

Planning Sub Committee of Corporate Services Committee
7 April 2003

IRVINE, 7 April 2003 - At a Meeting of the Planning Sub Committee of the Corporate Services Committee of North Ayrshire Council at 2.00 p.m.

Present

David Munn, Robert Reilly, Jack Carson, Ian Clarkson, Jane Gorman, Alan Hill, Elizabeth McLardy, Elisabeth Marshall, John Moffat, Margaret Munn, Alan Munro, David O'Neill, Robert Rae, John Reid and John Sillars.

In Attendance

I. T. Mackay, Assistant Chief Executive, A. Fraser, Manager Legal Services, M. Lee and W. Stewart, Senior Development Control Officers (Legal and Protective); R. Forrest, Planning Services Manager (Development and Promotion); M. McKeown, Corporate and Democratic Support Officer and A. Wattie, Communications Officer (Chief Executive's).

Chair

Councillor Munn in the Chair.

Apologies for Absence

John Donn and Samuel Gooding.

1. Arran Local Plan Area

1.1 N/02/00548/OPP: Kildonan: Site 2 to the West of Drimlabarra Croft

Mr and Mrs Connacher, c/o Robert N. Brass & Associates, Invercloy House, Brodick, Isle of Arran, have applied for outline planning permission for the erection of a dwellinghouse at site 2 to the west of Drimlabarra Croft, Kildonan, Isle of Arran. A representation has been received from J. Roberts, Arran Civic Trust, 3 Glen Place, Brodick, Isle of Arran.

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

1. That the proposed development would be contrary to the terms of Policy HOU4 of the adopted Isle of Arran Local Plan in that it would constitute development which would not reflect the form and character of the existing settlement at Kildonan, would be unrelated to existing buildings and would add to ribboning along the public road on which the site has a frontage.

2. That the proposed development would be contrary to Policy ENV1 of the finalised Isle of Arran Replacement Local Plan in that the development would be located outwith the settlement boundary of Kildonan, as shown on the proposals map, in an area designated as Countryside where the policy seeks to restrict residential development to situations where a genuine operational need for a worker to live on the site has been demonstrated, where the proposal would be closely associated with existing buildings and where occupancy would be restricted to persons employed in agriculture, forestry or similar rural activity or in the business to which the dwellinghouse would be related.
3. That, if granted, the proposed development would set a damaging precedent for further sporadic development along the public road in the vicinity of the site which would be detrimental to the character of Kildonan and be injurious to the amenity of the area.

1.2 N/02/00811/PP: Shiskine: Site to the West of Balmichael Farm House

Mr Neil Currie, Birchburn, Shiskine, Isle of Arran, has applied for planning permission for a change of use of agricultural land to form a helicopter landing site at a site to the west of Balmichael Farmhouse, Shiskine, Isle of Arran. Objections have been received from J. & E. McMaster, Shiskine Valley Goat Dairy, Bloomfield Farm, Little Balmichael, Shiskine, J. Roberts, Arran Civic Trust, 3 Glen Place, Brodick, F. Irish, Balmichael Bridge Cottage, Shiskine, J. & J. Thomas, Calanachaidh, Kilmory, S. C. Gibbs, the Estate Office, Dougarie, Mr D. Ure, Little Balmichael House, Nr Shiskine, of Arran, The Mountaineering Council of Scotland, The Old Granary, West Mill Street, Perth, The National Trust for Scotland, Greenbank House, Flenders Road, Clarkston, Glasgow and S. Noren, Studio 8, UPPSALA, Sweden.

The Sub Committee, having considered the terms of the objections, agreed to grant the application subject to (a) the applicant entering into an agreement in terms of Section 75 of the Town and Country Planning (Scotland) Act 1997 providing for (i) a minimum flying height across the island and across Bloomfield Farm and (ii) a no-fly zone over that part of the Northern Mountains SSSI to the east of Glens Iorsa and Easan Biorach; and (b) the following conditions:-

1. 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.
2. This planning permission is for a temporary period until 30th April 2008 and on the discontinuance of the use, the original use shall be resumed and the site shall be restored to its former condition.
3. The proposed helicopter operations from the site shall be restricted to a single, piston engined aircraft.
4. The exact position and details of the fuel storage area and associated bunding shall be submitted to and agreed in writing with North Ayrshire Council or Planning Authority, prior to any helicopter operations commencing from the site.

5. The approved fuel storage and bunding details agreed under condition 4 shall be installed and fully operational in accordance with the agreed details, prior to any helicopter operations commencing from the site.
6. The helicopter operations hereby approved shall not operate between 20:00 hours and 08:00 hours.
7. Details of any drainage/sewerage disposal scheme associated with this operation shall be submitted to and approved in writing, prior to installation.

2. Ardrossan/Saltcoats/Stevenston Local Plan Area

2.1 N/01/00753/OPP: Ardrossan: Montgomerie Street: Ardrossan Harbour

Clydeport Plc, have applied for outline planning permission for a mixed-use development including retail, housing, marina, restaurant, port and related uses, an extension to the industrial estate, a relocated car showroom, and public open space, and for a change of use of the former pumphouse to form a restaurant, at Ardrossan Harbour, Ardrossan. An objection has been received from Railtrack together with a representation from Tesco Stores per R.D.P.C., PO Box 8050, Edinburgh.

The Sub Committee, having considered the terms of the objection, agreed:-

(a) to grant the application subject to the applicant entering into an agreement in terms of Section 75 of the Town and Country Planning (Scotland) Act 1997 to secure (i) the provision of off-site traffic measures to secure road improvements and other related access arrangements and (ii) to provide for safety considerations at existing level crossings (an amended addendum 2 setting out the terms of the proposed agreement was tabled), and 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 no construction works shall take place on the former Shell site until a series of tests for ground contamination have been carried out in accordance with a method approved by the Planning Authority and remediation work considered necessary by the Planning Authority as a result of these tests has been carried out to their satisfaction.
3. That prior to the commencement of the development on the former Shell site, the applicant shall submit for the written approval of the Planning Authority proposals for preventative measures to be carried out to reduce the risk of flooding and which shall also include proposals for improvements to coastal defences and the reservation of a 5m wide strip of land for future access for maintenance of the coastal defences, all of which shall be fully provided prior to the commencement of any works on this part of the site.

4. That prior to the commencement of the residential development proposed at Eglinton Dock and Dock Road, the applicants shall submit proposals for the reservation of ground to accommodate flood return walls.
5. That prior to the commencement of any use hereby approved the applicant shall submit for the written approval of the Planning Authority proposals in relation to the overall drainage strategy for the site together with a programme for its implementation.
6. That prior to the commencement of the development of the former Shell site, the applicants shall submit for the written approval of the Planning Authority full details for the provision of an acoustic barrier along its boundary with the Harbour Industrial Estate and which barrier shall be fully provided to the satisfaction of the Planning Authority prior to the occupation of any dwellings within the former Shell site.
7. That comparison goods sold in the supermarket hereby approved shall be restricted to a maximum of 10% of the sales area.
8. That prior to the commencement of the development of the former Shell site the applicant shall submit for the written approval of the Planning Authority proposals for the provision of a promenade/walkway linking North Crescent Road to Eglinton Dock together with proposals for its implementation.
9. In relation to condition 1, above, relating to access the applicant shall take account of the following: i) vehicle access from the former Shell site onto North Crescent Road shall be taken via a new junction located approximately 40m distant from its junction with Harvey Street which access shall be constructed prior to the occupation of any of the houses within the former Shell site; ii) access to the residential development in the former Shell site from Montgomerie Street shall be provided via a new roundabout junction as indicated in diagram 4 of Dougall Baillie Associates revised transportation assessment of March 2003 which roundabout shall be constructed prior to the commencement of the development of the former shell site; iii) access to the retail development/marina shall be via a new roundabout junction of Harbour Road as indicated in diagram 5 of Dougall Baillie Associates revised transportation assessment of March 2002 which roundabout shall be constructed prior to the commencement of any supermarket development, and that Bute Place shall only be utilised to provide vehicle access to service vehicles serving the supermarket; iv) provision is made for a cycleway from the northern end to the southern end of the Shell site; v) that a new T junction shall be formed to provide improved access to Harbour Industrial Estate; vi) the car sales complex hereby approved shall front and take vehicle access from Dock Road and that no vehicle access shall be taken from Princes Street; and vii) all new roads, car parking and cycle provision in relation to all components of the proposed development shall be in accordance with the Council's Road Guidelines but that car parking provision shall not exceed the Scottish Executive's maximum car parking standard unless supported by written justification.

10. That the supermarket development hereby approved shall not commence until the Stopping-Up Order for Dock Road, Harbour Street (part), Herald Street and Harbour Place has been approved;

(b) to promote a Stopping-Up Order under Section 207 of the Town and Country Planning (Scotland) Act 1997 for Dock Road, Harbour Street (Part), Herald Street and Harbour Place, Ardrossan, in order to facilitate the development of the supermarket approved under this permission; and (c) to recommend to the Property Services Committee that consideration be given to the promotion of a Traffic Regulation Order to improve the safety and free flow of traffic in the vicinity of the development at Caledonia Road (part), Dalry Road, Eglinton Road and Princes Street, Ardrossan.

2.2 N/01/00836/OPP: Saltcoats: High Road: Tesco Stores Ltd

Tesco Stores Ltd, Cirrus Building, Shire Park, Welwyn Garden City, Herts, have applied for outline planning permission for the erection of a supermarket and the formation of car parking, access and servicing at Tesco Supermarket, High Road, Saltcoats. Objections have been received from Mr and Mrs W Long, Mayfield Farm, Stevenston per J. D. Bannatyne and Campbell, Solicitors, Stevenston, Clydeport Plc per MacInally Associates, Planning Consultants, Glasgow, Sommerfield Stores Ltd per Roger Tym and Partners, Planning Consultants, Glasgow, Safeway Stores Ltd per D. T. Z. Piedad, Consulting, Edinburgh. A petition of 1064 signatures in support of the application has also been received subsequent to the papers for the meeting being issued.

The Principal Planner advised that a letter dated 7th April 2003 had been received from the applicant withdrawing the application.

Noted.

2.3 N/02/00188/PP: Stevenston: Kilwinning Road: Safeway Stores Plc

Safeway Stores Plc, 21 Melford Road, Bellshill, have applied for a Class 1 extension to an existing store for additional sales (comparison goods) and ancillary floorspace, for an alteration to the existing petrol filling station, and for the formation of additional car parking at the Safeway Superstore, Hawkhill Retail Park, Stevenston. An objection has been received from Mr T. Kelso, 16 Barra Place, Stevenston. A representation has also been received from Tesco Stores per R.D.P.C., PO Box 8050, Edinburgh.

The Sub Committee, having considered the terms of the objection and representation, agreed to grant the application subject to (a) a satisfactory consultation response from S.E.D.D. Roads; and (b) the following conditions:-

1. That the additional sales area hereby approved shall be limited to the sale of comparison goods only.

2. That prior to the commencement of the development hereby approved the applicant shall submit for the written approval of the Planning Authority, proposals for the improvement and long term maintenance of the linear park.
3. That the additional car parking area shall be fully constructed and available for use prior to the commencement of the use of the extension hereby approved.
4. 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.

2.4 N/03/00132/PP: Stevenston: 13 Highfield Drive

Mr R. Scott, 13 Highfield Drive, Stevenston, has applied for planning permission for an extension to the rear of the property at that address to form a dining area, utility room and enlarged kitchen. An objection has been received from M. Craig, 15 Highfield Drive, Stevenston.

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

1. That notwithstanding the plans hereby approved, permission is not granted for the use of artificial slates on the extension roof and the extension shall be finished in concrete roof tiles to match the existing house roof.
2. That notwithstanding the plans hereby approved the windows on the side elevation of the extension, adjacent to the boundary with number 15 Highfield Drive, shall be obscurely glazed.
3. That prior to work commencing on site, details of a working method for the construction of the eastern side wall of the extension hereby approved shall be submitted to, and approved in writing by, the Planning Authority.

3. Garnock Valley Local Plan Area

3.1 N/02/00752/PP & N/03/00069/LBC: Beith: 72 Eglinton Street

W. Ahmed, 158 Eastwoodmains Road, Glasgow, has applied for (i) planning permission for a sub-division of the dwellinghouse at 72 Eglinton Street, Beith, to form a basement flat and (ii) listed building consent for alterations to the rear elevation of that dwellinghouse to form a new entrance door, and for internal alterations to form a self contained flat within the existing basement/storage area. Representations have been received from Ms J. Nixon, First Floor Flat, No. 72 Eglinton Street, Beith and D. Collin, Alba Letting Ltd, 122 Strathmore Road, Glasgow, together with a petition/letters from the residents of Nos. 72, 74, 76 and 85 Eglinton Street, Beith.

The Sub Committee, having considered the terms of the representations agreed to

(a) refuse the planning application on following grounds:-

1. That the proposed conversion of basement accommodation to a flat without natural light to all rooms would not provide the level of amenity appropriate to modern living conditions;

and (ii) refuse the listed building consent on the grounds:-

1. That the proposed alterations would be an unnecessary alteration to the listed building in view of the refusal of application reference no 02/000752/PP for the conversion of basement accommodation into a separate flat and would adversely affect its original features.

3.2 N/03/00104/PP: Dalry: The Stables, Laigh Dykehead

Mr T. Coutts, The Stables, Laigh Dykehead, Dalry, has applied for planning permission for an extension to the dwellinghouse at that address to form a swimming pool, entrance porch, bedroom with dressing room and en-suite facilities, sauna, fitness area, study, bar, steam shower room and guest bedroom with en-suite facilities, and for the erection of 2 satellite dishes. An objection has been received from Marella, Hugh and Nicholas O'Neill, Leigh Dykehead Farmhouse, Dalry.

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

1. That foul drainage from the existing house and proposed extension shall comply with current Code of Practice BS6297: 1983 to the satisfaction of SEPA and North Ayrshire Council as Planning Authority, which may involve upgrading the existing septic tank and soakaway arrangements.
2. That drainage from the swimming pool, including filtered backwash water shall not be connected to the existing septic tank and prior to the commencement of the development the applicant shall submit for written approval of North Ayrshire Council as Planning Authority full details of the proposed drainage arrangements for the swimming pool.

4. Irvine/Kilwinning Local Plan Area

4.1 N/02/00616/PP: Irvine: Site to the East of Montgomerie Cottage

Mr F. Fenwick, c/o the mobile home adjacent to Montgomerie Cottage, Lochlibo Road, Doura, by Irvine, has applied for planning permission for an extension to the stables at that address and for the siting of mobile home at the site to the east of that address.

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

1. That the proposed development is contrary to Policies ENV1 and T0U5 of the adopted Irvine and Kilwinning Local Plan and Policy ENV1 of the Finalised North Ayrshire Local Plan (excluding Isle of Arran) in that the mobile home represents development within the countryside for which there is no specific locational need and, if approved, would establish an undesirable precedent for other non-essential developments in the countryside thereby detracting from its openness and appearance;

and (b) initiate Enforcement Action to have the unauthorised use of the site for the siting and occupation of a mobile home ceased and to have the unauthorised mobile home, container, portacabin and vehicles removed from the site which detract from the amenity and appearance of the area.

4.2 N/02/00664/PP: Kilwinning: Irvine Road: Site to the South of Buckreddan Lodge Nursing Home

Mr A. Fitzsimmons, Buckreddan Lodge, Irvine Road, Kilwinning, has applied for planning permission for the erection of a single storey care centre at a site to the south of Buckreddan Lodge Nursing Home, Irvine Road, Kilwinning. An objection has been received from Mr J. McVay, Corsehillhead Farm, Kilwinning.

As a result of the additional traffic that will be generated by the proposed development, the Head of Roads has sought improvements to the public road passing the site, comprising of widening the footway along the frontage to 2 metres and providing a pelican crossing. The applicant has agreed to enter into a legal agreement to secure these improvements.

The Sub Committee, having considered the terms of the objection, agreed to grant the application subject to (a) the terms of the Town and Country Planning (Notification of Applications) (Scotland) Direction 1997; (b) the applicant entering into a legal agreement under Section 75 of the Town and Country Planning (Scotland) Act 1997 to secure the provision of a widened footway and a pelican crossing; and (c) the following conditions :-

1. That visibility splays of 2.5 metres by 90 metres at both junctions with Irvine 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 metre measured above the adjacent carriageway level to the satisfaction of North Ayrshire Council as Planning Authority.
2. That the first 25 metres of the existing and proposed access roads shall be 5.5 metres in width and 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 foul drainage shall be connected to the public sewer as part of a totally separate drainage system of foul and surface water sewers.

4. 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.
5. The developer shall undertake an archaeological evaluation report and recording of archaeological resources within the development site to the satisfaction of North Ayrshire Council as Planning Authority. No development shall take place within the development site until the developer has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation, this scheme to be submitted for approval by North Ayrshire Council as Planning Authority following consultation and agreement with the West of Scotland Archaeology Service.
6. That the applicant shall satisfy himself of the mineral stability of the site.
7. 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. The scheme of landscaping shall include details of tree planting, particularly at the boundaries, and shrub planting to screen the base of the building.
8. 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.
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 facing bricks.

4.3 N/02/00913/PP: Irvine: Kidsneuk Gardens: Site to the South of 7A

Mrs S. Kelly, 16 (7A) Kidsneuk Gardens, Irvine, has applied for planning permission for the erection of a dwellinghouse at the site to the south of 16 Kidsneuk Gardens, Irvine. Representations have been received from D. Kearney, 17 Kidsneuk Gardens and S. K. Gaw, Camasunary Kidsneuk, both of Irvine.

The report by the Assistant Chief Executive (Legal and Protective) recommended that the application should be refused on the grounds that (a) it would be contrary to criteria (b) and (c) of Policy 5 of the adopted Irvine/Kilwinning Local Plan; (b) the proposed development would be detrimental to the setting and character of the adjoining listed building, Kidsneuk Cottage, and as such contrary to Heritage Policy 4 in the adopted Irvine/Kilwinning Local Plan; (c) the applicant had failed to demonstrate that the foul and surface water arising from the development can be satisfactorily drained; and (d) the intervisibility distance of 14 metres between the rear windows of the proposed house and the existing properties at Nos. 16 and 17 Kidsneuk Gardens would give rise to overlooking and loss of privacy in these properties.

Since the papers for the meeting had been issued the applicant had written to the Development Control Section intimating that he may be able to provide an acceptable solution regarding the draining of foul and surface water arising from the proposed development. The Sub Committee expressed the view that the application may be made acceptable subject to this issue being resolved.

Accordingly, the Sub Committee agreed to continue the application to allow Development Control Officers to discuss the application further with the applicant and bring back proposals to the next meeting.

5. North Coast and Cumbraes Local Plan Area

5.1 N/02/00825/PP and N/02/00854/LBC : Skelmorlie: 11 Montgomerie Terrace

MacIntosh Homes Ltd, c/o 6 Eglinton Gardens, Skelmorlie, have applied for planning permission and listed building consent for the conversion of a residential nursing home into 4 flats and one dwellinghouse, and for the erection of 1 detached dwellinghouse, within the grounds of 11 Montgomerie Terrace, Skelmorlie. Objections have been received from B. & M. Gorny, Oakhill, 12 Montgomerie Terrace, Skelmorlie and B. M. K. Wilson Solicitors and Estate Agents on behalf of C. Holt, 11 Montgomerie Terrace, Skelmorlie.

The Sub Committee, having considered the terms of the objections, agreed to grant both the planning permission and listed building consent subject to the following conditions:-

1. That the vehicular accesses hereby approved shall be constructed with a drop kerb footway crossing constructed in accordance with Sections 5.2 and 10.8 (and Figure 10.16) of the Roads Development Guidelines to the satisfaction of North Ayrshire Council as Planning Authority.
2. That prior to the occupation of the detached dwellinghouse hereby approved, the existing access from Montgomerie Terrace shall be provided with a drop kerb footway crossing as detailed in Condition 1 above to the satisfaction of North Ayrshire Council as Planning Authority.

3. That the first 2.0 metres of both accesses, the existing one from Montgomerie Terrace and the proposed one from Eglinton Terrace, measured from the heel of the footway fronting 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 other than the three trees indicated on the approved plan, no trees shall be lopped, topped or felled within the site without the express written consent of North Ayrshire Council as Planning Authority.
5. That prior to work commencing on site a specification for the material to be used in the surfacing of the access and parking area from Eglinton Gardens shall be submitted to, and approved in writing by, the Planning Authority.
6. That the parking area shown on the approved plans serving the flats and converted coachhouse shall be constructed and available for use prior to any flatted property or the coachhouse conversion being occupied.
7. That no consent is granted for the replacement windows shown on the approved drawings and that prior to work commencing on site a detailed specification of each repair or replacement window shall be submitted to, and approved in writing by, the Planning Authority.
8. That notwithstanding Condition 7 above, the new windows to be installed in the listed building shall be timber, sliding, sash and case windows where they replace windows of this type, and shall not include hoppers or casements as noted on the approved drawings.
9. That the curved glazing in the turret indicated in green on the approved plans shall be retained and shall not be replaced unless given express written approval by the Planning Authority.
10. That the plaster work on the walls and ceiling of the lounge indicated in blue on the proposed plans shall be retained and shall not be altered or removed, or hidden behind screening or other structures and features, without the express written consent of the Planning Authority.
11. That no planning permission is granted for the proposed screen fencing specified on the approved plans and that prior to work commencing on site (i) an alternative arrangement and design for the division of the application site and screening of private garden ground; and (ii) a scheme for landscaping, shall be submitted to, and approved in writing, by the Planning Authority.
12. That prior to work commencing on site to construct the dwellinghouse hereby approved a scheme for the protection of the trees in the vicinity of the works shall be submitted to, and approved in writing by, the Planning Authority.

13. 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;

5.2 N/03/00025/PP: Millport: Marine Parade: Site to the rear of 16 Ferry Road

Mrs H. Frazer, 16 Ferry Road, Millport, Isle of Cumbrae, has applied for planning permission for the erection of a bungalow at a site to the rear of that address. Objections have been received from E. & W. Ross, 18 Ferry Road, and Murray Gillies & Wilson, Solicitors on behalf of Mr & Mrs A. Weir, 16 Ferry Road, all Millport.

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

1. The proposed development would be contrary to the criteria of Policy HOU7 in the adopted North Coast and Cumbraes Local Plan, as it fails to achieve adequate space between new and existing dwellings: protection of existing dwellings; an independent outlook; is not of a scale compatible with the surrounding area and is incapable of achieving good quality design and landscaping within such a restricted site and is considered to be overdevelopment with a resultant significant detrimental affect on the amenity of the surrounding area.

5.3 N/03/00075/PP: Millport: Site to the East of Portrye Farm

Mr and Mrs Wilson, 25 Ferry Road, Millport, Isle of Cumbrae, have applied for planning permission for the erection of a single storey dwellinghouse at a site to the east of Portrye Farm, Millport, Isle of Cumbrae. Letters of support, including a petition of 88 signatures, have been received from S. Wilkie, 7 Crawford Street, Mr K. Mapes, 38 Howard Street, Miss G. Murphy, 13 Kelburn Street, Dr James & Dr Elizabeth Byron, 10 Kelburn Street, Ken Dalton, 39 Stuart Street, C. J. Fraser, 31 Hastie Avenue, John Hemman, Portrye Farm, R.K. Hum, The Garage, Ritchie Street, David and Jean Dunn, 28 Miller Street, Rev. & Mrs M.H. Mackay, The Manse, Marine Parade, all of Millport, A. McIntyre, Figgitch Farm, Isle of Cumbrae and A.T. Leggate, Scottish Agricultural College, Auchincruive, Ayr.

Councillor Hill, seconded by Councillor Rae, moved that the application be granted due to the lack of suitable family sized accommodation on the island.

As an amendment Councillor David Munn, seconded by Councillor O'Neill moved that the application be refused on the grounds stated in the report.

On a division there voted for the amendment 8 and for the motion 3 and the amendment was declared carried.

Accordingly the Sub Committee, having considered the terms of the representations, and having heard the Local Member in support of the application, agreed to refuse the application on the following grounds:-

1. The development is contrary to the requirements of Policy ENV2 in the Adopted North Coast and Cumbraes Local Plan, as the applicants have failed to demonstrate that the proposal is necessary development associated with agricultural or forestry operations, or that it is essential housing for workers engaged in agriculture, forestry or recreational activities, approved in terms of Policy TOU6, where there is an identified occupational need for the worker to live on site.
2. The proposal will result in unjustified development in the countryside with no operational or locational need to support the proposal, and is therefore considered to be contrary to the requirements of Policies ENV1 and ENV8 in the Finalised Local Plan.
3. The proposal fails to provide a safe access with the public road or to achieve an acceptable drainage solution for the development, and as such would be detrimental to the amenity and character of the surrounding area.

5.4 N/03/00079/PP: Largs: 5 Kyles View

Mr and Mrs Niven, 5 Kyles View, Largs, have applied for planning permission for the erection of a conservatory at that address. An objection has been received from Mr M. A. Ferguson, 6 Mount Stuart Road, Largs.

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

1. The proposed development would be contrary to the relevant criteria specified in Policy HOU8 in the adopted Local Plan, as given the resultant space between the houses and the changes in level between the properties, the proposal would fail to protect the privacy of the neighbouring property at 6 Mount Stuart Road and have a detrimental affect on its amenity.

The meeting ended at 3.45 p.m.