Play, including proposals for the timing of its construction.

3. 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.

4. 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.

5. That, prior to the occupation of any of the dwellinghouses or flats, and where Council adoption of open space areas is not to be pursued, there shall be submitted for the 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 and the play area. 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.

6. That, prior to the occupation of any of the dwellinghouses or flats hereby approved, Dalry Road shall have a width of 7.3 m along the full frontage of the site and the Dalry Road frontage of the adjoining land to the north in the applicants' ownership, the existing street lighting in Dalry Road where required shall be renewed or upgraded, the existing 30 mph speed limit in Dalry Road shall be extended to, or beyond, the site access and the existing traffic counting installation in Dalry Road shall be relocated, all at the applicants' expense and to the satisfaction of North Ayrshire Council as Planning Authority.

7. That, prior to the occupation of any of the dwellinghouses or flats hereby approved, the applicants shall provide (i) a 2 metre wide footway on Dalry Road along the frontage of the site, which shall be extended southwards into Carrick Avenue to tie into the existing footway network and (ii) the pedestrian link from phase 1 to Carrick Avenue across the landscaped open space, as shown on the approved plans, all to the satisfaction of North Ayrshire Council as Planning Authority.

8. That the accesses and driveways shall be designed in such a way that no surface water shall issue from them on to the public road.

9. 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.

10. 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 1 in 200 year storm and run off plus climate change, the effects of differing storm intensities over and above the 10 year return, the extends 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.

11. 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.

12. 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 program 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 program 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.

4.2 07/00059/PP: Stevenston: 138 Hayocks Road

Mr G Singh, 138 Hayocks Road, Stevenston, has applied for planning permission for the change of use from general store to hot food takeaway including installation of extract flue to rear of 138 Hayocks Road, Stevenston. Objections have been received from Mr and Mrs P Brown, no. 2 and Ms Margaret Monaghan, no. 1, both Oakland Drive, Stevenston.

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

1. That the proposed development would be contrary to Criteria (a) and (b) of the Development Control Statement of the North Ayrshire Local Plan (Excluding Isle of Arran), in that the proposed use would have a significant impact with noise and disturbance to the detriment of the existing residential properties in the area and would result in an unacceptable level of amenity due to noise and cooking odours generated by the proposed takeaway.

2. That the proposed development would be contrary to Policy TC6 of the North Ayrshire Local Plan (Excluding Isle of Arran), in that the applicant has failed to provide information to demonstrate that the property is no longer viable as a shop.

4.3 07/00220/PP: Ardrossan: 96A Eglinton Road

Ms V Paterson, 96A Eglinton Road, Ardrossan, has applied for retrospective planning permission for the installation of railings within an existing balcony to front of the dwelling flat at 96A Eglinton Road, Ardrossan. A letter of representation has been received from Mr and Mrs J Neilson, 96 Eglinton Road, Ardrossan.

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

4.4 07/00217/PP: Ardrossan: 109 Montfode Drive

Mr M Welsh, 109 Montfode Drive, Ardrossan, has applied for planning permission for a change of use from open space to form garden ground at 109 Montfode Drive, Ardrossan. An objection has been received from Mr T Armstrong, 49 Longcraigs Avenue, Ardrossan.

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

1. That no trees on the site shall be felled, lopped or topped without the prior written approval of North Ayrshire Council as Planning Authority.

2. 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 greater than 1 metre in height within the application site.

3. That, prior to the commencement of the use hereby approved, the applicant shall submit a plan indicating the location of all trees within the site.

4. That, notwithstanding the permission granted by Article 3 of and Class 3 of Part 1 of Schedule 1 of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (or any Order revoking or re-enacting that Order), the express approval of North Ayrshire Council as Planning Authority shall be required in respect of any development within the application site.

4.5 07/00128/PP & 07/00129/LBC: Ardrossan: 93 Princes Street

Irvine Bay Urban Regeneration Company, 43 Ardrossan Road, Saltcoats, have applied for planning permission for alterations and extension to the rear of offices, including the formation of access ramps and car parking, and the demolition of rear outbuildings, the erection of an extension to the rear of offices and alterations, including replacement of windows and formation of access ramps, at 93 Princes Street, Ardrossan.

The Committee agreed (a) to grant planning permission 07/00128/PP subject to 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 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.
2. That, prior to the commencement of the development, the applicants shall submit for the written approval of North Ayrshire Council as Planning Authority details/samples of the proposed external finishes.
3. That, prior to the commencement of the development, the applicants shall submit details of the proposed windows and doors, for the written approval of North Ayrshire Council as Planning Authority. For clarification it should be noted that all windows shall be timber and be traditional sliding sash and case, unless otherwise agreed in writing with North Ayrshire Council as Planning Authority.
4. That, prior to the commencement of the development, the applicants shall submit details of the access ramps, for the written approval of North Ayrshire Council as Planning Authority. Notwithstanding the submitted details, the front access ramp shall have a symmetrical design in keeping with the front elevation of the property, unless otherwise agreed in writing by North Ayrshire Council as Planning Authority.

and (b) to refer listed building consent application 07/00129/LBC to Historic Scotland, and to grant listed building consent, subject to the following conditions, unless Historic Scotland issue a Direction in response to the referral:-

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

2. That, prior to the commencement of the development, the applicants shall submit details of the proposed windows and doors, for the written approval of North Ayrshire Council as Planning Authority. For clarification, it should be noted that all windows shall be timber and be traditional sash and case, unless otherwise agreed in writing with North Ayrshire Council as Planning Authority.

3. That, prior to the commencement of the development, the applicants shall submit details of the access ramps, for the written approval of North Ayrshire Council as Planning Authority. Notwithstanding the submitted details, the front access ramp shall have a symmetrical design in keeping with the front elevation of the property, unless otherwise agreed in writing by North Ayrshire Council as Planning Authority.

5. Garnock Valley Area

5.1 07/00077/PP: Kilbirnie: 26F Stoneyholm Road

David and Annabel Baird, 26F Stoneyholm Road, Kilbirnie have applied for retrospective planning permission for a change of use of a dwellinghouse garage to a hairdressing salon at that address. An objection has been received from J Swindle of 26C Stoneyholm Road, Kilbirnie.

The Chief Development Control Officer advised that the applicants were seeking alternative commercial premises for their business and that, in the light of this, it would be the intention to postpone the service of any Enforcement Notice for a period of six months, to enable the proposed relocation of the business to be implemented.

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

1. That the use is contrary to Policy RES9, TC6 and the Development Control Statement of the Adopted North Ayrshire Local Plan (excluding Isle of Arran), in that the nature and scale of the business would detract significantly from the residential amenity of the area, and would be detrimental to traffic safety in the area through the increased level of vehicular and pedestrian activity.

(b) to authorise the serving of an Enforcement Notice, if required, under Section 127 of the Town and Country Planning (Scotland) Act 1997 to cease the unauthorised use of the premises as a hairdressing salon.

5.2 07/00210/PP: Beith: 17 Wilson Street

Amaya Properties Limited, Country Place, Fir Tree Hill, Chandlers Cross, Herts., have applied for planning permission for a change of use to incorporate a Class 3 use within a building at 17 Wilson Street, Beith. Representations have been received from Mr and Mrs S Auld, c/o Smugglers Tavern, 53-55 Main Street and Pauline MacEwen, 19 Wilson Street, both Beith.

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

1. That the proposal would be contrary to Policy TC1 (3) and the criteria in (b) of the Development Control Statement of the Adopted North Ayrshire Local Plan (excluding Isle of Arran), in that the proposal would have an adverse impact on the amenity of the residential property above and other residential properties in Wilson Street by way of increased noise, smell and fumes and disturbance from vehicular or pedestrian traffic.

5.3 06/00791/PP: Kilbirnie: 6 Steven Place

Iain Stewart, 6 Steven Place, Kilbirnie, has applied for retrospective planning permission for the formation of decking to the rear of the detached dwellinghouse at that address. An objection has been received from Mr Anthony Donnan and Miss Jenny McEwan, 8 Steven Place, Kilbirnie.

The Committee expressed the view that the lowest of the three levels of decking did not result in a loss of privacy to neighbouring properties.

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

1. That the decking is contrary to criteria (a) and (b) of the Development Control Statement of the Adopted North Ayrshire Local Plan (excluding Isle of Arran), in that the siting and height of the two upper levels of decking give rise to an unacceptable degree of overlooking of adjoining properties and a subsequent loss of privacy, to the detriment of the residential amenity of the area.

and (b) to the serving of an Enforcement Notice in terms of Section 127 of the Town and Country Planning (Scotland) Act 1997 to seek the removal of the two upper levels of unauthorised decking.

6. Irvine/Kilwinning Area

6.1 06/01101/PP: Kilwinning: Benslie: The Sheiling

The Committee noted that the application submitted by George Wilkie, the Sheiling, Benslie, Kilwinning, for the erection of an extension to side of the detached dwellinghouse at that address, had been withdrawn.

6.2 07/00185/LUE: Irvine: Broomlands Drive: Damar House

Andrew Tremble, 86 Montgomery Street, Irvine, has applied for a Certificate of Lawfulness for existing use as a guest house at Damar House, Broomlands Drive, Irvine.

In order to justify the issuing of a Certificate of Lawfulness for an existing use, an applicant must demonstrate that the use of the premises has existed for at least 10 years. In this case, the applicant has provided evidence in the form of a pro-forma letter signed by nearby residents stating that the property was trading as a guest house from 1990 to 2002. The applicant was advised in writing on two occasions to submit further evidence to substantiate this, such as proof of the rates being paid on the property or trading accounts, but has failed to do so. A letter submitted by the applicant indicates that the Ayrshire Valuation Joint Board has no record of the use of the premises as a guest house.

The Committee agreed to refuse the application for a Certificate of Lawfulness, on the ground that the applicant has not proven or presented sufficient evidence to establish that the use of Damar House as a guest house is immune from enforcement action.

6.3 07/00065/PP: Kilwinning: Old Glasgow Road: Ardoch Farm

Ardoch Properties, Ardoch Farm, Old Glasgow Road, Kilwinning has applied for planning permission for the change of use from a garage, including an extension to the side and a roof extension, to form an office at that address.

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

1. That the proposed development would be contrary to Policy ENV1 and the Development Control Statement contained within the North Ayrshire Local Plan (Excluding Isle of Arran), in that the applicant has failed to demonstrate that the business would be used in connection with an appropriate rural business and the extension would be out of character and overdominate the existing building to the detriment of the amenity of the surrounding area.

7. North Coast and Cumbraes Area

7.1 07/00189/PP: West Kilbride: Site to west of 4 Pantonville Road

Mr G Middleton, 12A Hunterston Road, West Kilbride, has applied for planning permission for the erection of a one-and-a-half storey dwellinghouse on a site to the west of 4 Pantonville Road, West Kilbride. An objection has been received from Mr and Mrs Hodge, 10 Ardrossan Road, Seamill, West Kilbride.

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

1. That, prior to the commencement of the development, the applicant shall submit for the written approval of North Ayrshire Council as Planning Authority exact details of the external finishes to the dwellinghouse and the surface finish to the parking and manoeuvring areas.
2. 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 proposals for the provision of additional screening along the north-west boundary of the site, which approved screen shall be erected prior to the occupation of the dwellinghouse and maintained thereafter, all to the satisfaction of North Ayrshire as Planning Authority.
3. That a visibility splay of 2m x 38m to the west of the access on to Pantonville Road shall be provided and maintained on land within the applicant's control, such that there is no obstruction to visibility above a height of 1.05m measured above the adjacent carriageway level, to the satisfaction of North Ayrshire Council as Planning Authority.
4. That vehicular access to the site shall be provided with a drop kerb footway crossing to be formed as detailed in Sections 5.2 & 10.8 (and fig10.16) of the Roads Development Guidelines, to the satisfaction of North Ayrshire Council as Planning Authority.
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, 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.

7.2 07/00158/PP: Largs: 10 Rockland Park

Richard Walker, 10 Rockland Park, Largs, has applied for planning permission for the erection of an upper floor extension to the side of the detached dwellinghouse at that address.

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

1. The proposed development would be contrary to the Development Control Statement contained within the Adopted North Ayrshire Local Plan (excluding Isle of Arran) in that, by reason of its design and scale, the upper floor extension would be an incongruous and detrimental feature to the detriment of the character and appearance of the dwellinghouse and the street of which it forms a part.

7.3 07/00201/PP: Largs: 14 Bath Street

Bellhaven Pubs Division, Atrium House, 6 Back Walk, Stirling, have applied for retrospective planning permission for the erection of an external ventilation flue to rear of the public house at 14 Bath Street, Largs. An objection has been received from Mrs P McClure-McGonigal, Flat G/L, 8 Fort Street, Largs.

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

1. That the ventilation/extraction system hereby approved shall at all times be maintained and operated to the satisfaction of North Ayrshire Council as Planning Authority.

8. Beith: Deepstone Farm, Burnhouse: Enforcement Notices

Submitted report by the Assistant Chief Executive (Legal and Protective) on the proposed serving of Enforcement Notices in relation to the proper maintenance of land and the cessation and removal of unauthorised tipped material, scrap vehicles and static caravan at Deepstone Farm, Burnhouse.

Since 2006, complaints have been received regarding the condition and use of the land in question. Site visits by the Planning Inspector have confirmed that scrap vehicles, rubbish and building materials are strewn throughout the site and it was evident that further material had been deposited since the initial site visit. The owner of the site, Mr Drummond, has been advised in writing to tidy up and clear the site, but has failed to do so.

The Committee agreed to approve the serving of Enforcement Notices requiring (a) the proper maintenance of the land at Deepstone Farm, Burnhouse, Beith in terms of Section 179 of the Town and Country Planning (Scotland) Act 1997 and (b) the cessation of the tipping of waste materials and the removal of the waste materials, scrap vehicles and static caravan in terms of Section 127 of the town and Country Planning (Scotland) Act 1997, to ensure that (i) the site is cleared of all debris, building materials and scrap vehicles, (ii) the land is tidied up and (iii) the ground levels are reinstated to the original levels within a period of three months from the date of service of the Enforcement Notices.

9. Isle of Arran: Lamlash: Shore Road: Enforcement Notice

Submitted report by the Assistant Chief Executive (Legal and Protective) on the proposed serving of an Enforcement Notice in relation to unauthorised engineering operations at Shore Road, Lamlash, Isle of Arran.

According to a number of complaints, the unauthorised works in question commenced during early April 2007 and are being undertaken by John Thomson Construction. A large swathe of cleared land has been formed between Pier House and Gateside, adjacent to the A841. Due to the steep slope of the ground at this location, a large quantity of excavated material has been deposited and compacted to form a clearing through to the higher lying land. In addition to the ground being remodelled without planning permission, an area of mature planting has been cleared.

The Committee agreed to the serving of an Enforcement Notice in terms of Section 127 of the Town and Country Planning (Scotland) Act 1997, on John Thomson Construction, or on any other person with an interest in the land, to require the unauthorised works to cease forthwith and that the ground be reinstated to its former condition and the area replanted in the interests of the amenity of the area.

The meeting ended at 3.10 p.m.