

Planning Committee
15 January 2007

IRVINE, 15 January 2007 - At a Meeting of the Planning Committee of North Ayrshire Council at 2.00 p.m.

Present

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

In Attendance

I.T. Mackay, Assistant Chief Executive, A. Fraser, Manager Legal Services, R. Forrest, Planning Services Manager, J. Miller, Chief Development Control Officer and M. Lee, Senior 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

Elisabethe Marshall.

1. Minutes

The Minutes of the Meetings of the Committee held on (i) 13 November 2006; and (ii) 4 December 2006, copies of which had previously been circulated, were confirmed.

2. Declarations of Interest

Councillor O'Neill declared an interest in items 9.2 and 9.3 and took no part in the discussion thereon. Councillor D. Reid declared an interest in items 8.4, 8.5 and 9.2 and took no part in the discussion thereon.

A. ITEMS REQUIRING APPROVAL BY COUNCIL

3. Consultation on Scotland's First Marine and Coastal National Park

Submitted report by the Assistant Chief Executive (Legal and Protective) on a consultation response on Scotland's First Coastal and Marine National Park.

The consultation document includes advice on how Coastal and Marine National Parks should be managed and on which locations would be suitable for such designation. An area comprising Argyll Islands and Coast has been identified as the strongest all-round candidate. Other possible candidates include the Firth of Clyde, although the consultation document comments that it is of less national importance for marine biodiversity than some of the other areas and that the designation would possibly bring fewer social and economic benefits.

The establishment of a National Park would lead to the development of a National Park Plan, the creation of a Board and the employment of staff to administer the Park's functions. Any designation is likely to result in the transfer of powers from the Local Authority, with the options ranging from the Park having limited planning and enabling powers, to it subsuming many of the functions of other public bodies including the Local Authority.

At this stage, the extent to which the designation will cover land has not been determined and a further consultation will be carried out in the future to determine the boundaries of a Coastal and Marine National Park. The consultation document does not provide estimates on finance for a Coastal and Marine Park Authority, as this will depend on the area chosen and the powers and functions of the Park Authority.

The Committee agreed to approve the consultation response detailed in Section 3 and Appendix 1 of the report, for submission to the Scottish Executive.

4. Dalry: Putyan Avenue and Westend: Footpath Diversion Order

Submit report by the Assistant Chief Executive (Legal and Protective) on a proposed Public Path Diversion Order in terms of Section 35 of the Countryside (Scotland) Act 1967 for the path linking Putyan Avenue and Sharon Street, Dalry .

The Committee agreed to continue consideration of this item to a future meeting to allow officers to investigate further the implications of any Footpath Diversion Order.

5. Saltcoats: Ailsa Road/High Road: Proposed Closure of Footpath

Submit report by the Assistant Chief Executive (Legal and Protective) on the proposed promotion of a Footpath Extinguishment Order in terms of the Countryside (Scotland) Act, 1967 for the footpath linking Ailsa Road and High Road, Saltcoats.

The Council has received representations from local residents regarding antisocial behaviour, litter, graffiti, drunken youths and vandalism associated with the use of the footpath from Ailsa Road to the High Road, Saltcoats.

Antisocial behaviour in or around a public footpath does not of itself constitute legal grounds for closure of the path. Under Section 34 of the Countryside (Scotland) Act 1967, closure of a footpath can only be considered "it is expedient that the path should be closed on the ground that the path is not needed for public use". Roads Services conducted a survey in early March 2006 to gauge the level of public use of the footpath and this showed that the path is significantly used.

The Committee agreed (a) in the light of insufficient evidence to support such action, not to proceed with a Footpath Extinguishment Order; (b) to consider measures to address the antisocial behaviour problems in the vicinity of the footpath; and (c) that the Assistant Chief Executive (Legal and Protective) write to COSLA highlighting the limited powers of Local Authorities to address public concern about footpaths and requesting that COSLA seek to pursue a change in the legislation governing this area.

6. Street Naming

Submitted reports by the Assistant Chief Executive (Legal and Protective) on street naming at the following locations:-

6.1 Irvine: Site off Thornhouse Avenue: Naming of new housing development by Irvine Housing Association

The Committee agreed to name the development "Thornhouse Court".

6.2 Stevenston: Site off Kilwinning Road: Naming of new housing development by Thirlestane Lands Limited

The Committee agreed to name the development "Gilmour Wynd".

6.3 Irvine: Montgomerie Street: Former Timber Yard: Naming of streets within new housing development by McTaggart Construction

The Committee agreed to name the streets within the development "Belfast Quay" and "Dublin Quay".

6.4 Saltcoats: Site off Burns Avenue: Naming of new housing development by Persimmon Homes Limited

The Committee agreed to name the development "Meiklelaught Place".

ITEMS DETERMINED UNDER DELEGATED POWERS

7. Arran Area

7.1 06/01097/PP: Kilmory: Lenamhor Cottage

Alan Dillon, C'est la Vie, Kilmory, Isle of Arran, has applied for planning permission for the erection of a one-and-a-half storey extension to the side of the detached dwellinghouse at Lenamhor Cottage, Kilmory, Isle of Arran. An objection has been received from John McIntyre, 140 Paisley Road, Barrhead, the owner of the adjacent Clover Cottage to the south east of the site.

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

1. That, notwithstanding the plans hereby approved, the east-facing dormer window, ground floor window and any glazing on the (east-facing) external door of the ground floor of the extension shall be obscure glazed and retained thereafter to the satisfaction of North Ayrshire Council.

7.2 06/01078/PP: Brodick: Glencloy Farm Cottages

T. James, Flat 6, 3 Upper Gilmour Place, Edinburgh, has applied for planning permission for the redevelopment of a disused farm building, including alterations and extensions to form 2 dwellinghouses, at Glencloy Farm Cottages, Brodick, Isle of Arran. Objections have been received from Mr. and Mrs. Philip De Courcy, The Barn, Glencloy and Neil M. Hester, Glencloy Farm Guesthouse and Ronald W.G. Meikle, Glencloy Farm Cottage, both Glencloy Road, all Brodick, Isle of Arran.

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

1. That the proposed development is contrary to Policies ENV1 and ENV1A of the Adopted Isle of Arran Local Plan in that (i) it comprises unnecessary residential development within the countryside for which no specific locational need has been justified; (ii) the existing building has insufficient residual fabric to justify conversion, rehabilitation or replacement of the existing building for residential purposes; and (iii) it would establish an undesirable precedent for other similar developments which would be detrimental to the amenity and character of the countryside.
2. That the proposed development does not satisfy the relevant criteria of the Development Control Statement of the Local Plan with regard to the design and external appearance of the dwellinghouses and their incongruous relationship with the existing neighbouring buildings which would be detrimental to visual amenity;

8. Ardrossan/Saltcoats/Stevenston Area

8.1 06/00989/PP: Ardrossan: 17 Barrie Terrace

Mr. and Mrs. Kelly, 17 Barrie Terrace, Ardrossan, have applied for retrospective planning permission for the erection of decking to the rear of the semi-detached dwellinghouse at that address. An objection has been received from Christine Kennedy, 15 Barrie Terrace, Ardrossan.

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

1. That, within two months of the date of this consent, details of proposals for further screening to be erected on the south side elevation of the decking structure shall be submitted for the written approval of North Ayrshire Council as Planning Authority and the approved screening proposals shall be implemented within one month thereafter to the satisfaction of North Ayrshire Council as Planning Authority.

8.2 06/01157/NID: Ardrossan: Sorbie Road: Ardrossan Academy

North Ayrshire Council, Educational Services, Cunninghame House, Irvine, have applied for a Notice of Intention to Develop for the formation of an "all-weather" floodlit sports pitch with associated fencing at Ardrossan Academy, Sorbie Road, Ardrossan. Objections have been received from Stephen O'Pray and Derek Paton, no. 16, Mrs. Addie, no. 14 and Josephine Peppard, no 15, all Loanhead Road, Ardrossan.

The Committee, having considered the terms of the objections, agreed (a) to support the proposed development; and (b) to refer the application to the Scottish Ministers for determination.

8.3 06/00835/PP: Stevenston: Castlehill Farm

Cabin Developments, 14 Belhaven Terrace, Glasgow, have applied for part retrospective planning permission for amendments to planning permission 03/00709/PP for alterations and extensions to Unit 3, 4, 5 and 8 at Castlehill Farm, Stevenston. A representation has been received from Kilpatrick & Walker, Solicitors, on behalf of Mrs. M. Reid, owner of the land to the north of the application site.

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

1. That, notwithstanding the plans hereby approved, the existing access to the site shall be permanently closed off and details of the re-located access shall be submitted to, and agreed in writing with, North Ayrshire Council as Planning Authority.

2. That the surface water arising from the site shall be treated in accordance with the principles and practices contained in CIRIA's "Sustainable Urban Drainage Systems Design Manual for Scotland and Northern Ireland 2000" to the satisfaction of North Ayrshire Council as Planning Authority and, prior to commencement of the development, the applicant shall submit for the written approval of North Ayrshire Council as Planning Authority exact details of the means of disposal of surface water drainage from the development.
3. 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.
4. That, notwithstanding the Terms of Parts 1 and 2 of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992, any extension to the dwellinghouses hereby approved or development within the curtilage of any dwellinghouse shall be the subject of a further planning application.
5. That the first 10 metres of the access measured from the edge of the carriageway shall be surfaced in bituminous material in order to prevent deleterious material being carried on to the carriageway, to the satisfaction of North Ayrshire Council as Planning Authority.
6. That, prior to the occupation of the first dwellinghouse, the access radii at the junction with the public road shall be 6 metres, to the satisfaction of North Ayrshire Council as Planning Authority.
7. That visibility splays of 2.5m x 90.0m 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.
8. That foul drainage from the development shall be connected to the public sewer and, prior to the occupation of any of the houses hereby approved, the applicant shall submit for the written approval of North Ayrshire Council as Planning Authority, exact details of the proposals for connecting foul drainage from the development to the existing public sewer.

8.4 06/01182/PP: Ardrossan: 18 South Crescent Road

P. McNamara, 18 South Crescent Road, Ardrossan, has applied for planning permission for a change of use from a flat to a guest house at that address. An objection has been received from Miss A. Howie, 18A South Crescent Road, Ardrossan, per Wallace, Hodge and Co., Solicitors, 6 Killoch Place, Ayr.

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

1. That, prior to the commencement of the use hereby approved, a plan indicating the provision of four parking spaces within the front garden area of the property 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 prior to the commencement of the use, and thereafter maintained, to the satisfaction of North Ayrshire Council as Planning Authority.

9. Garnock Valley Area

9.1 06/01147/PP: Beith: 28 Lomond Crescent

Mr. and Mrs. H. Murray, 28 Lomond Crescent, Beith, have applied for planning permission for the erection of an extension to the rear of the detached dwellinghouse at that address.

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

1. That the proposed extension would not accord with Criterion (a) and (b) of the Development Control Statement of the North Ayrshire Local Plan (Excluding Isle of Arran), as the proposed development would constitute overdevelopment of the site to the detriment of the residential amenity of the dwellinghouse.

9.2 05/00936/PP: Kilbirnie: Muirend Street: Former Dye Works

Cruden Estates Limited, 98 Kerr Street, Glasgow, have applied for planning permission for the erection of 44 dwellinghouses with associated roads and parking at the former Dye Works at Muirend Street, Kilbirnie. Objections have been received from Robert O'Neill, 7 Dipple Court and Thomas Hanna, 7 Stoneyholm Road, both Kilbirnie.

The Senior Development Control Officer advised that a letter of representation had been received from Councillor Bell as the Local Member.

The Committee, having considered the terms of the objections and representation, agreed to grant the application subject to (a) the applicants entering into a Section 75 Agreement or other suitable arrangement 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 any works, samples and a schedule of the distribution of the proposed finishes for the houses shall be submitted for the written approval of North Ayrshire Council as Planning Authority.

2. That the traffic measures to be carried out in Muirend Street shall be agreed in writing prior to the commencement of any works and thereafter shall be implemented prior to the occupation of any dwellinghouse within the development. All costs associated with any Traffic Order necessary for the implementation of the approved works shall be borne by the developer.
3. That all new road works within the development site shall comply with the Council's Roads Development Guide.
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 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.
7. That the treatment of the boundary enclosures and the plot divisions within the proposed development shall be agreed in writing with North Ayrshire as Planning Authority prior to the commencement of any works.
8. That, prior to the commencement of any works, a plan shall be submitted with the finished levels for all the proposed dwellinghouses and the adjoining gardens for the approval in writing of North Ayrshire Council as Planning Authority along with the details any works required or deemed necessary by North Ayrshire Council as Planning Authority to retain the gardens in any of the properties adjoining the site.

9. That, following the demolition of the existing buildings identified on the application site and prior to the commencement of any construction works hereby approved, the applicants shall undertake an additional intrusive site investigation of the site (including the view of any previous site investigations) and undertake a suitable quantitative risk assessment to assess the likelihood of contamination. Remediation proposals shall also be presented in relation to any significant findings. All documentation shall conform to British Standard BS10175: 2001 Investigation of Potentially Contaminated Sites - Code of Practice, shall be verified by a suitably qualified environmental consultation and submitted to North Ayrshire Council as Planning Authority for consideration. Any required remediation measures shall be undertaken, prior to the commencement of any construction works, to the satisfaction of North Ayrshire Council as Planning Authority. Thereafter, the presence of any significant 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.

10. That, prior to the commencement of any works, full details shall be submitted of the measures to be taken to prevent flood water passing onto the site from the adjoining water course, for the approval in writing of North Ayrshire Council as Planning Authority. The submitted details shall specify the finished floor levels of the houses and adjoining site levels, to provide for the surfacing of the proposed footpath and the formation of a preventative barrier of a suitable height to be located between the houses and the river. The approved works shall be undertaken at the developer's expense and shall be completed prior to the occupation of any house and be maintained by the developer unless agreement is reached at a future date with North Ayrshire Council for an alternative arrangement.

11. That, prior to the commencement of any works, full details of the arrangements for the drainage of foul and surface water shall be submitted for the approval in writing of North Ayrshire Council as Planning Authority. The details shall be accompanied with a Drainage Impact Assessment which shall include an assessment of the flow routing of the surface water through the site when the surface systems are over loaded. Thereafter, any such details which may be agreed shall be implemented prior to the occupation of any dwellinghouse to the satisfaction of North Ayrshire Council as Planning Authority.

12. That, prior to the commencement of the development hereby approved, details of a scheme to treat the surface water arising from the site in accordance with the principles and practices contained in CIRIA's "Sustainable Urban Drainage Systems 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.

9.3 06/01179/PP: Kilbirnie: 87 Main Street

Mr. Yip, Flat 2/3, 6 Rutland Court, Kinning Park, Glasgow, has applied for planning permission for a proposed change of use from a shop to form a hot food takeaway, including alterations to the shop front, at 87 Main Street, Kilbirnie. Objections have been received from M. Iqbal, 85 Main Street and Kilbirnie and Glengarnock Community Council, per Mrs. Mary McConnell, Jan-Mora, 29 School Wynd, both Kilbirnie.

The Senior Development Control Officer advised that a further letter of objection had been received, from Councillor Bell as the Local Member.

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

1. That the hours of operation of the takeaway (when open to the public) shall be limited to the following:

Mondays - Sundays: 1100 - 2300 hours

2. That, prior to the commencement of the use of the premises as a takeaway, the applicant shall submit for the written approval of North Ayrshire Council as Planning Authority details of the proposed ventilation arrangements for the takeaway. Thereafter, the ventilation arrangements which may be approved shall be installed prior to the commencement of the use and operated thereafter to the satisfaction of North Ayrshire Council as Planning Authority.

9.4 06/00592/PP: Dalry: Site to the West of 35 Drakemyre

Aldi Stores Ltd., Junction 4, M8, Bathgate, have applied for planning permission for the erection of a Class 1 retail unit, including ATM cash machine, together with the formation of a new access and car parking with associated works on a site to the west of 35 Drakemyre, Dalry. Representations have been received from G.L. Hearn, Property Consultants, St. Vincent House, 241 St. Vincent Street, Glasgow, on behalf of the Co-operative Group Property Division and from Mr. and Mrs. D. Dalglish, 35 Drakemyre and Ms. Janette Galloway and others, 32 Westland Wynd, both Dalry. The latter representation was accompanied by a petition containing 20 signatures.

The applicants, prior to consideration of the application by Committee, submitted an appeal to the Scottish Ministers against a deemed refusal in terms of Section 47(2) of the Town and Country Planning (Scotland) Act, 1997. The effect of this is that the Council can no longer determine the application but, as part of the appeal process, should form an opinion on the merits of the case, to form the basis of evidence to be led at the public inquiry.

The Committee, having considered the terms of the representations, agreed to adopt the opinion that planning permission should be refused on the following grounds:-

1. That the proposed development would be contrary to Policies IND 6 and TC 5 in the Adopted North Ayrshire Local Plan (excluding Isle of Arran), in that it would be retail development in an area allocated for business and industry, and outwith the town centre, where it has not been demonstrated to the satisfaction of North Ayrshire Council as Planning Authority that no suitable sites are available, or can reasonably be made available, in or on the edge of existing town centres, or that the development would not adversely affect the vitality and viability of the town centre.

2. That the proposed development would be contrary to Policies L8 and L9 of the Approved Ayrshire Joint Structure Plan, in that it has not been demonstrated that suitable sites for retail development are not available in the town centre or on the edge of centre, nor that the proposed development would not effect the viability and vitality of the town centre.

9.5 06/00774/PP: Dalry: 2 Kilwinning Road

Lidl UK GmbH, Tailend Farm, Deans Industrial Estate, Deans Road, Livingston, have applied for planning permission for the erection of a Class 1 retail unit, together with associated car parking, landscaping and access road at 2 Kilwinning Road, Dalry.

The Senior Development Control Officer advised that a total of 48 letters of representation have been received to date in respect of the application.

2 letters, both dated 12 January 2007, from James Barr, 226 West George Street, Glasgow, were circulated at the meeting. The Senior Development Control Officer responded to the issues raised.

The Committee, having considered the terms of the representations, agreed to continue consideration of the application to a future meeting.

10. Irvine/Kilwinning Area

10.1 06/00547/PP: Irvine: Site to West of Muirhead of Balgray Farm

Alexander Angus, 13 Canmore Place, Stewarton, has applied for planning permission for a proposed change of use of agricultural fields to form paddocks for horses and the erection of 6 field shelters in association with a riding centre on a site to the west of Muirhead of Balgray Farm, Irvine. Representations have been received from Gary and Laura Walker, Muirhead House, A.T. McClurg, Laigh Auchenhavie Farm and Elizabeth Astel, Ellandee Kennels, Balgray Road, all Torransyde, and from Brian H. Donohoe MP.

The Committee, having considered the terms of the representations, 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 details of the proposed external finishes.
2. 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.
3. That all the perimeter fences of fields where horses are to be kept outdoors shall be stockproof, to the satisfaction of North Ayrshire Council as Planning Authority.

10.2 06/00488/LBC: Irvine: Church Street: Ayrshire Metal Products Slipway

Scottish Maritime Museum, Laird Forge, Gottries Road, Irvine, have applied for listed building consent for the deconstruction of the clipper ship 'Carrick - City of Adelaide' at Ayrshire Metal Products Slipway, Church Street, Irvine. 132 representations have been received as detailed in the Annex to the report.

The Committee, having considered the terms of the representations, agreed to grant Listed Building Consent subject to (a) referral of the application to Historic Scotland under Section 12 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997; and (b) the following condition:-

1. That, prior to the commencement of the deconstruction of the ship, hereby approved, a Steering Committee shall be established, whose composition shall be based on the recommendations of the paper produced by the National Historic Ships Committee (NHSC) regarding the deconstruction of historic ships and shall be agreed in writing by North Ayrshire Council as Planning Authority. Thereafter, the Steering Committee shall follow the guidelines in this NHSC report and prepare recommendations on the detailed method of deconstruction, the recording of the resultant parts and their availability for display, for the further agreement in writing of North Ayrshire Council as Planning Authority and Historic Scotland.

10.3 06/01174/NID: Irvine: Kilwinning Road: Irvine Royal Academy

North Ayrshire Council, Educational Services, Cunninghame House, Irvine, have applied for a Notice of Intention to Develop for the formation of an "all-weather" floodlit sports pitch with associated fencing at Irvine Royal Academy, Kilwinning Road, Irvine. An objection has been received from W. Gilmour, 31 Norman Crescent, Irvine.

The Committee, having considered the terms of the objection, agreed (a) to support the proposed development; and (b) to refer the application to the Scottish Ministers for determination.

11. North Coast and Cumbraes Area

11.1 06/00765/PP: Largs: 4 Glen Place

Ron Campbell, 4 Glen Place, Largs, has applied for retrospective planning permission for the formation of decking to the rear of the semi-detached dwellinghouse at that address. Objections have been received from Moira Henry, 2 Glen Place and M. and D. McAulay, 9 Glen Avenue, both Largs.

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

11.2 06/01144/PP: Largs: 7 Noddleburn Road

Michael Convery, 7 Noddleburn Road, Largs, has applied for planning permission for the formation of a dormer extension to the rear and an extension of the roof to the side of the semi-detached dwellinghouse at that address. 2 letters of representation have been received from R.A. Gordon, 8 Chapelton Drive, Largs.

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

1. That the walls and roof of the dormer and the roof extension hereby approved shall be finished in slate to match the roof finish of the existing dwellinghouse, to the satisfaction of North Ayrshire Council as Planning Authority. For clarification, it should be noted that the gable wall shall be finished in roughcast to match the finish of the existing dwellinghouse.

11.3 06/00948/OPP: Skelmorlie: Site to North of 31 Skelmorlie Castle Road

Ms. Anderson, 31 Skelmorlie Castle Road, Skelmorlie, has applied for outline planning permission for the erection of a residential development on a site to the north of that address. Objections have been received from W. Brannan, no. 33, Mrs. C. Hay, no. 29 and D. Shearer, no. 21, all Skelmorlie Castle Road, Skelmorlie.

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

1. That the proposed development would represent an unacceptable form of backland development which would not accord with the Development Control Statement of the Adopted North Ayrshire Local Plan (excluding Isle of Arran). The proposed development would not offer an acceptable level of residential amenity due to its siting to the rear of a fire station, poor standard of access in relation to the public road network and restricted outlook.

2. That the proposed development would directly result in the loss of mature trees which provide a visual screen between existing residential properties on Skelmorlie Castle Road and the fire station and playing field/play area.

11.4 06/00787/PP: Largs: 116 Nelson Street

Tom Logue, 101 Innes Park Road, Skelmorlie, has applied for retrospective planning permission for a proposed change of use to incorporate hot food takeaway and alterations to the shop front at 116 Nelson Street, Largs. An objection has been received from Largs Community Council, per Tom Marshall, 106 Greenock Road, Largs.

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

1. That the use hereby permitted shall not operate outside the hours of 0730 and 1730 Monday to Friday, and 0800 and 1400 on a Saturday, and not at all on Sundays, unless North Ayrshire Council as Planning Authority gives prior written consent to any variation.

11.5 06/01096/PP: Largs: 45 Gogo Street

Mulgrew Leisure Limited, 12a Silk Street, Paisley, have applied for planning permission for a proposed change of use from storage to form a fitness club, including external alterations, at 45 Gogo Street, Largs. Objections have been received from M.Y. Peden, 1 Campbelltown Cottage, Hunterston Estate, West Kilbride and from Mrs. V. Niven, Flat 2B, 4/6 Gogo Street and Mrs. J. Morgan, 138 Main Street, both Largs.

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

1. That the use hereby approved shall not operate outwith the hours of 0900 to 2000 Monday to Friday and 1000 to 1400 Saturday and Sunday, unless North Ayrshire Council as Planning Authority gives written consent to any variation.

11.6 06/00764/PP: West Kilbride: Seamill: Site Adjacent to 56a Ardrossan Road

Mr. and Mrs. B. Skelton, 56a Ardrossan Road, Seamill, West Kilbride, have applied for planning permission for the erection of a detached dwellinghouse on a site adjacent to that address. An objection has been received from West Kilbride Community Council, per John Lamb, 97 Ardrossan Road, Seamill, West Kilbride. Representations have been received from Mr. and Mrs. R. Wilkinson, The Fort, no. 56 and Ian Lyall, The Fort Cottage, no. 56b, both Ardrossan Road, Seamill, West Kilbride.

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

1. That, prior to the commencement of the development, the applicant shall submit for the written approval of North Ayrshire Council as Planning Authority exact details of (i) all external finishes and (ii) the proposed means of boundary enclosure.
2. That, notwithstanding the permission granted by Article 3 of and Classes 1 and 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 curtilage of the dwellinghouse.

3. 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 applicants, 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.
4. That no trees or hedges on the site shall be felled or lopped without the prior written approval of North Ayrshire Council as Planning Authority.
5. That the proposed means of access to the trunk road shall be constructed to a layout and type (and method) of construction to be approved by North Ayrshire Council as Planning Authority, after consultation with the Roads Authority, before the development is commenced.
6. That visibility splays shall be provided and maintained on each side of the new access to the satisfaction of North Ayrshire Council as Planning Authority. These splays are the triangles of ground bounded on two sides by the first 4.5m of the centre line of the access driveway (the setback dimension) and the near side trunk road carriageway measured 90m (the Y dimension) in both directions from the intersection of the access with the trunk road. In a vertical plane, nothing shall obscure visibility measured from a drivers eye height of between 1.05m and 2.00m positioned at the setback dimension to an object height of between 0.26m and 1.05m anywhere along the Y dimension.
7. That there shall be no connections to the trunk road drainage system.

11.7 06/01108/PP: Millport: Site adjacent to 5 and 16 Craig-en-Ros Road

Thomas Campbell, Hutton Park, 60 Greenock Road, Largs, has applied for retrospective planning permission for an amendment to planning permission 02/00611/PP to alter the ground levels on a site adjacent to 5 and 16 Craig-en-Ros Road, Millport. An objection has been received from Dr. Peter Barnett, 5 Craig-en-Ros Road, Millport.

The Chief Development Control Officer advised that a further letter of objection had been received from Dr. Barnett, 5 Craig-en-Ros Road, Millport.

The Committee, having considered the terms of the objections, 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 each house and landscaping within each plot shall be obtained before the construction of each house is commenced.
2. That, with the exception of the dwellinghouses on Plots 1, 2 and 3 the proposed house types shall accord with the design brief hereby approved. The dwellinghouses on plots 1, 2 and 3 shall either be of single or one-and-a-half storey construction with no windows on the south-east roof slope and the floor level of the three dwellinghouses shall be no higher than 100mm above the present ground level at plots 1 and 2 (68.1m) shown on the plans hereby approved.
3. 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.
4. That no houses shall be constructed until there has been submitted to, and approved in writing by, North Ayrshire Council as Planning Authority proposals for the protection of the trees around the perimeter of the site while the houses are being constructed.
5. That the driveway at Plot 3 shall have a width of 5m in order to enable two vehicles to manoeuvre independently.
6. That a minimum of two parking spaces excluding any garage shall be provided within each plot.
7. That no surface water shall issue from the driveways onto the access road.
8. That, prior to the commencement of the construction of any dwellinghouses on the plots, the applicant shall submit for the written approval of North Ayrshire Council as Planning Authority a plan showing revised building zones for the plots which shall provide a minimum distance of 20m from the rear of the building zones on Plots 1, 2 and 3 to the boundary with No. 5 Craig-En-Ros Road.
9. That, notwithstanding the permission granted by Article 3 of and Classes 1, 2 and 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 curtilage of the dwellinghouses on Plots 1, 2 and 3.
10. That, within six months of the date of this approval, the applicants shall (i) submit for the written approval of North Ayrshire Council as Planning Authority proposals for lowering the ground levels at the rear of Plots 1, 2 and 3 including proposals for the removal of the surplus material from the plots; and ii) implement the approved revised ground level proposals to the satisfaction of North Ayrshire Council as Planning Authority.

12. Beith: Land at 51 Eglinton Street: Enforcement Notice

Submitted report by the Assistant Chief Executive (Legal and Protective) on the proposed service of an Enforcement Notice in relation to the cessation of the use and the removal of the unauthorised beer garden.

On 14 July 2006, complaints were received from local residents that patrons from the public house at 51 Eglinton Street, Beith were using the unauthorised beer garden for smoking and the consumption of alcohol. A site visit was made by the Planning Inspector, who confirmed that the beer garden was in use. The licensee was advised to cease the use of the beer garden until determination of a submitted planning application. The licensee failed to comply with this advice and further complaints were received by the Planning Inspector and Strathclyde Police.

The Committee agreed to the service of an Enforcement Notice in terms of Section 127 of the Town and Country Planning (Scotland) Act 1997 for the removal of the unauthorised beer garden.

The Meeting ended at 4.20 p.m.