

Development Control Sub Committee  
24 March 1998

**Irvine, 24 March 1998** - At a Meeting of the Development Control Sub-Committee of North Ayrshire Council at 10.30 a.m.

**Present**

Samuel Gooding, David Munn, Ian Clarkson, James Clements, Margaret Highet, Elizabeth McLardy, Robert Reilly, John Sillars and George Steven.

**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.

**Apologies for Absence**

Jack Carson, James Jennings, Thomas Morris and Samuel Taylor.

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

**a)(i) Adjacent to Saltcoats Railway Station, Glencairn Street, Saltcoats: BW/97/1117 & RX/98/0011**

Regulation 9 as read with Technical Standard E2.28 requires an exit door that has to be secured against entry when the building is occupied must be readily openable from the inside.

The Sub-Committee agreed to grant the application.

**(ii) Adjacent to Saltcoats Railway Station, Glencairn Street, Saltcoats: BW/97/1177 & RX/98/0004**

Regulation 9 as read with Technical Standard E2.24 requires a door opening to an escape route must not when fully open reduce the width of the escape route to less than that requires by E2.06

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

That the building shall be installed with a fire detection and alarm system complying with BS 5839 Part 1: 1988 Type L1.

**b) 2 Stanecastle Road, Irvine: BW/98/0064 & RX/98/0010**

Regulation 9 as read with Technical Standard D2.02 requires that a separating floor between a restaurant and a dwelling must be constructed of non-combustible materials.

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

That the existing separating floor shall be upgraded to provide 1 hours fire resistance from the underside.

**c) Balgray Whisky bond (Warehouses 45, 46 47 & 48), Beith: BW/98/0199 &**

## **RX/98/0009**

Regulation 9 as read with Technical Standard D2.1 requires the maximum area of single storey buildings in purpose group 7A (High Hazard Storage) should be no greater than 2000 metres squared with an automatic fire control system.

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

That the area of each warehouse shall be limited to 2320 metres squared, the cubic capacity restricted to 18000 cubic metres and the building fitted with an automatic sprinkler system complying with the rules for Automatic Sprinkler System Installation 1990 issued by the Loss Prevention Council.

### **d) Strathclyde House, Shore Road, Skelmorlie: BW/97/1109 & RX/98/0003**

Regulation 9 as read with Technical Standard E2.70 requires that an accommodation stair in a building of Purpose Group 2 should be enclosed at the upper storeys.

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

That the access lobby servicing the foot of the accommodation stair be a protected area with a 60 minute period of fire resistance to walls and doors.

### **e)(i) 37 Tarbert Avenue, West Kilbride: BW/98/0132 & RX/98/0005**

Regulation 9 as read with Technical Standard S2.06 requires a minimum width of stair to be 800mm.

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

(1) That an adequate width of approximately 720mm shall be maintained on the stair.

(2) That the door at ground floor level encroaching on the bottom landing of the stair shall be removed.

### **(ii) 37 Tarbert Avenue, West Kilbride: BW/98/0132 & RX/98/0006**

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

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

That a minimum width of approximately 491mm shall be maintained on the landing when the stairlift is in parked/stowed position.

### **f)(i) Council Area Office, Shore Road, Lamlash, Isle of Arran: BW/98/0147 & RX/98/0007**

Regulation 9 as read with Technical Standard D2.02 requires an enclosing structure of a protected zone must be non-combustible.

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

(1) That the enclosing structure of the protected zone shall be extended to the underside of the sarking.

(2) That the protected zone enclosing structure shall have 60 minutes fire resistance both sides.

(3) That the building shall be installed with a fire detection and alarm system complying with BS 5839: Part 1: 1988 Type L3; and

- (4) That no highly flammable materials shall be stored on the first floor level.

**(ii) Council Area Office, Shore Road, Lamlash, Isle of Arran: BW/98/0147 & RX/98/0008**

Regulation 9 as read with Technical Standard D3.05 requires where a wall enclosing a protected zone forms a junction with a roof no combustible materials must be built into or carried through or across the ends of or over the top of the wall in such a way as to impair resistance to the spread of fire between the relevant parts of the building.

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

That the roof structure passing through the enclosing structure of the protected zone shall be sheeted with plasterboard so as to achieve 60 minutes fire protection for a length of 1.0m either side of protected zone enclosure.

**2. Ardrossan/Saltcoats/Stevenston Local Plan Area**

**a) N/01/97/0665: Saltcoats: 6 Laighdykes Road**

Mr R Woods, 79 Eglinton Road, Ardrossan has applied for planning permission to alter a shop to form two units, one catering for hot food, at 6 Laighdykes Road, Saltcoats. Objections have been received from Miss J Richardson, 141 Argyle Road (per Bannatyne Kirkwood, French & Co, Solicitors, 16 Royal Exchange Square, Glasgow), Mr & Mrs J McBride, 2 Harley Place,. Mr A Wylie, 4 Harley Place, Mrs E Conlan, 1 Welsh Place, Mrs J Swanson, 4 Laighdykes Road, all of Saltcoats and a petition of 59 signatures of local residents, per Mr and Mrs A Wylie, 4 Harley Place, Saltcoats.

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

That the proposed development would be incompatible with and detrimental to the amenity of nearby residential properties in that it would introduce a source of activity and disturbance into a quiet residential area.

**b) N/01/98/0006: Saltcoats: 16 Wheatley Road**

Mr H Fitzsimmons, 8 - 10 Wheatley Road, Saltcoats has applied for a change of use from a newsagent/grocery to a hot food takeaway at 16 Wheatley Road, Saltcoats.

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

(1) That the premises shall have the cooking area ventilated by way of an activated charcoal filtration system, full details of which shall be submitted for the written approval of North Ayrshire Council as Planning Authority prior to the commencement of the use hereby permitted.

(2) That prior to the commencement of the use hereby approved the applicant shall provide litter receptacles on the public footpath fronting the premises, full details of which shall be submitted for the prior written approval of North Ayrshire Council as Planning Authority.

**c) N/01/98/0020: Saltcoats: 4 Factory Place**

On 3 March 1998 the Sub-Committee agreed to continue consideration of the application by Mr D Mackie, 18 Barony Court, Ardrossan, for a change of use of a former dairy distribution centre to a car showroom and vehicle workshop at 4 Factory Place, Saltcoats to allow the Chair, Vice-Chair and Mr Morris to visit the site.

The site visit was held on 12 March 1998 where members viewed the site and considered

the question of access to the workshop. It was felt that access to the workshop could be achieved via the rear of the building and occasional use of the front entrance should not be permitted.

Having considered the site visit report and the original report by the Director of Planning, Roads and Environment, the Sub-Committee agreed to grant the application subject to the following conditions:-

(1) That the existing vehicle access door on Factory Place shall remain permanently closed in accordance with the proposals hereby approved.

(2) That the display of vehicles for sale shall be limited to the showroom as indicated on the plans hereby approved and that the yardspace shall be used for the parking of staff and customer vehicles only.

(3) That notwithstanding the permission granted by Article 3 of and Class 10 of Part 3 of the Town and Country Planning (General Permitted Development)(Scotland) Order 1992 (or any Order revoking or re-enacting that Order) the use of the building identified as a showroom on the plans hereby approved shall be limited to the sale of motor vehicles only.

**d) N/01/98/0067: Saltcoats: Winton Circus: Pavilion Bowl & Surrounding Area**

Ms T Dawson, Pavilion Bowl, Winton Circus, Saltcoats has applied for planning permission to:- a) extend/alter the existing bowling/amusement centre to create a new entrance vestibule; b) erect a new food kiosk; c) form hardstandings and site funfair rides to adjacent vacant ground and for d) outline planning permission for a children's funfair on vacant ground at that address.

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

(1) That notwithstanding the permission granted by Article 3 of and Class 69 of Part 22 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 site.

(2) That the use of generators within the site shall not be permitted, and that any proposals for the playing of amplified music shall require to have the prior written approval of North Ayrshire Council as Planning Authority.

(3) 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 surface treatments, fencing and landscaping proposals.

(4) That with regard to the outline planning permission hereby granted the approval of North Ayrshire Council as Planning Authority with regard to siting, design and external appearance of, landscaping and parking for the proposed development shall be obtained prior to the commencement of that part of the development.

**3. Arran Local Plan Area**

**a) N/01/97/0485: Blackwaterfoot: Torbeg: Ediskirk**

On 3 March 1998 the Sub-Committee agreed to continue consideration of the application for outline planning permission by Mr and Mrs Kirkwood, Lakin Farm, Torbeg, Blackwaterfoot, for an agricultural and ironmongery store with ancillary dwelling house with potential for bed and breakfast at Ediskirk, Torbeg, Blackwaterfoot to allow the Chair, Mr Morris and the local member to visit the site.

The visit was held on 20 March 1998 where members having examined the site and taken into consideration all the circumstances surrounding the application concluded that the applicant's desire to relocate his existing business and residence on this site did not outweigh the

development plan policies.

Having considered the site visit report and the original report by the Director of Planning, Roads and Environment, the Sub-Committee agreed to refuse the application on the following grounds:-

(1) That the applicant has not demonstrated a need to relocate the existing retail business to a new site in the countryside where it would be detrimental to amenity by creating ribbon development and, as such, would be contrary to Policy SHO3 in the adopted Isle of Arran Local Plan.

(2) That the proposed development would be contrary to Policy HOU5 in the adopted Isle of Arran Local Plan in that the applicant has not demonstrated a need for a dwellinghouse next to the retail business.

(3) That the proposed development would be contrary to Policy RRA2 of the approved Strathclyde Structure Plan in that it would constitute new development outwith existing settlements in a Remoter Rural Area.

**b) N/01/98/0001: Brodick: Charters Towers/Cora Lynn**

C. U. Development, 6 Woodside Place, Glasgow have applied for planning permission for the erection of 4 detached houses, 10 semi-detached houses and a private lock-up garage and the formation of car parking provision and an access road at Charter Towers/Cora Lynn, Brodick, Isle of Arran. Representations have been received from A. Dunwoodie, Kilreen, Mrs H Donaldson, 9 Hillview Place, D. McKellar, Mountain View, Whitla, Auchenard, Mrs E McKellar, Mountain View, I. B. Leader, Brodick Cycles Roselynn, C. S. Walls, Lyndhurst, MacLeod, Cnoc Ranald, Committee of Opposing Neighbours, Lyndhurst, Arran Civic Trust, Arran Civic Trust (per H. M. MacLeod, Cnoc Ranald) all of Brodick and R. B. & L Goudie, 19 Dumgoyne Drive, Glasgow.

Having considered the terms of the representations and after a full discussion, the Sub-Committee agreed to grant the application, subject to the following conditions:-

(1) That prior to the occupation of any of the dwellinghouses, West Mayish Road has be increased in width to provide a 5.5 metre carriageway and a 2 metre wide footway on its west side over the full length of the frontage to the satisfaction of North Ayrshire Council as Planning Authority.

(2) That visibility splays of 2.5 metres by 60 metres as the junction of the new access with West Mayish 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 about the adjacent carriageway level to the satisfaction of North Ayrshire Council as Planning Authority.

(3) That the corner radii at the shared surface transition at the junction with West Mayish Road shall be 4.5 metres.

(4) That all planting, boundary walls and gates within the frontage garden areas of plots 12, 13 and 14 shall have a maximum height or mature growth height of 1.05 metres above the adjacent carriageway level in order to maintain the West Mayish Road/Shore Road junction sightline to the west.

(5) That foul drainage from the proposed dwellinghouses shall connect to the public sewer via septic tank.

(6) 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 types and colours of the proposed external finishes.

(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.

(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.

#### **4. *Garnock Valley Local Plan Area***

##### **a) N/01/97/0371: Kilbirnie: Ladyland Estate (north end of Ford Wood)**

The Sub-Committee noted that the application submitted by Ladyland Estates, Grangehill, Beith for outline planning permission for the erection of a dwelling house combined with Estates Office plus ancillary accommodation at Ladyland Estate, Kilbirnie, had been withdrawn.

##### **b) N/01/97/0613: Barrmill: Greenhills: Giffenmill Quarry (site to north of)**

William Tracey Ltd, Lochlibo Road, Beith have applied for planning permission for the formation of a recovery, recycling, processing and storage area (in retrospect) at the site to the north of Giffen Quarry, Greenhills, Barrmill.

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

(1) That the use hereby permitted shall be discontinued and the land restored to its former condition on or before 31 March 2001.

(2) That the material being recovered, recycled, processed and stored on the site shall be restricted to inert waste material.

(3) That within 28 days of this permission the applicant shall submit for the written approval of North Ayrshire Council as Planning Authority details of the wheel cleaning facilities which shall be installed within the application site to the satisfaction of North Ayrshire Council as Planning Authority prior to 31 May 1998.

(4) That the existing access shall continue to be used and no other access shall be formed into the site.

(5) That the material on the site shall be stored in stockpiles or no more than 2.5m in height.

(6) That no machinery shall be operated on the site between the hours of 1700hrs in any day or 0900hrs the following day.

(7) That the noise generated on the site shall not exceed 55dBA (1hour) when measured 1 metre from the facade of any nearby dwelling.

(8) That within 28 days from the date of this permission the applicant shall submit for the written approval of North Ayrshire Council as Planning Authority details of the bunds to be formed and this shall include details of the material to be used, sections through the bunds and landscaping proposals.

(9) That the bund shall be formed to the satisfaction of North Ayrshire Council as Planning Authority by 31 May 1998.

(10) That all planting, seeding or turfing comprised in the approval details of landscaping shall be carried out in the first planting and seeding seasons following the date of this permission;



and any plants which during the period of the permission die, are removed or become seriously diseased or damaged shall be replaced in the next planting season with others of a similar size or species, unless North Ayrshire Council as Planning Authority gives written consent to any variation.

**5. Irvine/Kilwinning Local Plan Area**

**a) N/01/98/0009: Kilwinning: Ashgrove Road: McLuckie Drive (site opposite)**

Bellway Homes, 813 South Street, Glasgow have applied for planning permission to erect of 40 terraced and semi detached dwellinghouses at the site opposite Ashgrove Road, McLuckie Drive, Kilwinning.

The Sub-Committee agreed to continue consideration of the application to allow the Chair, Vice-Chair, Mr Clements and the local member to visit the site, accompanied by representatives of SEPA and West of Scotland Water, and report to a future meeting of the Sub-Committee.

**b) N/01/98/0085: Irvine: Lamont Drive: B & Q Retail Unit**

B & Q Plc, 1 Hampshire Corporate Park, Chandlers Ford, Eastleigh have applied for a change of use from Class 1 (Retail) to Class 6 (Storage or Distribution) at B & Q Retail Unit, Lamont Drive, Irvine.

The Sub-Committee agreed to grant the application.

**6. North Coast and Cumbraes Local Plan Area**

**a) N/01/97/0647: West Kilbride: Broomlands Farm**

Mr R Pettigrew, Broomlands Farm, West Kilbride has applied for planning permission to erect a workshop at that address.

A copy of a letter of support submitted by the applicant was circulated to members of the Sub-Committee. A full discussion took place on the current application, the breach of previous planning conditions and non-compliance with enforcement notices served on the applicant.

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

That the proposed development would be contrary to Policy SOC8 in the adopted North Coast and Cumbraes Local Plan in that it would introduce a non-leisure use into an area allocated for leisure purposes, resulting in a level of activity which would be detrimental to the adjoining open space, both visually and by reason of noise and disturbance; and (b) to note that the non-compliance with one of the enforcement notices and the breach of condition notice will be reported to the Procurator Fiscal for appropriate action.

**b) N/01/98/0029: West Kilbride: 25 Caldwell Road:**

Mr R Gemmell, 25 Caldwell Road, West Kilbride has applied for planning permission to alter and extend a dwelling house to form a bedroom, bathroom and conservatory at that address. A representation has been received from Mr T Weetman, 27 Caldwell Road, West Kilbride.

Having considered the terms of the representation, the Sub-Committee agreed to grant the application.

**c) N/01/98/0033: Largs: 150 Greenock Road**

Mr and Mrs D Williamson, "Cherrytrees", Grosvenor Road, Rothesay have applied for planning permission to alter and extend a bungalow to form an office, utility room and garage at 150 Greenock Road, Largs. Objections have been received from Mr J Welsh, 152 Greenock Road and W. P. Miller, 2 Danefield, Avenue, both of Largs. A further letter of objections was received from Mr Welsh, 152 Greenock Road, Largs in relation to loss of sunlight and proximity of the

extension to the boundary.

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

That the existing stone boundary walls shall not be altered or removed without the prior written approval of North Ayrshire Council as Planning Authority.

**d) N/01/98/0037: Portencross: Meadow Cottage (site to south of)**

Magnox Electric Plc, Berkeley Centre, Berkeley, Gloucestershire have applied for outline planning permission to erect one dwelling house at Portencross (field to the south of Meadow Cottage), West Kilbride. Objections have been received from A. & J. McLachlan, Auldhill Cottage and T. Kater, Meadow Cottage, both of Portencross and a letter from Mr A Glen, Acting Chairman of Portencross Association representing the views of 13 members.

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 of the Sub-Committee.

**e) N/01/98/0075: Largs: 94 Greenock Road**

Mr I Smith, 94 Greenock Road, Largs has applied for planning permission for alterations to a dwelling house to form pitched roofs on the existing flat roofed dormer windows at that address. An objection has been received from Mr F Brodie, 1 Netherpark Crescent, Largs.

Having considered the terms of the objection, the Sub-Committee agreed to grant the application.

The meeting ended at 12.20 p.m.