

Development Control Sub Committee
6 January 1998

Irvine, 6 January 1998 - At a Meeting of the Development Control Sub-Committee of North Ayrshire Council at 3.00 p.m.

Present

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

In Attendance

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

Chair

Mr. Gooding in the Chair.

Apologies for Absence

David Munn.

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

Submitted reports by the Director of Planning, Roads and Environment on requests for relaxation in respect of the following applications:-

a) 26-30 Howgate, Kilwinning: BW/97/1007 & RX/97/0053

Regulation 9 as read with Technical Standard D2.03 requires that a separating floor between a restaurant and a dwelling must be constructed of non-combustible material.

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

That the existing separating floor be upgraded to provide one hours fire resistance from the underside.

b) Easter Highgate, Beith: BW/97/1053 & RX/97/0054

Regulation 9 as read with Technical Standard D2.03 requires that a separating floor between an office and a dwelling must be constructed of non-combustible material.

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

That the existing separating floor be upgraded to provide one hours fire resistance from the underside.

c) 48 Caldron Road, Irvine

(i) BW/97/1161 & RX/97/0055

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 506mm shall be maintained on the stair when the stairlift is in parked/stowed position.

(ii) BW/97/1161 & RX/97/0056

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

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

That a minimum width of 337mm shall be maintained on the landing when the stairlift is in parked/stowed position.

2. Ardrossan/Saltcoats/Stevenston Local Plan Area

a) N/01/97/0258: Ardrossan: 55 Princes Street

Mrs. I. Turpie, 55 Princes Street, Ardrossan has applied for planning permission (retrospectively) for the erection of a garage at the rear of 55 Princes Street, Ardrossan. Objections have been received from Mr. M Ahmed, 55 Princes Street, Ardrossan, per Robert Thomas & Caplan, Solicitors, 365 Victoria Road, Glasgow.

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

(1) That within 2 months of the date of this Permission the applicant shall: (i) relocate the existing vehicle access door as per the drawings hereby approved; (ii) remove and build up the existing pedestrian access door in a finish to match the external walls of the garage; and (iii) reduce the height of, and then alter the external finish of the south wall of the garage to a height and finish to match the existing garage.

(2) That the building hereby approved shall be used as a lock-up garage only and for no other purpose.

b) N/01/97/0578: Ardrossan: Dalry Road

At its meeting on 18 November 1997, the Sub-Committee considered an application for retrospective planning permission from Ardbride Products Limited, Dalry Road, Ardrossan for a large warehouse distribution facility at Dalry Road, Ardrossan and following discussion on the incorrect location of the building within the site its operational hours, associated noise/disturbance levels, and planning conditions, and having considered the terms of the objections received, the Sub-Committee agreed to continue the application to allow the Director of Planning, Roads and Environment to investigate with the Legal Services Manager a Section 75 Agreement to augment the following conditions:-

(1) That within one month of the date of the Permission the applicants shall submit for written approval of North Ayrshire Council as Planning Authority a full specification for the proposed landscaping scheme including species, site preparation, aftercare and additional tree planting adjacent to the south east gable of the proposed building.

(2) That all planting, seeding or turfing comprised in the approved details of landscaping shall be carried out during the current planting season, and that any trees or plants which die, are removed or become seriously damaged or diseased shall be replaced in the following planting season with others of a similar size and species unless the Council gives written consent to any variation.

(3) The hours of use of the building shall be limited to between 0800 hours and 2000 hours, Monday to Friday, and 0800 hours and 1600 hours on Saturdays and Sundays.

Members were advised that subsequent to this meeting, the agents for the applicant had intimated their client's intention to seek tenders from suitable contractors for the planting and landscaping works and as a result the Legal Services Manager did not consider that a Section 75 Agreement was required in the circumstances.

After a full discussion, the Sub-Committee agreed to grant the application subject to written confirmation of the award of the contract, and a copy of the contract being received by the Council and on condition that:-

- 1) That the landscaping shall be carried out in accordance with the approved landscape

plan and the landscape contract.

(2) That all planting, seeding or turfing comprised in the approved details of landscaping shall be carried out during the current planting season, and that any trees or plants which die, are removed or become seriously damaged or diseased shall be replaced in the following planting season with others of a similar size and species unless the Council gives written consent to any variation.

c) N/01/97/0614: Ardrossan: 2 Seafield Court

Mr. and Mrs. McFarlane, 2 Seafield Court, Ardrossan have applied for planning permission in respect of an extension to their dwellinghouse to form a garage. Objections have been received from Mr. R. Harker, 4 Seafield Court, Ardrossan.

The Sub-Committee, following consideration of the terms of the objections, agreed to grant the application.

3. Arran Local Plan Area

a) N/01/97/0543: Blackwaterfoot: Portnalochan Trout Fishery

Mr. G. Bannatyne, Fairhaven, Catacol, Isle of Arran has applied for outline planning permission for the erection of a manager's/attendant's house at Portnalochan Trout Fishery, Blackwaterfoot, Isle of Arran.

The Sub Committee agreed to continue the application to the next meeting, pending additional information from the applicant.

4. Garnock Valley Local Plan Area

a) N/01/97/0581: Kilwinning: High Monkcastle Farm (site to South of mine)

Mr. W. Harper, High Monkcastle Farm, Kilwinning has applied for outline planning permission for the erection of a dwellinghouse.

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 275 of the Town and Country Planning (Scotland) Acts, 1972 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 the septic tank and soakaway shall be designed and constructed in accordance with the current code of practice BS6297: 1983.

(4) That the surface water drainage shall be excluded from the septic tank.

5. Irvine/Kilwinning Local Plan Area

a) N/01/97/0424 & N/03/97/0023: Kilwinning: 19 Ashgrove Road (office building)

Mr. D. Hart, 19 Ashgrove Road, Kilwinning has applied for planning permission (i) for a change of use from office to home improvement showroom and associated offices (in retrospect); and (ii) for the erection of one non-illuminated fascia sign and 2 non-illuminated sign boards. The Sub-Committee agreed:

(i) to grant application N/01/97/0424 subject to the following condition:-

That the premises shall be used for the purposes of a showroom and associated offices and

for no other purposes (including any other purpose in Class 1 of the Schedule to the Town and Country Planning (Use Classes) (Scotland) Order 1989 or in any provision equivalent to the Class in a statutory instrument revoking or re-enacting that Order); and

(ii) to grant Advertisement Consent N/03/97/0023 subject to the following condition:-

That the displays shall be for a period of five years from the date of this consent.

b) N/01/97/0542: Irvine: 51-53 Bank Street

North Ayrshire Developments, The Lodge, Irvine Road, Largs have applied for planning permission for the demolition of existing properties and erection of 24 flats in 4 blocks incorporating a veterinary practice, a staff flat in Block 1 with associated car park, turning and landscaping works. Representations have been received from Mr & Mrs O'Neil, 55 Bank Street, Irvine.

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

(1) That the roofing material shall be natural or artificial slate, a sample of which shall be submitted for the approval in writing of North Ayrshire Council as Planning Authority prior to the commencement of any works.

(2) That the access road shall be constructed in accordance with current road construction guidelines and capable of accommodating refuse collection vehicles with axle loads of 11 tonnes.

(3) That the first 2 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.

(4) That the site shall be drained so that no surface water shall issue from the access road onto the public road.

(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 5 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 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) (a) That where any open spaces, landscaping (and play areas) within the area subject to this consent have not by commencement of the development been subject to agreement for their adoption by the Local Authority, then prior to the occupation of any dwellings, there shall be submitted to North Ayrshire Council as Planning Authority, details of the proposed factor or management agency for such areas, and the landscape management plan, including long term design objectives, management responsibilities, apportionment of costs and maintenance scheduled for all open space, landscaping (and play areas). Such details shall be submitted on the standard form provided by the Planning Authority; and (b) that the landscaping 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.

(8) That the use of the veterinary surgery for consultation purposes shall be restricted to between the hours of 9.00 a.m. and 7.00 p.m. Monday to Friday and 9.00 a.m. and 1.00 p.m. on Saturday and that no animals shall be kept on the premises outwith these hours.

(9) That the occupation of the ground floor flat in Block 1 shall be restricted to a person

employed in the adjoining veterinary surgery.

(10) That notwithstanding the provisions of Article 10 of the Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984 (or any Order revoking or re-enacting that Order) the express consent of North Ayrshire Council as Planning Authority shall be required in respect of any advertisement on the site, being the land and buildings.

(11) That the stone wall along the mutual boundary with number 55 shall be repaired and reinstated within one month of the demolition of the existing buildings.

(12) That during demolition works the method of demolition as specified in 1(iv) in Annexe 1 submitted as part of the Planning Application shall be adhered to in respect of hours, burning and skip position, and details of dust control measures shall be agreed in writing with North Ayrshire Council as Planning authority prior to the demolition of number 53.

c) N/01/97/0589 & N/02/97/0027: Irvine: 79 Bank Street

Councillor Gooding declared an interest in this item and took no part in the discussion.

J. Burnett, 79 Bank Street, Irvine has applied for planning permission for the demolition of outbuildings and the erection of a rear single storey extension to form a utility room and sitting room (in retrospect).

Representations have been received from B. & G. Dunning, 76 Bank Street, Mr & Mrs. Smith, 81 Bank Street, and Dr Hewitt, 77 Bank Street, Irvine.

The Sub-Committee agreed to continue consideration of the application to the next meeting pending a site visit by Councillors Carson and Clements.

d) N/01/97/0593: Irvine: 251 Bank Street

J. Beattie, 54 Bank Street, Irvine has applied for planning permission for the erection of a first floor extension to flat number 1, an entrance conservatory to flat 3, a 1.8m screen fence around the curtilage of the detached dwelling and the formation of a common access, turning area and car parking servicing 3 flats at 251 Bank Street, Irvine. An objection has been received from Mr. I Deans, 249 Bank Street, Irvine.

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

(1) That the 2 upper hall windows in flat number 1 (southmost flat) shall be obscure glass.

(2) That the screen fence around the curtilage of the detached dwellinghouse adjoining number 253 shall be erected prior to the re-occupation of the house.

(3) That the works to form the parking area, turning area and access shall be completed prior to the occupation of any flats.

6. North Coast and Cumbraes Local Plan Area

a) N/03/97/0038: Largs: Aubery Crescent

Mr. R. Thorpe, 10 Aubery Crescent, Largs has applied for Planning Permission to erect a sign board at the access lane to the rear of Aubery Crescent, Largs.

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

That the proposed sign would: (i) be contrary to Policy COM12 of the North Coast and

Cumbraes Local Plan in that the applicant has not demonstrated a specific need for an advance sign in this location; and (ii) set an undesirable precedent for other similar signs which would be detrimental to the interests of amenity.

The meeting ended at 3.45 p.m.