

Development Control Sub Committee
18 August 1998

Irvine, 18 August 1998 - At a Meeting of the Development Control Sub-Committee at 9.30 a.m.

Present

Samuel Gooding, Jack Carson, Ian Clarkson, James Clements, Margaret Highet, James Jennings, Thomas Morris, Robert Reilly and John Sillars.

In Attendance

R. Forrest, Principal Planning Officer, J. Delury, Principal Building Control Officer, D. Cartmell, Team Leader Development Control (Planning, Roads and Environment), M. McKeown, Administration Officer and A. Little, Assistant Administration Officer (Chief Executive).

Chair

Mr Gooding in the Chair.

1. Building (Scotland) Act 1959/70: Requests for Relaxation

a) 7-11 Gallowgate Lane, Largs: BW/98/0463 & RX/98/0028

Regulation 9 as read with Technical Standard D2.2 requires that the floor of a protected zone should be of non-combustible construction.

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

That the ceiling of the room below shall be plated to provide one hours fire resistance and the premises are fitted with an L3 Fire Detection System in accordance with BS 5839: Part 1: 1988.

b) 42 Peden Avenue, Dalry: BW/98/0580 & RX/98/0029

Regulation 9 as read with Technical Standard S2.06 requires the minimum width of the stair to be not less than 800mm.

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

That an adequate width of 320mm shall be maintained on the stair.

c) 42 Peden Avenue, Dalry: BW/98/0580 & RX/98/0030

Regulation 9 as read with Technical Standard S2.18 requires a minimum width and length of landing to be not less than the width of the stair.

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

That an adequate width of 610mm shall be maintained on the landing when the stairlift is in a parked stowed position.

d) Ardeer Peninsula, Stevenston: BW/97/1220 & RX/98/0021

Regulation 9 as read with Technical Standard P2.04 requires that an exhibition building must have provision for window cleaning from a loadbearing surface or via a window access system mounted on the building.

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

That a mobile access platform suitable for cleaning windows 11.5m above ground level shall be provided on site.

e) Ardeer Peninsula, Stevenston: BW/97/1220 & RX/98/0020

Regulation 9 as read with Technical Standard D2.08 requires that a lift must be separated from the remainder of a building by compartment walls and capped with compartment floor construction.

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

- (1) That the auditorium wheelchair lifts are located within a 60 minute fire resistant stair enclosure.
- (2) That the enclosing structure (including glazing) of the exhibition hall lift shaft shall be non-combustible and constructed to 60 minutes fire resistant standard (integrity, loadbearing capacity and insulation).
- (3) That an Early Warning Type L3 Fire Alarm system to BS 5839 Part 1:1988 shall be installed throughout the building.

f) 7 Dykes Place, Saltcoats: BW/98/0574 & RX/98/0026

Regulation 9 as read with Technical Standard S2.06 requires the minimum width of a stair to be not less than 800mm.

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

That an adequate width of approximately 735mm shall be maintained on the stair.

g) 7 Dykes Place, Saltcoats: BW/98/0574 & RX/98/0027

Regulation 9 as read with Technical Standard S2.18 requires a minimum width and length of landing to be not less than the width of the stair.

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

That a minimum width of approximately 510mm shall be maintained on the landing when the lift is in a parked/stowed position.

2. Ardrossan/Saltcoats/Stevenston Local Plan Area

(a) N/01/98/0255: Stevenston: 29 Boglemart Street

Ms D Reid, 49 Inchmurrin Drive, Kilmarnock has applied for a Change of use from a licensed snooker club to a public house incorporating an indoor children's play area at 29 Boglemart Street, Stevenston.

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

That prior to the commencement of the use hereby approved the applicant shall delineate

on the ground the car parking bays of 5m x 2.5m in dimension, as indicated on the plans submitted with this application, and clearly mark the spaces for customer use, all to the satisfaction of North Ayrshire Council as planning authority.

(b) N/01/98/0272 and N/01/98/0273: Saltcoats: Hamilton Street: Former La Scala Site

On 30th June 1998 the Sub-Committee agreed to continue consideration of the application by J. D. Wetherspoon plc, Wetherspoon House, Central Park, Reeds Crescent, Watford, for a Change of use from a former cinema to a public house at the former La Scala Cinema, Hamilton Street, Saltcoats to allow the Chair, Vice-Chair and local members to meet with the applicant, the objector and a representative of Strathclyde Police to discuss reservations expressed by local members and an objection from Spook Erection Ltd per Armstrong, Payne Associates, 35 Kay Street, Penrith, Cumbria.

The meeting took place on 11 August 1998 and members agreed to recommend to the Sub-Committee that consideration of the application be continued, and to seek from the applicant:-

- (a) Confirmation that the Public House will open only between the hours of 11.00 a.m. and 11.00 p.m. and that no extension to these hours will be sought.
- (b) Clarification of how the Public House will be serviced, in particular, the hours and days that it is intended that servicing will be from Hamilton Street; and other opportunities for servicing from the car park to the rear of the property.
- (c) Information about the proposed use of CCTV around the proximity of the premises and in neighbouring locations; and on the applicant's willingness to participate in a wider CCTV scheme.
- (d) Information on the proportions of activities within the building and on the maximum occupancy.
- (e) Confirmation of the provision of an agreement with the objector regarding the provision of a toilet facility for Saturday market traders.

The Principal Planning Officer advised that a response has not been forthcoming from the applicant.

The Sub-Committee agreed to continue consideration of the application to a future meeting to allow the applicant the opportunity to respond to the issues raised at the meeting on 11 August 1998.

3. Arran Local Plan Area

(a) N/01/98/0062: Kildonan: Breadalbane Hotel (camping site to east of)

On 26th May 1998 the Sub-Committee agreed to continue consideration of the application for outline planning permission by Mrs J A Lacey, Ailsa View, Kildonan, Isle of Arran, for the erection of 4 dwelling houses, a camping park manager's house and the provision of further camping park facilities at the Breadalbane Hotel (camping site to the east of), Kildonan, Isle of Arran to allow the Chair, Councillor Clarkson and the local member to visit the site. Objections have been received previously from 22 residents of Kildonan, Arran, Dr. and Mrs A Martin, per Greta N Roberts, 8 Main Road, Kilmarnock, Waterside and Arran Civic Trust, per H M MacLeod Cnoc Ranald, Brodick, Isle of Arran.

The site visit was held on 28th May 1998 and members agreed (a) that the applicant be asked to provide further information in the form of sketch plans, as well as the desk top study of the water supply and details of the intended provision for soakaways; and (b) that the Sub-Committee resume consideration of the application on the basis of a further report evaluating the additional information.

A further report evaluated the additional information provided in respect of the location of the facilities building, the layout of four dwellinghouses, the water supply and the treatment plants and soakaways

Having considered the terms of the objections, the site visit report and the report evaluating additional information provided by the applicant, 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 there shall be a single application for approval of the matters reserved by Condition 1 for the whole site.
- (3) That the matters reserved by Condition 1 shall include a phasing plan for the overall development.
- (4) That the four dwellinghouses at the west end of the site shall be developed in the form of a courtyard.
- (5) That the proposed new road serving the development shall be constructed to an adoptable standard, as detailed in the Roads Development Guide, prior to the occupation of any of the dwellinghouses.
- (6) That visibility splays of 2.5 metres by 60 metres at the junction with the coastal 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 1.05 metres measured above the adjacent carriageway level to the satisfaction of North Ayrshire Council as planning authority.
- (7) That prior to the submission of the matters reserved by Condition 1 the proposed borehole shall be formed and the supply proven to the adequate and wholesome and not to detrimentally affect existing water supplies in Kildonan, to the satisfaction of North Ayrshire Council as planning authority.
- (8) That prior to the submission of the matters reserved by Condition 1 details of the results of satisfactory percolation testing shall be submitted for the written approval of North Ayrshire Council as planning authority.
- (9) That there shall be no sewage outfall on to the foreshore and that the existing outfall shall cease to be used, and be removed and the foreshore restored to the satisfaction of North Ayrshire Council as planning authority within one month of the new sewerage arrangements being commissioned.
- (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 any 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.
- (12) That the occupation of the camping park manager's house hereby approved shall be limited to an employee of the camping site or a dependant of such a person residing with him or

her, or a widow or widower of such a person.

- 13) That prior to the commencement of the construction of the camping park manager's house hereby approved an application to occupy the existing manager's house without complying with the conditions limiting its occupation to an employee of the camping site shall be submitted to North Ayrshire Council as Planning Authority.

(b) N/01/98/0290: Lamlash: Monamore Burn (site to south of at seafront)

Colin Davidson, Tigh-an-Eilan, Lamlash, Isle of Arran has applied to erect 3 dwelling houses at Monamore Burn (site to south of at seafront), Lamlash, Isle of Arran. Objections have been received from M T McArthur, E McArthur, G Lang, W J Cowell, all of Cordon, Lamlash.

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

- (1) That a 2m wide sightline strip shall be provided and maintained along the entire frontage of the site with the public road with no obstructions to visibility over 1.05m above the adjacent carriageway level.
- (2) That the first 6 metres of the access shall be 5.5 metres in width.
- (3) That the first 2 metres of the access shall be hard surfaced in order to prevent deleterious material being carried onto the carriageway and designed in such a way that no surface water shall issue from the access onto the carriageway.
- (4) That prior to the occupation of any dwellinghouse a 9 metre by 2.5 metre lay-by shall be formed and surfaced in a bituminous material adjacent to the new driveway within Cordon Road.
- (5) That effluent disposal arrangement shall comply with the current code of practice BS6297:1983, to the satisfaction of North Ayrshire Council as planning authority.
- (6) That prior to the construction of the dwellinghouses the existing outfall crossing the site shall be located and, if necessary, diverted full details of which, together with arrangements for access for other parties, shall be submitted for the written approval of North Ayrshire Council as planning authority.
- (7) That prior to the construction of the dwellinghouses details of the sea defences and of how the design level recommended in the Flood Risk Assessment by Dr J F Riddell dated June 1998 will be achieved shall be submitted for the written approval of North Ayrshire Council as planning authority.
- (8) That prior to the construction of the dwellinghouses the sea defence wall shall be constructed to the satisfaction of North Ayrshire Council as planning authority.
- (9) 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 roofing material.

(c) N/01/98/0306: Lochranza: Burnside Cottage (site to south of)

West of Scotland Water, 206 St. Vincent Street, Glasgow have applied for planning permission to erect a water treatment building at Burnside Cottage (site to the south of), Lochranza, Isle of Arran. Objections have been received from A J McAllister on behalf of Mrs R McAllister, Fasgadh, Mrs Jean Kinloch, Ashbank, Margaret Strang, Ashbank, Arthur Poole, Old Ladeside, A C Schlund, Rockbank, Lorna Hallyburton, Ar-Fearann, all of Lochranza and Lochranza and Catacol Community Association. A verbal objection was also received from Isle of Arran Community Council.

Having considered the terms of the objections the Sub-Committee agreed subject to no additional grounds of objection being received before the expiry of the statutory advertisement, to grant the application subject to the following conditions:-

- (1) That the existing frontage boundary hedge shall be lowered over its full length to a height not greater than 1.05 metres above the adjacent carriageway level, and shall be maintained at that height thereafter, to the satisfaction of North Ayrshire Council as planning authority.
- (2) That the first 5 metres of the access, shall be hard surfaced in order to prevent deleterious material being carried onto the carriageway and designed in such a way that no surface water shall issue from the access onto the carriageway.
- (3) That the development shall be carried out entirely in accordance with the approved drawings and with the information given by West of Scotland Water in letter dated 26 June 1998 and 21 July 1998, unless North Ayrshire Council as planning authority gives written consent to any variation.

4. Irvine/Kilwinning Local Plan Area

(a) N/01/98/0192: Kilwinning: Torransyard: Tynepark Leisure Complex (entrance gate)

Tynepark Ltd, Tynepark Leisure Complex, Torransyard, Kilwinning have applied for planning permission to erect a managers house at that address. Objections have been received from Mrs M Drysdale, Rodburn Cottage and C McClung, Laigh Auchenhavie, Kilwinning.

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

- (1) That the occupation of the dwellinghouse hereby approved shall be limited to the manager of the Tynepark Leisure Complex, Torransyard, or a dependant of such a person residing with him or her, or a widow or widower of such a person.
- (2) That prior to the commencement of the development the applicant shall submit for the written approval of North Ayrshire Council as planning authority samples of the proposed external finishes.
- (3) That the foul drainage shall be connected to the existing treatment plant.

(b) N/01/98/0327: Irvine: New Street: Riverway Retail Park (Car Park Area)

Pillar Property plc, Landsdowne House, Berkeley Square, London have applied for planning permission to erect two restaurants, one a drive-thru, and to form associated car parking at Riverway Retail Park (car park area), New Street, Irvine.

The Sub-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 samples of the proposed external finishes.
- (2) That the parking spaces between Units 1, 1A, 2-5, 8 and the spine road through the car park, located to the immediate east of the proposed restaurants, shall be reserved for use by customers of the retail units only.
- (3) That the new connecting footpath from the car park behind Unit 1 should be formed prior to the commencement of any works to form the proposed restaurants.
- (4) That signs shall be erected indicating the existence of the overflow car park behind Unit 1 at positions to be agreed in writing with North Ayrshire Council as planning authority prior to

the commencement of any works.

- (5) That all road markings shall be a white thermoplastic material.
- (6) That within three months of the date of this permission, full details of the proposed landscaping scheme shown on the approved site plan, which shall include details of species, planting densities, soil treatment and aftercare, shall be submitted for the approval in writing of North Ayrshire Council as planning authority.
- (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.

5. North Coast and Cumbraes Local Plan Area

(a) N/01/98/0309: Fairlie: 10 Kelburn Terrace

Mr J Fisher, 53 Main Road, Fairlie has applied for planning permission to erect a dwelling house at 10 Kelburn Terrace, Fairlie. An objection has been received from Miss R Haddigan, 49 Main Road, Fairlie.

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

- (1) That notwithstanding the permission granted by Article 3 of Classes 1 and 3 of Part 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.
- (2) That the former workshop which is to be retained shall be used only for purposes incidental to the enjoyment of the dwellinghouse.

(b) N/01/98/0334: West Kilbride: 49 Main Street

Mr M Gillies, 13 Weston Terrace, West Kilbride has applied for a change of use from a shop to a dwellinghouse at 49 Main Street, West Kilbride. Objections have been received from John Gibson, 47 Main Street, Colin and Yvonne Davis, 47 Main Street, both of West Kilbride and West Kilbride Community Council.

Having considered the terms of the objections, the Sub-Committee agreed subject to no new objections being received before the expiry of the statutory advertisement, to grant the application subject to the following conditions:-

- (1) That the roof of the proposed dwellinghouse shall be clad with Redland Saxon slates, colour slate blue, or an acceptable alternative a sample of which shall be submitted for the written approval of North Ayrshire Council as planning authority prior to the commencement of the development.
- (2) That prior to the commencement of the development the applicant shall submit for the written approval of North Ayrshire Council as planning authority full details of (i) the proposed skew finish to the east gable; and (ii) the proposed fenestration details.

(c) N/01/98/0343: Skelmorlie: 7 (site to east of) The Crescent

Miss Y Thomson, per Miss O Thomson, 18 Broughton Street, Edinburgh has applied for outline planning permission to erect a dwelling house and garage at 7 The Crescent, Skelmorlie. An objection has been received from J N Pratt, Skelmorlie Cottage, 14 The Lane, Skelmorlie.

Having considered the terms of the objection, 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 the design of the proposed dwellinghouse shall incorporate detailing and finishes to reflect the character and appearance of the older buildings in the vicinity.
- (3) That prior to the construction of the dwellinghouse a 4.5m radius corner incorporating a footway to tie in with the existing footway, shall be formed at the corner of The Lane and Sandybrae Road.
- (4) That vehicle access to the site shall be 6m in width and shall be located at the north end of the site boundary with The Lane.
- (5) That prior to the occupation of the house a vehicle turning area shall be provided within the site to the satisfaction of North Ayrshire Council as planning authority.
- (6) That no trees or hedges on the site shall be felled or lopped without the prior written approval of North Ayrshire Council as planning authority.
- (7) That the stone wall along the south and east boundaries of the site shall not be altered or demolished without the prior written approval of North Ayrshire Council as planning authority.

(d) N/01/98/0346: Largs: Irvine Road: Broomcliffe (ground to east)

William Muir, Broomcliffe, Irvine Road, Largs has applied for planning permission to erect a dwelling house and garage at that address. A petition of objection has been received from residents of Nos. 1 - 6 Broomcliffe (inclusive) and No. 8 Broompark, Irvine Road, Largs, and a letter of objection has also been received from Mr and Mrs & Wright, Fairways, Irvine Road, Largs.

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

- (1) That the proposed development would detract from the amenity and appearance of the area in that it would result in the removal of trees which form an effective screen to the trunk road and an attractive setting for existing developments.
- (2) That the proposed development would be contrary to policy FAR5 of the North Coast and Cumbraes local plan in that it would result in the loss of trees within the Tree Preservation Order Largs No. 3.
- (3) That the proposed dwellinghouse would be detrimental to the character and amenity of the area and would not be in keeping with other developments in the vicinity by reason of its scale, design and external appearance.
- (4) That the proposed development would be detrimental to the safety and free flow of traffic on the trunk road in that it would increase the number of vehicles entering and leaving the traffic stream at a point where visibility is restricted, as advised by SODD Roads Directorate.

(e) N/01/98/0364: Skelmorlie: Eglinton Terrace, Westwood (site to the south of)

Mrs M S Dobbie, 12 Kelvin Walk, Largs has applied for planning permission to erect a

dwellinghouse at Westwood, Eglinton Terrace, Skelmorlie. Objections have been received from Mr & Mrs B Hector, Carn Dearg, Eglinton Terrace, Mrs Greenhalgh, Strathclyde Cottage, Shore Road, both of Skelmorlie and a petition with the signatures of 8 residents in Shore Road, 6 flat owners at Red Sails, 29A Shore Road, and the proprietors of two nearby dwellinghouses in Shore Road, Skelmorlie.

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

- (1) That visibility splays of 2.5m x 60m at the junction of the proposed driveway with Eglinton Terrace shall be provided and maintained on land within the applicant's control, such that there is no obstruction to visibility above a height of 1.05 metres measured above the adjacent carriageway level to the satisfaction of North Ayrshire Council as planning authority.
- (2) That prior to the commencement of the development the applicant shall submit for the written approval of North Ayrshire Council as planning authority a revised site plan showing (i) the vehicle access relocated to achieve the sightline requirement stipulated in Condition 1 above; and (ii) the provision of a vehicle access crossing in accordance with Chapter 10:8 of the Roads Development Guide rather than the junction detail shown on the submitted plan.
- (3) That foul drainage from the development shall be connected to the public sewerage system and prior to the commencement of the development the applicant shall submit for the written approval of North Ayrshire Council full details of the proposed foul drainage pipe route, means of affixing the pipe to the cliff face and measures to minimise the visual impact of the pipe against the cliff face.
- (4) That the tree planting proposals comprised in the details of landscaping approved under outline planning permission No. 01/96/0578 dated 20/3/97 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 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 no development shall take place until there has been submitted to and approved by North Ayrshire Council as planning authority details of measures for the protection of the existing trees in the course of the development.
- (6) That no trees or hedges on the site shall be felled or lopped without prior written approval of North Ayrshire Council as planning authority.
- (7) 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.

The meeting ended at 10.20 a.m.