

Development Control Sub Committee
10 February 1998

Irvine, 10 February 1998 - At a Meeting of the Development Control Sub-Committee of North Ayrshire Council at 10.30 a.m.

Present

T. Morris, J Carson, I Clarkson, P. McNamara, R. Reilly, and J. Clements

In Attendance

R. Forrest, Principal Planning Officer, D. Cartmell, Team Leader Development Control, R. McCarter, Team Leader Building Control (Planning, Roads and Environment), M. McKeown, Administration Officer and A. Little, Assistant Administration Officer (Chief Executive).

Chair

Mr Morris in the Chair.

Apologies for Absence

Mr Gooding and Mr D Munn.

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

Submit reports on the following applications:-

a) *Riverway Retail Park, Unit 6, New Street, Irvine: BW/97/1196 & RX/97/0058*

Regulation 9 as read with Technical Standard D2.01 requires that a building or part of a building to be used for retail purposes must be subdivided into compartments which do not exceed a cubic capacity of 14,200 cubic metres when provided with an appropriate fire control system.

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

- (1) That an automatic sprinkler system shall be installed in accordance with BS 5306 Part 2 1990.
- (2) That a suitable smoke control system shall be installed and include roof ventilators and smoke curtains in accordance with BS 7346 Parts 1 and 3 1990.
- (3) That the two storey office accommodation shall be separated from the retail unit by a suitable 3 hours fire resistant compartment.
- (4) That the requirements of the relevant Technical Standard D2.2 shall apply to an element of structure of the building which is required by that Technical Standard to be fire resistance as if the undivided compartment of the building did not exceed 14,200 cubic metres.

b) *55-57 Raise Street, Saltcoats: BW/97/1107 & RX/97/0057*

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

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

That the separating floor between Nos. 57 and 55 1/R Raise Street, Saltcoats shall be

constructed so as to provide 60 minutes fire protection from the underside of the separating floor.

2. Ardrossan/Saltcoats/Stevenston Local Plan Area

a) N/01/97/0677: Stevenston: Ardeer Peninsula

Nobel Exhibition Trust, McGowan House, Lundholm Road, Stevenston have applied for an Approval of Reserved Matters associated with a Conditional Outline Planning Permission to construct an exhibition building, ancillary building and footbridge access over the River Irvine at the Ardeer Peninsula, Stevenston.

Discussion took place on the issues of sewage treatment and discharge and the operating hours and manning levels of the access bridge.

Following discussion the Sub-Committee agreed (a) to approve Reserved Matters relative to outline planning permission N/01/96/0740 as per the drawings and other documents submitted with the application; (b) to remit to the Director of Planning, Roads and Environment to incorporate the appropriate condition in relation to the safeguard of manning levels and operating hours of the access bridge; (c) to write to the Scottish Environmental Protection Agency requesting assurances that the highest standards of sewage treatment will be applied.

b) N/01/98/0014: Saltcoats: 1 Seaview Road

Mr B Robinson, 1 Seaview Road, Saltcoats has applied for a Change of Use of electrical contractors store room to a car wash and valet centre at 1 Seaview Road, Saltcoats.

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

- (1) That the washing of vehicles shall only take place within the area of ground hatched blue on the plans hereby approved and that details of equipment to be operated, enclosures etc shall be submitted for the written approval of North Ayrshire Council prior to the commencement of the use and which shall include measures to ensure that no water spray or run-off discharges on to the public road, footway or cycle route.
- (2) That prior to the commencement of the use hereby approved the applicants shall clearly delineate customer and staff parking spaces to the satisfaction of North Ayrshire Council as Planning Authority.

c) N/01/98/0067: Saltcoats: Pavilion Bowl, Winton Circus

On a request by the local member the Sub-Committee was asked to consider authorising a meeting with local residents to allow the developer and planning officers to explain the proposed development at the Pavilion Bowl, Winton Circus, Saltcoats.

The Sub-Committee agreed that appropriate officers liaise with the local member in the organisation of a consultation meeting for neighbours of the proposed development.

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.

Having heard the local member in support of the application and additional information provided by local residents and agencies in support of the application, 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 dwellinghouse, excluding guest accommodation, hereby approved shall be limited to the owner and/or manager of Portnallochan Fishery or a dependent of such a person residing with him or her, or a widow or widower of such a person.
- (3) That visibility splays of 2.5 metres by 90 metres 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 in forming the visibility splays required by condition 3 above the hedge along the east boundary of the site north from the access shall be retained and the hedge along the east boundary of the applicant's land south of the access shall be lowered to a maximum height of 1.05 metres above the adjacent carriageway level, to the satisfaction of North Ayrshire Council as Planning Authority.
- (5) That effluent disposal arrangements shall comply with the current code of practice BS 6297:1983, with septic tank effluent discharged to the stream via an extensive partial soakaway arrangements and with surface water excluded from the septic tank, all to the satisfaction of North Ayrshire Council as Planning Authority.

b) N/01/97/0585 & N/01/97/0586: Blackwaterfoot: Torbeg: Feorline View

Muriel E Reside, Feorline View, Torbeg, Blackwaterfoot, Isle of Arran has applied for planning permission to erect a new dwelling house and garage at Plot 1 and to erect four apartment dwelling houses at Plot 2 at that address.

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

- (1) That the development hereby permitted shall be begun before the expiration of two years from the date of this permission.
- (2) That visibility splays of 2.5 metres by 90 metres at the junction with route A841 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 the first 10 metres of the shared driveway from its junction with route A841 shall be 5.5 metres wide.
- (4) That 4.5 metre corner radii shall be provided at the junction with route A841.
- (5) That the first 5 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 and in such a way that no surface water shall issue from the access on to route A841.

4. *Garnock Valley Local Plan Area*

a) *N/01/97/0649: Dalry: Kilwinning Road: Hillend*

Wilson's Auctions, 22 Mallusk Road, Newtonabbey, Co. Antrim have applied for a Change of Use of vehicle dismantler's yard to auction rooms, ancillary offices and external parking at Hillend, Kilwinning Road, Dalry.

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

- (1) The proposed means of access shall be constructed to a layout and type of construction to be approved by North Ayrshire Council as Planning Authority, after consultation with the Roads Authority, before any part of the development is commenced. The layout shall be as described in the Department of Transport Advice Note RA 41/95 (Vehicle Access to All-Purpose Trunk Roads)(as amended in Scotland) complying with Layout 5. The junction shall be designed according to current DMRB standards for a ghost Island Priority Junction relative to the existing speed limit on the A737 Trunk Road, and provided at the developers expense.
- (2) The visibility splay shall be provided and maintained on each side of the new access to the satisfaction of North Ayrshire Council as Planning Authority. These splays area triangles of ground bounded on two sides by the first 4.5m of the centreline of the access driveway (the set back dimension) and the nearside trunk road carriageway measures 215m (the y dimension) in both directions from the intersection of the access with the trunk road. In a vertical plane, nothing shall obscure visibility measured from a driver's eye height between 1.05m and 2.00m anywhere along the y dimension.
- (3) The first 1.5m of the access road shall be surfaced in a bituminous surface and designed to ensure that surface water from the site does not discharge onto the trunk road.
- (4) That prior to the commencement of the development a soil survey of the site shall be undertaken and the results submitted to North Ayrshire Council as Planning Authority. The survey shall be taken at such points and to such depth as the local planning authority may stipulate. A scheme of decontamination of the site shall be submitted for the written approval of North Ayrshire Council as Planning Authority and the scheme as approved shall be fully implemented and completed before the commencement of the use.
- (5) 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.
- (6) 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 for the east and west boundaries of the site, 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.
- (7) 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 commencement of the use and any trees or plants which, within a period of five years from the commencement of the use 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.
- (8) 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 a concrete post and meshwire fence to be erected along the eastern boundary of the site.

b) N/01/97/0658: Beith: 2 St Andrews Place

Mr Monk, 2 St. Andrews Place, Beith has applied for planning permission to erect a two storey extension to form a garage and bedroom at that address. Objections have been received from Mr and Mrs Johnston, 1 St. Andrews Place and Mr and Mrs Russell, 3 St. Andrews Place, Beith.

Following discussion and having considered the terms of the objections, the Sub-Committee agreed (a) to continue consideration of the application to allow the Chair, Vice-Chair, R. Reilly and the J. Jennings to visit the site; and (b) in the interim to instruct the Principal Planning Officer to approach the applicant regarding a reduction in the scale of the extension to prevent encroachment on to neighbouring land and that reference be made to the outcome of this in the site visit report.

5. Irvine/Kilwinning Local Plan Area

a) N/01/97/0501: Kilwinning: Blairafton Wynd: Site to west of

On 9 December 1997 the Sub-Committee agreed to continue consideration of the application for planning permission by Belway Homes, 813 South Street, Glasgow for the erection of 55 detached, semi-detached and terraced houses with associated roads and parking on the site to the west of Blairafton Wynd, Kilwinning to allow the Chair, Vice-Chair and local member to view the plans and visit the site if required. Objections have been received previously from K. Garry, 16 Blairafton Wynd, D. Petherick, 35 Crannog Way, A. Smith, 32 Blairafton Wynd, all of Kilwinning.

The plans for the proposed development were viewed on 27 January 1998 where members noted that no alternative access was available to the site. Members therefore recommended that access should be via Blairafton Wynd and that further conditions ensuring (i) the availability of street cleaning and wheel washing facilities for construction vehicles and (ii) the creation of warning signs at the entrance to Blairafton Wynd should be imposed to limit the impact of construction at this site for the residents.

After discussion on compensation for residents affected by developments of this kind, and having considered the terms of the objections and the original report by the Director of Planning, Roads and Environment, the Sub-Committee agreed (a) 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 samples of the proposed external finishes.
- 2) That the treatment of the boundary enclosures or plot divisions shall be agreed in writing with North Ayrshire Council as Planning Authority prior to the commencement of works.
- 3) That prior to the commencement of the development the applicant shall submit for the written approval of North Ayrshire Council as Planning Authority amended landscaping details for the area between the pedestrian access lane and No. 32 Blairafton Wynd.
- 4)
 - a) That where any open spaces, landscaping (and play area) within the area subject to this consent have not by commencement of the development been subject to agreement for this 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 schedules for all open space, landscaping (and play areas). Such details shall be submitted on the standard form provided by the Planning Authority.
 - b) The landscape 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, until such time as the areas subject to the landscape

management plan are adopted for maintenance by the Local Authority.

- 5) That prior to the occupation of the first dwellinghouse the applicant shall construct the emergency access link to the adjoining Tay Development to the satisfaction of North Ayrshire Council as Planning Authority.
 - 6) That prior to the occupation of the first dwellinghouse the applicant shall construct to the satisfaction of North Ayrshire Council as Planning Authority the pedestrian access which will link the footpath from the area of open space to the footpath from Muirfield Place.
 - 7) That prior to the commencement of development the applicant shall (a) submit details of warning signs indicating that vehicles are entering a residential area, which shall be erected at the junction of Blairafton Wynd and Woodside Road to the satisfaction of North Ayrshire Council as Planning Authority (b) install wheel washing facilities to be used by all vehicles exiting the development site; and
- (b) to instruct the Legal Services Manager to confirm the statutory position in relation to compensation for residents affected by developments of this nature.

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

On 6 January 1998 the Sub-Committee agreed to continue consideration of the application for planning permission and listed building consent to demolish outbuildings and erect a rear single storey extension to form a utility room and sitting room (in retrospect) at 79 Bank Street, Irvine in order that the local member and Mr Clements visit the site. Objections have previously been received from B. & G. Dunning, 76 Bank Street, Mr and Mrs Smith, 81 Bank Street and Dr. Hewitt, 77 Bank Street, all of Irvine.

The site visit was held on 21 January 1998 where members viewed the extension from the rear of both No. 79 and 81 Bank Street, Irvine. Members considered the impact in terms of the extension's design and external finishes on the listed building and impact on surrounding properties to be acceptable.

A further letter had been received from Mr Smith, 81 Bank Street, Irvine outlining his objections to certain aspects of the site visit report and requesting that determination of this application be postponed pending receipt of a full response to his objections to the application and complaints regarding non-compliance with the planning procedure. Copies of Mr Smith's letters had been circulated to Committee Members prior to the meeting who acknowledged that issues in relation to procedural matters are not relevant for consideration by this Sub-Committee.

After discussion and having considered the terms of all objections and the original report by the Director of Planning, Roads and Environment, the Sub-Committee agreed:-

- (i) planning permission be granted; and
- (ii) to grant Listed Building Consent subject to Section 12 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.

c) N/01/97/0622: Irvine: 86 Montgomery Street

Mr A Tremble, 20 Whyte Avenue, Irvine has applied for a Change of Use of offices to form a hotel at 86 Montgomery Street, Irvine.

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

That a sign, details of which shall be agreed in writing with North Ayrshire Council as Planning Authority prior to its erection, shall be fixed to the front of the building indicating the existence of rear

car parking for patrons.

d) N/01/97/0678: Kilwinning: Dalry Road

Mr A Fitzsimmons, Woodend Farm, Kilwinning has applied for planning permission to erect a stable block at that address. An objection has been received from C. Thomson, Holmview Cottage, Dalry Road, Kilwinning.

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

That the stable block hereby approved shall be used only for purposes incidental to the enjoyment of the dwellinghouse.

6. North Coast and Cumbraes Local Plan Area

a) N/01/97/0587: Largs: 7 (site to south of) Douglas Place

Acre Property Developments Ltd, 39-41 Wilson Street, Largs have applied for planning permission to erect 2 semi detached houses at the site to the south of 7 Douglas Place, Largs. A representation has been received from Mr M Lewis, 9 Douglas Place, Largs.

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

- (1) That the external finishes shall match those of the approved building on the adjoining plot to the south.
- (2) That prior to the occupation of the houses a footway shall be provided along the entire frontage of the site to match the width of the proposed footway along the frontage of the adjoining plot to the south, and shall be designed to Roads Development Guide standards, including drop kerbing where required, all to the satisfaction of North Ayrshire Council as Planning Authority.
- (3) That all drainage from the development shall be connected to the existing public sewerage system.
- (4) 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.
- (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 five years from the completion of the development dies, 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) That 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.

- (8) That prior to the commencement of the development the application shall submit for the written approval of North Ayrshire Council as Planning Authority full details of the proposed finished ground levels throughout the site.

b) N/01/97/0610: Skelmorlie: 7 (site to north) The Crescent

Mr Sarvary, 42 Swallow Brae, Inverkip has applied for outline planning permission to erect a house and garage at 7 The Crescent, Skelmorlie. Objections have been received from J N Pratt, J W Hardie, Lower Flat, Skelmorlie House, 7 The Crescent, Skelmorlie and Mr and Mrs J McNeil, 5 The Crescent, Skelmorlie.

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 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 design of the proposed dwellinghouse shall incorporate traditional detailing and finishes to reflect the character and appearance of the building on either side.
- (3) That the proposed dwellinghouse shall be positioned no closer to The Crescent than the building line set by a line drawn from the south-west corner of No. 5 The Crescent to the north-west corner of No. 7 The Crescent.
- (4) That the house shall be positioned a minimum of 8m from the north boundary of the site and prior to the commencement of the development the applicants shall: (i) submit for the written approval of North Ayrshire Council as Planning Authority full details of proposals for the erection of fencing for the protection of the trees adjacent to the north boundary while the house is being constructed; and (ii) erect the protective fencing and thereafter maintain it in the course of the development.
- (5) That no trees on the site shall be felled or lopped without the prior written approval of North Ayrshire Council as Planning Authority.
- (6) That no boundary walls shall be altered or lowered without the prior written approval of North Ayrshire Council as Planning Authority.
- (7) That prior to the occupation of the dwellinghouse a designated turning area shall be provided for both the proposed dwellinghouse and the existing upper floor flat.

The meeting ended at 12 noon.