

Development Control Sub Committee
30 October 1997

Irvine, 30 October 1997 - At a Meeting of the Development Control Sub-Committee of North Ayrshire Council at 10.30 a.m.

Present

Samuel Gooding, David Munn, James Clements, Margaret Highet, Elizabeth McLardy, Thomas Morris, Margaret Munn and Robert Reilly.

In Attendance

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

Chair

Mr Gooding in the Chair.

Apologies for Absence

Jack Carson and John Sillars

1. Building (Scotland) Act 1959/1970: Requests for Relaxation

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

a) 100 Townfoot, Dreghorn: BW/97/0840 & RX/97/0035

Regulation 9 as read with Technical Standard D2.03 states that a separating floor must be constructed of non-combustible materials.

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

(1) That the existing separating floor shall be protected on the underside to achieve one hours fire resistance.

b) 5b Ballot Road, Irvine: BW/97/0871 & RX/97/0036

Regulation 9 as read with Technical Standard D2.03 states that a separating floor must be constructed of non-combustible materials.

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

(1) That the existing separating floor shall be protected on the underside to achieve one hours fire resistance.

2. Ardrossan/Saltcoats/Stevenston Local Plan Area

a) N/01/97/0407: Ardrossan: 7 Barr Street

G. Dodds, 7 Barr Street, Ardrossan has applied for planning permission to erect a flatted residential development comprising 2 flats and 2 maisonettes at 7 Barr Street, Ardrossan. Objections have been received from Elaine Hall, 13/01 Barr Street, on behalf of residents of 9, 11,

13/01 and 13/02 Barr Street, Ardrossan.

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 proposed external finishes, bin stores and hard landscaping within the site.

(2) That the applicant shall form a footway crossing along the entire length of the parking bays to North Ayrshire Council Roads Guidelines to the satisfaction of North Ayrshire Council as Planning Authority.

b) N/01/97/0441: Ardrossan: 15 Seton Street

Mr R Meney, 26a Anderson Terrace, Ardrossan has applied for planning permission to erect a single private dwelling at 15 Seton Street, Ardrossan.

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

That prior to the commencement of the development the applicant shall submit for the written approval of North Ayrshire Council as Planning Authority samples of the proposed external finishes.

3. Arran Local Plan Area

a) N/01/97/0453: Whiting Bay: Kirkend Nursery

Mr G A C Mutch, Stronbuy, Whiting Bay, Isle of Arran has applied for planning permission to erect a dwelling house at Kirkend Nursery, Whiting Bay, Isle of Arran.

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

(1) 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 dependent of such a person residing with him or her, or a widow or widower of such a person.

(2) That visibility splays of 2.5m by 125m at the junction with the main road shall be provided and maintained on land within the applicant's control, such that there is no obstruction to visibility above a height of 1.05 metres measured above the adjacent carriageway level to the satisfaction of North Ayrshire Council as Planning Authority.

(3) That a 9m by 2.5m lay-by shall be formed adjacent to the access and both it and the first 2.5m of the access shall be surfaced in bituminous material in order to prevent deleterious material being carried onto the carriageway; and in such a way that no surface water shall issue onto the public road.

(4) That effluent disposal arrangements shall comply with the current code of practice BSI 6297: 1983, with surface water excluded from the septic tank to the satisfaction of North Ayrshire Council as Planning Authority.

(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.

b) N/01/97/0454: Whiting Bay: Kiscadale Hotel (bottom car park)

Mrs C A Wannop, Kiscadale Hotel, Whiting Bay, Isle of Arran has applied for outline planning permission for a single dwelling at Kiscadale Hotel (bottom car park), Whiting Bay, Isle of Arran.

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

- (1) That the proposed development constitutes over-development of the site
- (2) That the proposed development would leave insufficient parking provision for the hotel.

c) Brodick, Glencloy: The Environmental Assessment (Scotland) Regulations 1988

The Barton Willmore Planning Partnership, Intercell House, 1 Coldhams Lane, Cambridge submitted a request for the opinion of the local planning authority as to whether an Environmental Statement will be required in support of an application for planning permission which will be made for the erection of a wood-fuelled renewable energy plant on a site at Glencloy, to the south west of Brodick, Isle of Arran.

After discussion the Sub-Committee agreed to inform the applicants that it is the Council's opinion that the planning application need not be accompanied by an Environmental Statement, but that it will require to be accompanied by additional information including a Traffic Impact Statement, details of noise and vibration, details of emissions and their dispersion, the visual impact of the proposed development, details of the likely effect of the landscape, quantities and sourcing of wood fuel and details of any connection to the national grid, together with mitigation measures.

4. Irvine/Kilwinning Local Plan Area

a) N/01/97/0412: Kilwinning: Glasgow Road: Hazeldene (site to north of)

Robison & Davidson Ltd, 35/39 Annan Road, Dumfries have applied for outline planning permission for a housing development at Hazeldene (site to the north of) Glasgow Road, Kilwinning. An objection has been received from D Whaughlan, 'Gooseloaan', Glasgow Road, Kilwinning.

After discussion, the Sub-Committee agreed to continue consideration of the application to the first available meeting following the meeting of the Infrastructure and Environment Services Sub-Committee on the Irvine and Kilwinning Replacement Local Plan on 26 November 1997.

b) N/01/97/0467: Irvine: 251 (land to rear of) Bank Street

Mr A McCartney, Fencedyke Farm, Stanecastle Road, Irvine has applied for planning permission to erect 2 blocks of flats (two storey, 4 flats per block) on the plot of land to the rear of 251 Bank Street, Irvine.

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

(1) That no development shall take place until there has been submitted for approval by North Ayrshire Council as Planning Authority, details of the siting, design and appearance of all open space and landscaping, including details of species, planting, densities, soil treatment and aftercare and indications of all existing trees and hedgerows to be retained together with measures for their protection.

(2) That prior to any of the units being occupied and where Council adoption is not to be pursued, there shall be submitted for approval by North Ayrshire Council as Planning Authority, details of the proposed factor or management agency and a landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all open space, landscaping (and play areas). The landscape management plan shall be carried out as approved and the agreed agency shall only be changed with the consent of the majority of householders and the agreement of North Ayrshire Council as Planning Authority.

(3) That prior to any flats being sold, the developer will make prospective purchasers aware of the management arrangements and individual obligations relating to common landscaped

areas.

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

(5) That prior to the commencement of the development the applicant shall submit revised details of the siting and design of the bin stores for the written approval of North Ayrshire Council as Planning Authority which bin stores shall be constructed prior to the occupation of any of the flats hereby approved.

(6) That the drying green serving Block 2 shall be screened by 1.8m high fencing and located in the North West corner of the site to the satisfaction of North Ayrshire Council as Planning Authority.

(7) That the junction with Stanecastle Drive shall be a dropped kerb type as shown in Figure 5.7 of the Roads Guidelines.

(8) That prior to the occupation of any of the flats a 2m wide footway shall be provided on both sides of the access road from the existing rail fence to the tangent with Stanecastle Drive.

5. North Coast and Cumbraes Local Plan Area

a) N/01/97/0413: Fairlie: Station Road: Beechfield

North Ayrshire Developments Ltd, 40/42 Charles Street, Largs have applied for planning permission to demolish an existing garage and erect two houses with new access at Beechfield, Station Road, Fairlie. Objections have been received from S J Graham, 21 Montgomerie Drive, Fairlie, Mrs C M Byers, 4 Station Road, Fairlie, G & W Hutchison, 6 Kaim View, Fairlie, R C Holmes, 23 Montgomerie Drive, Fairlie, Fairlie Community Council, C McDowell, 3 Montgomerie Crescent, Fairlie.

After discussion the Sub-Committee agreed to continue consideration of the application to allow the Chair, Vice-Chair, Councillor Clements, Highet and McLardy to visit the site.

b) N/01/97/0459: Skelmorlie: Fosterland: Plots 13-30

H McLaughlin, Lawhill Farm, West Kilbride has applied for an amendment of programme for housing development granted consent on 29th January 1991, Ref.no. CH/01/91/0868 to enable work to commence on phases 4 and 5 (plots 13-30 inclusive) prior to completion of phase 3 at Fosterland, Skelmorlie. Objections have been received from J & S Ward, No. 29, A S Cooper, No. 30 Paddockdyke, Skelmorlie, G J Dunn, No. 15, J M Wells, No. 31 Annetyard Drive, Skelmorlie, as well as a petition of objection containing 55 signature of residents of Annetyard Drive (47), Paddockdyke (6), Annetyard Road (1) and Fosterland (1). Letters in support of the application have been received from Mr and Mrs W Kerrigan, No. 3, Mr K McMunn, No. 5 and Mr K Little, No. 8 Annetyard Drive, C R Scott, No. 2, Mr A Fergus, No. 3, G & W Morrison, No. 22 Paddockdyke, H. Logue, No. 2, K. Staley, No. 5 Halketburn Road, H Gardner, 16b Eglinton Gardens, and K & G Gayle, 5 The Lane, and Mrs T M McDougall, 103 Skelmorlie Castle Road, all of Skelmorlie.

After discussion, the Sub-Committee agreed (a) to continue consideration of the application to allow the Chair, Vice-Chair and local member to visit the site; and (b) the Director of Planning, Roads and Environment investigate with the Legal Services Manager whether a Section 75 Agreement would be appropriate.

c) N/01/97/0464: Largs: 9 (Plots 1 & 2) Douglas Place

M Lewis, 9 Douglas Place, Largs has applied for outline planning permission for the

erection of two dwelling houses at 9 Douglas Place, Largs. Objections have been received from J. Hair, No. 14, R. Nardini, No. 16, P. Grant, No. 18, K. Howie, No. 20, G. Featherstone, No. 22 Douglas Place, T. Caldwell, No. 22, W. C. Inglis, No. 30, Mr & Mrs P Robson, No. 32, J. D. Wilson, No. 76 Noddleburn Road all of Largs and Mrs S Evans, Burnbank, George Street, Howwood.

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

That the proposed development would constitute over-development of the site which would be contrary to policy HOU7 of the adopted North Coast and Cumbraes Local Plan and would be detrimental to: (i) the character and appearance of the area; and (ii) the amenity of adjoining residential property.

d) N/01/97/0506: Skelmorlie: 9 (site to the south of) Seton Terrace

John Craig's Trust, per Mrs K Craig, 9 Seton Terrace, Skelmorlie have applied for planning permission to erect a single storey house and detached single garage and widening of access to existing house at the site to the south of 9 Seton Terrace, Skelmorlie. Objections have been received from the Architectural Heritage Society of Scotland, J Bocker, 1 The Kyles, Wemyss Bay, Mr C Wood, 11 Seton Terrace, Skelmorlie, Mr and Mrs I R Linklater, 20a Skelmorlie Castle Road, Skelmorlie, Mrs L Stevens, Mount Pleasant, 32 Skelmorlie Castle Road, Skelmorlie and Mrs M Spence, 'Treetops', 3 Halketburn Road, Skelmorlie. A further letter of objection and other correspondence was received from Mr and Mrs C Wood, 11 Seton Terrace, Skelmorlie.

Discussion focused on the relevance of the designation and boundary of the conservation area to the application and whether the proposed development is acceptable in terms of fitting in with the existing streetscape.

After a full discussion 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 or samples of the proposed external finishes including the surface finish to the proposed driveways.

(2) That prior to the commencement of the development the applicant shall submit for the written approval of North Ayrshire Council as Planning Authority full details of proposals for the erection of screen fencing along the north boundary of the site at the rear of the house.

(3) That prior to the commencement of the development the hedge along the entire frontage of the site and the frontage of 9 Seton Terrace shall be lowered and maintained at a height no greater than 1.05m above the adjacent carriageway level in Seton Terrace.

(4) That any proposed gates shall operate inwards only to avoid conflict with vehicles and pedestrians on the adjacent public road/footway.

(5) That prior to the commencement of the development a vehicle access crossing to the standard set out in Chapter 10:8 of the Roads Development Guide shall be provided at the new access to 9 Seton Terrace, together with the proposed driveway for 9 Seton Terrace, all to the satisfaction of North Ayrshire Council as Planning Authority.

(6) The notwithstanding the permission granted by Article 3 of and Classes 1 and 3 of Part 1 of the Town and Country Planning (General Permitted Development)(Scotland) Order 1992 (or any Order revoking or re-enacting that Order) the express approval of North Ayrshire Council as Planning Authority shall be required in respect of any development within the curtilages of the dwellinghouses.

The meeting ended at 12 noon.