

Development Control Sub Committee
8 September 1998

Irvine, 8 September 1998 - At a Meeting of the Development Control Sub-Committee of North Ayrshire Council at 10.30 a.m.

Present

Samuel Gooding, David Munn, Jack Carson, James Clements, Margaret Highet, Elizabeth McLardy, Margaret Munn, Robert Reilly.

Also Present

Irene Oldfather and Samuel Taylor.

In Attendance

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

Chair

Mr Gooding in the Chair.

Apologies for Absence

Ian Clarkson, John Sillars and Richard Wilkinson

1. Ardrossan/Saltcoats/Stevenston Local Plan Area

a) N/01/98/0246: Ardrossan: North Crescent Road: Public Toilet

Mr J Ward, 92 Eglinton Road, Ardrossan has applied for a Change of use and alternations to the existing public toilet at North Crescent Road, Ardrossan to form a tea room with toilet facilities. Objections have been received from Mr N Wanless, 98 Eglinton Road, Mr M Pellegrini, 6a Red Gables Square and Mr R Reid, 1b Red Square, all of Ardrossan.

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 notwithstanding the permission granted by Article 3 and Class 10 of Part 3 of Schedule 1 of the town and Country Planning (General Permitted Development)(Scotland) Order 1992 (or any Order revoking or re-enacting that Order) the express approval of North Ayrshire Council as planning authority shall be required in respect of any change of use of the premises.

(2) That the premises shall be used for the purposes of a tearoom with ancillary sales and public toilet and for no other purpose.

(3) That the use hereby permitted shall not operate between the hours of

1900 in any day and 0800 the following day.

(4) That prior to the commencement of the use hereby permitted the applicant shall fully implement the proposed car parking and access arrangements and shall mark the parking bays for customer use using white thermoplastic material to the satisfaction of North Ayrshire Council as planning authority.

b) N/01/98/0388: Ardrossan: Dalry Road: 5 Mill Farm (site to east of)

Mr and Mrs B Quinn, 5 Mill Farm, Dalry have applied to erect a dwellinghouse at the site to the east of that address.

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

(1) That the proposed development would be contrary to Policy CAT1 of the approved Strathclyde Structure Plan in that it cannot be justified against the criteria of Policy CAT1A, with regard to "specific locational need".

(2) That the proposed development would be contrary to Policy R8 in the adopted Ardrossan, Saltcoats and Stevenston Local Plan in that there is not considered to be an identified occupational need for the applicant to live on the site.

(3) That the proposed development would be detrimental to the interests of road safety in that the existing junction location, sightlines and geometry are sub-standard and the applicant has not demonstrated that he has the necessary control of the land to enable the required improvement to be carried out.

2. Arran Local Plan Area

a) N/01/98/0342: Brodick: Boathouse

Mr R Moss, The Orwin, Brodick, Isle of Arran has applied for a continuation of use of building at the Boathouse, Brodick, Isle of Arran as a boat hire/cycle hire/retail shop.

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

(1) That the building hereby permitted shall be removed and the land restored to its former condition on or before 30 September 2003.

(2) That the planning permission hereby granted shall enure not for the benefit of the land to which it relates but for the benefit of the applicant only.

b) N/01/98/0352: Whiting Bay, Bay Garage

Mr G Lammie, Bay Garage, Whiting Bay, Isle of Arran has applied for planning permission for a new 600 gallon (nominal) above ground diesel road fuel storage tank and associated forecourt pump at that address. Objections have been received from Mrs W Murray, St. Amand flat, Sandbraes and J. B. Steed, Bay Stores, Shore

Road, both of Whiting Bay, Isle of Arran.

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

That prior to the commencement of the development proposals for landscaping to screen the proposed diesel tank including implementation, shall be submitted for the written approval of North Ayrshire Council as planning authority.

c) N/01/98/0409: Brodick: Charter Towers/Cora Lynn

The Sub-Committee noted that the application by C U Developments, 6 Woodside Place, Glasgow for the erection of 13 houses (amendment to previous consent) at Charter Towers/Cora Lynn, Brodick, Isle of Arran had been continued to a future meeting to allow the submission of amended plans.

3. Garnock Valley Local Plan Area

a) N/01/98/0187: Beith: Brownmuir Castle

M. & J. Lamont, Townend of Shutterflat, Beith have applied for outline planning permission for the erection of a farm cottage and barn at Brownmuir Castle, Beith.

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 occupation of the dwelling shall be limited to a person solely or mainly employed, or last employed, in the locality in agriculture as defined in Section 277 of the Town and Country Planning (Scotland) Act 1997 or in forestry, or a dependant of such a person residing with him or her, or a widow or widower of such a person.

(3) That visibility splays of 2.5m x 60m 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.

(4) That the septic tank shall be designed and constructed in accordance with the current code of practice BS6297: 1983.

(5) That no development shall take place until a soil porosity test has been carried out to the satisfaction of North Ayrshire Council as planning authority.

(6) 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.

b) N/01/98/0195: Beith: Knowes Farm (north of landfill site)

J. E. M. Estates, Strandhead, The Strand, Beith have applied for planning permission for land improvements including the formation of an access road, stripping soil, raising ground level and reinstating soil at Knowes Farm, Beith.

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

- (1) That the work hereby permitted shall be discontinued and the site fully restored on or before 31 August 2001.
- (2) That the top soil and sub soil shall be removed to a depth no greater than 1m.
- (3) That the infill material shall not exceed the average depth of 1.2m for each phase.
- (4) That prior to the commencement of work on each phase the applicant shall submit for the written approval of North Ayrshire Council as planning authority full details of the location, scale and appearance of all top soil and sub soil mounds.
- (5) That the site shall be worked in six sequential phases and no work shall commence on a new phase until the previous phase is filled and the soil restored.
- (6) That prior to the commencement of the development the applicant shall submit for the written approval of North Ayrshire Council as planning authority an Engineer's Report on the capability of the railway culvert to deal with increased flows arising from modified flood plain and the increased rate of run off from the improved land drainage site.
- (7) That the method of soil stripping, storage and land restoration and aftercare shall, with the exception of phasing, overall duration of works and depth of material, be in accordance with the specifications set out in the report dated 3 April 1998 submitted as part of the planning application.
- (8) If it becomes necessary or expedient during the continuance of the operations hereby permitted to amend or abandon the operations, the applicant shall submit for the written approval of North Ayrshire Council as planning authority proposals, plans and a statement of intentions.

4. Irvine/Kilwinning Local Plan Area

a) N/01/98/0336: Irvine: 35 (site to north of) Wilson Avenue

A. Arcaro, 89 Paterson Avenue, Irvine has applied for outline planning permission for the erection of 2 two storey semi detached dwelling houses at 35 Wilson Avenue (site to the north of), Irvine. Objections have been received from W. Copland, 28 Wilson Avenue, Camerons on behalf of C & E Cameron, 35 Wilson Avenue, Irvine and a petition of 34 signatures of residents from mainly Wilson Avenue, Irvine.

Having considered the terms of the objections, 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 improvements to parking provision within the ground as detailed in the letter of 26th August 1998, and plans provided by the Irvine Meadow Football Club, shall be implemented prior to the construction of the houses, and a further area of parking for a minimum of four cars formed of compacted material shall be provided on the east side of the access road next to the ground, details of which are to be submitted and agreed with North Ayrshire Council as planning authority.

(3) That a 2m wide hard-surfaced footway with kerb edging shall be constructed along the frontage of the site prior to the occupation of the houses to the satisfaction of North Ayrshire Council as planning authority.

(4) That a minimum parking provision of two spaces per house shall be provided prior to the occupation of the houses.

b) N/01/98/0349: Kilwinning: Eglinton Park Factory Units

Hillsdown Holdings, 32 Hampstead High Street, London have applied for planning permission for the partial demolition of industrial units at Eglinton Park Industrial Unit, Kilwinning.

Following discussion, the Sub-Committee agreed to grant the application subject to the following conditions:-

(1) That there shall be no burning of material on the site.

(2) That all demolition material shall be disposed of at an authorised site.

(3) That any making good required to the remaining buildings shall be carried out using matching finishing materials to the satisfaction of North Ayrshire Council as planning authority.

(4) That prior to the commencement of work on the site the applicant shall submit for the approval of North Ayrshire Council as planning authority details of a close boarded timber fence to be erected along the north-east, south-east and south of the site which shall be erected within one month of the commencement of work.

c) N/01/98/0362: Irvine: 2 Livingstone Terrace

Mr and Mrs Walker, 2 Livingstone Terrace, Irvine have applied for planning permission for an extension to a dwelling to form a garage, kitchen and utility room, bedroom and shower room at that address. Objections have been received from M. Finnie, 53 Ravenscroft and D. & E. Moore, 54 Ravenscroft, Irvine.

Having considered the terms of the objections, 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 details of the proposed external finishes.

(2) That the steel container shall be removed from the rear garden prior to the occupation of the extension.

d) N/01/98/0399: Irvine Boyle Street: site to the north of Kingdom Hall

Cunninghame Housing Association, 82-84 Glasgow Street, Ardrossan have applied for planning permission to erect a hostel featuring 27 integral flats, a kitchen, lounge and office facilities and associated parking at the site to the north of Kingdom Hall, Boyle Street, Irvine. Objections have been received from Irvine Victoria Football Club, Irvine and North Ayrshire Women's Aid

Following discussion and having considered the terms of the objections, 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 details of the proposed external finishes.

(2) That no development shall take place until there has been submitted to and approved by North Ayrshire Council as planning authority a scheme of landscaping, which shall include details of species, planting densities, soil treatment and aftercare and shall include indications of all existing trees and hedgerows on the land and details of any to be retained together with measures for their protection in the course of the development.

(3) That all planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting season and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which, within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a

similar size and species, unless North Ayrshire Council as planning authority gives written consent to any variation.

(4) That a minimum parking provision of 6 spaces shall be provided prior to the occupation of the hostel.

(5) That a 1.8m high concrete post and metal fence shall be erected along the rear (east) boundary prior to the occupation of the hostel.

e) N/01/98/0401: Irvine: 7 Quarry Road

Kwik Fit Properties Ltd, 17 Corstorphine Road, Edinburgh have applied for planning permission to demolish the existing building and erect a Motorist Centre at 7 Quarry Road, Irvine. A petition of 47 signatures from households in Crocus Grove and Murchland Way, Irvine and a letter from the Secretary of "the Christadelphian Ecclesia".

Having considered the terms of the objections 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 details of the proposed external finishes.

(2) That no development shall take place until there has been submitted to and approved by North Ayrshire Council as planning authority a scheme of landscaping, which shall include details of species, planting densities, soil treatment and aftercare and shall include indications of all existing trees and hedgerows on the land and details of any to be retained together with measures for their protection in the course of the development.

(3) That all planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting season and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which, within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless North Ayrshire Council as planning authority gives written consent to any variation.

(4) That the new footway, footway crossing and parking shall be formed prior to the commencement of the use as motorists' centre.

(5) That there shall be no external storage of waste materials.

(6) That all operations to vehicles shall be carried out within the building.

(7) That prior to the completion of the development the surplus area identified on the site plan within the site shall be treated in accordance with the approved

landscaping scheme.

(8) That prior to the commencement of any works, full details of the treatment of the site boundaries shall be submitted for the approval in writing of North Ayrshire Council as planning authority and erected prior to the commencement of the use of the building as a motorists' centre.

5. North Coast and Cumbraes Local Plan Area

a) N/01/98/0386: Seamill: Ardrossan Road: Seaview Caravan Park (site to south of)

Mr I McClain, Lanesend, Crosbie, West Kilbride has applied for a Change of use of vacant ground to form an extension to the caravan park and siting of three holiday static caravans at Seaview Caravan Park, Ardrossan Road, Seamill. An objection has been received from West Kilbride Community Council.

Having considered the terms of the objection 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 full details of proposals for the reinstatement of the caravan park boundary enclosure adjacent to the beach.

(2) That single unit caravans only shall be stationed on the site.

(3) That the drainage from the development shall be to the satisfaction of SEPA and North Ayrshire Council as planning authority and 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 drainage arrangements.

b) N/01/98/0414: Largs: 40-42 Charles Street

North Ayrshire Developments, The Lodge, Irvine Road, Largs have applied to modify existing approvals: (a) to create a external door and two ground floor windows; and (b) alterations to west dormer (retrospective). Objections have been received from Mr H McAuley, 38 Charles Street and Mr & Mrs W Cowan, 1 Lovat Street, both of Largs.

After discussion the Sub-Committee agreed to continue consideration of the application to allow the Chair, Vice-Chair and local member to visit the site and report to a future meeting.

6. Urgent Item

The Chair agreed to hear the following urgent item.

7. Kilwinning, 3 Oxenward Road: Unauthorised Use as a Doctors Surgery

Submitted report by the Legal Services Manager on the proposal to serve an Enforcement Notice and Stop Notice on the owner and occupier of the Doctors Surgery within the curtilage of 3 Oxenward Road, Kilwinning.

The owner of the premises at 3 Oxenward Road, Kilwinning has applied for planning permission to change the use of these premises from a vacant public house and restaurant to a Doctors Surgery, but prior to the application being determined the applicant has erected portacabins and temporary fencing within the curtilage of the premises which are now being operated as a Doctors Surgery. Having inspected the site, officers of the Planning, Roads and Environment directorate were of the opinion that traffic generated by patients using the new Surgery could give rise to a conflict between pedestrian and vehicular movement in the limited parking area between the rear of the supermarket and the Doctors Surgery, and could therefore present a danger to members of the public.

Discussion followed on the likely pedestrian and vehicular traffic generated by the previous use of the premises and the Doctors' Surgery. Statistical information was provided to the Sub-Committee by the local member on the number of vehicles entering the car park as well as a indication of the mode of transport used by a number of people visiting the Doctors Surgery which had been gathered by the operator of the temporary barrier erected to the rear of the supermarket. These statistics showed that of the 59 people who registered at the surgery over a one day period and who agreed to confirm their mode of travel, 7 stated that they had come by car with the remainder walking. Over the same period 61 cars had used the car park and 12 of these were observed to have had business at the surgery.

Contrary to the terms of the report, the Sub-Committee took the view that the use of these premises as a Doctors Surgery would not generate any further pedestrian or vehicular traffic materially different from that generated by the previous use of the premises and would not therefore present a danger to members of the public.

The Sub-Committee declined to authorise service of an Enforcement Notice and Stop Notice on the owner and occupier of the Doctors Surgery within the curtilage of 3 Oxenward Road, Kilwinning.

The meeting ended at 12.15 p.m.