

Three Towns Area Committee
8 October 1996

Irvine, 8 October 1996 - At a Meeting of the Development Control Sub-Committee of North Ayrshire Council at 2.00 p.m.

Present

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

In Attendance

N. Buchan, Head of Roads, B. Forrest, Principal Officer Planning, D. Cartmell, Team Leader Development Control, T. Paterson, Supervisory Engineer for Traffic (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, Ian Clarkson, John Sillars and Richard Wilkinson

1. Ardrossan/Saltcoats/Stevenston/Local Plan Area

a) N/01/96/0390: Saltcoats: Kirkgate: Car park adjacent to the former La Scala Cinema

Spook Erection Ltd, 15 Queens Road, Evesham, Worcestershire have applied for a continuation of use of the land for an open-air General Retail Market on one day per week at the car park adjacent to the former La Scala Cinema, Kirkgate, Saltcoats.

After discussion the Sub-Committee agreed to grant the continuation of use of land 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 30 September 1997.
- 2) That the use of Kirkgate by vehicles serving the market shall be restricted to access/egress only and that loading and unloading in Kirkgate shall not be permitted.
- 3) That the applicants shall ensure that vehicles serving the market are not parked in adjacent streets and shall require them to be parked at suitable public car parks as may be specified by North Ayrshire Council as planning authority.
- 4) That no food or drink shall be displayed for sale except from catering vehicles and from stalls which meet the standards specified by the Food Hygiene (Scotland) Regulations.
- 5) That stalls selling food shall (i) have a piped supply of hot water; (ii) have

suitable hand washing facilities; (iii) arrange to provide suitable drainage; and (iv) arrange for all foodstuff to be stored in such a manner as to prevent contamination, all to the satisfaction of North Ayrshire Council as planning authority.

6) That the applicants shall arrange for (i) the hire and collection of a skip to contain all litter from the site, which skip shall be situated in or close by the site and shall be collected immediately after the market is closed; (ii) the site to be tidied after each day of operation, and (iii) the constant uplifting of litter from within the site during the hours of operation of the market, all to the satisfaction of North Ayrshire Council as planning authority.

7) That the site shall be used as a market on Saturdays only.

The Sub-Committee also agreed that the Director of Planning, Roads and Environment write to the applicant stressing that condition (3) be strictly adhered to.

2. Arran Local Plan Area

a) N/01/96/0044: Shiskine: The Smiddy, Shedog

Mr A MacAlister, Shedog Farm, Shiskine, Isle of Arran has applied for planning permission to demolish a disused store and erect a holiday letting house at The Smiddy, Shedog, Shiskine, Isle of Arran. An objection from Mr T Meikle, Mill Barn, Shiskine, Isle of Arran.

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

1) That the premises shall be used for the purposes of self-catering holiday letting and for no other purpose.

2) That prior to the occupation of the building two parking spaces shall be provided within the yard of Shedog Farm opposite, and shall continue to be made available for the self catering cottage thereafter, to the satisfaction of North Ayrshire Council as planning authority.

3) That there shall be no parking of vehicles associated with the cottage on or adjacent to the public highway.

b) N/01/96/0325: Blackwaterfoot: 7-8 Kinloch Court

John Thomson Construction Ltd, Main Depot, Park Terrace, Lamlash, Isle of Arran have applied for planning permission for the erection of two detached houses at 7-8 Kinloch Court, Blackwaterfoot, Isle of Arran. An objection has been received from Ms L Walker, Seafield, Blackwaterfoot, Isle of Arran.

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

application subject to the following conditions:-

- 1) That access to the shared driveway shall be via a dropped kerb access as detailed in Section 10.8 of North Ayrshire Council's Roads Development Guide.
- 2) 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 onto the carriageway.
- 3) That the minimum width of the driveway shall be 3 metres to enable removal/delivery vehicles to gain access.
- 4) That prior to the erection of the buildings details of the surface water drainage system shall be submitted for the written approval of, and thereafter implemented to the satisfaction of, North Ayrshire Council as planning authority.
- 5) 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 type of colour of roof tile.
- 6) That any discoveries of archaeological significance made during site works shall be notified to the West of Scotland Archaeology Service for information purposes.

3. Garnock Valley Local Plan Area

a) N/01/96/0108: Barrmill: Giffen Mill (railway cutting)

McTaggart Construction, Templand Road, Dalry have applied for planning permission to form a dumping site within the former railway cutting at Giffen Mill, Barrmill.

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

- 1) That the material to be deposited shall consist entirely of solid, inert non-ferrous, non-toxic and non-putrescible matter and shall specifically exclude skip-hire waste, plasterboard and waste slag.
- 2) That there shall be no tipping of waste into any standing water or watercourse.
- 3) That the Dunlop road junction improvements as detailed on the drawings hereby approved shall be completed to the satisfaction of North Ayrshire Council as Planning Authority prior to the commencement of any tipping on the site.
- 4) That prior to the commencement of the use hereby permitted the applicant shall submit for the written approval of North Ayrshire Council as Planning Authority full details of: (i) the proposed method of hard surfacing the first 15m of the access road; (ii) restoration proposals; (iii) proposals to allow continued drainage along the

length of the former railway; and (iv) proposed arrangements for wheel cleaning of vehicles which wheel cleaning facilities shall be provided prior to the commencement of the use.

4. Irvine/Kilwinning Local Plan Area

a)(i) N/01/96/0373: Irvine: 117 Bank Street

On 17 September 1996, the Sub-Committee agreed to continue consideration of the application by Neighbourhood Centres U.K. PLC, London for planning permission to construct a new convenience store and ancillary unit for class 3 (hot food carry out) use, car parking, landscaping and rear service yard at 117 Bank Street, Irvine to allow the Chair, Vice-Chair and local members to visit the site. Objections received previously from D. Andrew, 3 Galt Avenue, Irvine, J. Andrew, 134 Bank Street, Irvine, D. Watts, 133 Bank Street, Irvine, B. Holliman, 2A Ranken Crescent, Irvine, W.B. Jack, 120 Bank Street, Irvine, Mrs Kennedy, 128 Bank Street, Irvine, A. Dalziel, 126 Bank Street, Irvine, K. Mohammed, The Kiosk, Woodlands Avenue, Irvine, B. Donohoe, M.P., Irvine Community Council, T. Barclay, Head Teacher, Woodlands Primary School, Irvine, Mr and Mrs McAllister, 104 Bank Street, Irvine, Irvine Autostores, Arrow Car Van/Truck Rentals and Winlinton Garage and two petitions containing 138 signatures.

Additional objections have been received from B. Craig, 137 Bank Street, Irvine, G. Bovill, 142 Bank Street, Irvine, K. McAdam, 136 Bank Street, Irvine, Dr. J Beattie, 116 Bank Street, Irvine, J. Ward, 135 Bank Street, S. Kennedy, 85 Muir Drive, Irvine, E. Addis, 102 Bank Street, A. M. Pisani, Parkview, 111 Bank Street, Irvine, W. Moore, 107 Bank Street, Irvine, Woodlands Primary School Board and Mr J Leckie, Head of Educational Services, North Ayrshire Council.

The Team Leader advised that he had reviewed his earlier report and considered that the proposal should be regarded as contrary to Housing Policy 4 of the Irvine/Kilwinning Local Plan. Notwithstanding that revision, his recommendation remains that the application be granted subject to conditions.

Having considered the report of the site visit and the terms of the objections and after a full discussion the Sub-Committee agreed to refuse the application on the grounds:-

That it is contrary to Housing Policy 4 as it fails the required justification criteria in that the proposed development would be detrimental to residential amenity by reason of activity associated with the development, it has no specific locational need and that it would have more impact on traffic than would residential development of the site for which it is allocated.

5. North Coast and Cumbraes Local Plan Area

a) N/01/96/0131: Fairlie: Fife Place: Site to the south of 14

RDK Construction Ltd, 58 Hamilton Street, Saltcoats have applied for planning permission for the erection of a dwelling house and associated landscaping at the site to the south of 14 Fife Place, Fairlie. Objections have been received from Mr W S Bryson, 14 Fife Place, Fairlie, Ms G Knapman, 5 Fife Place, Fairlie and Mr & Mrs Bowie, 7 Fife Place, Fairlie, R. M. Charnock Smith, 1 Castlepark Gardens, Fairlie.

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

- 1) That the proposed development would be contrary to Fairlie Environment Policy 1 in the adopted North Coast and Cumbraes Local Plan and also Policy SOC8 of the Finalised Replacement North Coast and Cumbraes Local Plan which identify the site for open space/woodland, leisure purposes.
- 2) That the proposed development would be detrimental to the amenity and appearance of the area in that it would represent an intrusion into an area of open space where the Fairlie No. 3 Tree Preservation Order is applicable.
- 3) That there is no need for the proposed development which if approved would establish an undesirable precedent for other residential developments in areas identified for open space/woodland/leisure purposes.

The Sub-Committee also agreed that appropriate measures be undertaken to secure the removal of the unauthorised tip material and an appropriate replacement tree planting scheme for the site.

b) N/01/96/0240: Ardrossan: High Boydstone Farm (land to the south of)

Mr D Parker, High Boydstone Farm, Ardrossan has applied for planning permission to deposit inert waste material at High Boydstone Farm, Ardrossan.

After discussion the Sub-Committee agreed to instruct the Director of Planning, Roads and Environment to clarify the responsibility for the maintenance of the stone culvert and to grant the application subject to the applicant entering into an agreement in terms of Section 50 of the Town and Country Planning (Scotland) Act 1972 to provide a financial bond for the proposed restoration of the site and the following conditions:-

- 1) That the use hereby permitted shall be discontinued and the land reinstated to agricultural use within 5 years from the date of commencement of the operations, or on earlier completion, prior notification of which date shall be made in writing to North Ayrshire Council as Planning Authority.
- 2) That only sold, inert, non-ferrous, non-toxic and non-putrescible matter shall be deposited within the site.
- 3) That no skip hire waste, plasterboard or waste slag shall be deposited within the site.
- 4) 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 screen planting adjacent to the C18 and phase 3 including species, preparation, method of planting and density of planting.
- 5) That all screen planting shall be implemented to the satisfaction of North Ayrshire Council as Planning Authority prior to the commencement of the junction improvement works and infilling operations.
- 6) That any trees or plants within the tree planting scheme 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.
- 7) That the section of existing hedging adjacent to the south-west side of the C18 as indicated in green on the location diagram hereby approved shall not be lowered or removed without the prior written approval of North Ayrshire Council as Planning Authority.
- 8) That the point of access to the site from the C18 shall be moved approximately 28m to the north-west of the existing field access and prior to the commencement of the infilling operations the existing field access shall be permanently closed off.
- 9) That the level of the verge between the existing field access and the preferred access point shall be lowered to carriageway level in order to improve sightlines to the satisfaction of North Ayrshire Council as Planning Authority.
- 10) That additional boundary hedging etc shall be lowered or removed as required in order to provide a junction sightline of 2.5m x 120m, such that there is no obstruction to visibility above a height of 1 metre measured above the adjacent carriageway level to the satisfaction of North Ayrshire Council as Planning Authority.
- 11) That the first 15m of the access shall have a width of 7.3m, the first 9m shall be surfaced, junction corner radii shall be formed and the existing roadside ditch shall be culverted all to the satisfaction of North Ayrshire Council as Planning Authority.

- 12) That the level of the access road relative to the C18 shall be such that no surface water shall issue from the access road onto the public road.
- 13) That wheel cleaning facilities shall be provided within the site to ensure that no loose material or mud is carried onto the public road.
- 14) That prior to the commencement of the infilling operations the applicant shall submit for the written approval of North Ayrshire Council as Planning Authority as Planning Authority revised access proposals incorporating the matters referred to in conditions 8 - 13 inclusive above, and implement the revised access proposals to the satisfaction of North Ayrshire Council as Planning Authority.
- 15) That infilling and reinstatement shall take place on a phased basis in accordance with the proposed sequence of operations and to the levels all as indicated on drawings Nos. 969D/PROP and 969D/XSEC unless otherwise agreed in writing with North Ayrshire Council as Planning Authority and prior to the commencement of the infilling operations the applicant shall submit for the written approval of North Ayrshire Council as Planning Authority full details of the proposed finished levels and topography at the south-eastern end of phase 3.
- 16) That no materials shall be deposited in phase 2 until phase 1 has been restored for agriculture and no materials shall be deposited in phase 3 until phase 2 has been restored for agriculture.
- 17) That the proposed culverting of the watercourse through the site shall be implemented in accordance with the approved plans.
- 18) That the culvert shall be maintained to allow the free flow of water through it.
- 19) That any leachate or contaminated surface water found to be present on the site at any time shall be removed or otherwise dealt with to the satisfaction of SEPA and North Ayrshire Council as Planning Authority.
- 20) That, notwithstanding condition 19 above, in the event of any polluting matter finding its way into any watercourse, steps shall be taken immediately to remedy the problem.
- 21) That prior to the commencement of any restoration works the applicant shall submit for the written approval of North Ayrshire Council as Planning Authority details of: (i) the source of topsoil and sub-soil for the restoration of the site to agricultural use; (ii) proposals for the provision of an area for the storage of soils accumulated during the infilling of the site for use in the latter stages of the reinstatement of the site; and (iii) full proposals for the surfacing of the site with sub-soil and topsoil after infilling.
- 22) That the infilled areas shall be capped within a minimum depth of 600mm of sub-soil and 200mm of topsoil.
- 23) That the replacement of sub-soil and topsoil shall take place when they are in friable condition in dry weather during Spring or early Summer and due notice of the

operations shall be given to North Ayrshire Council as Planning Authority to allow for inspection of the site and suspension of operations during adverse weather conditions or the imposition of such conditions as are seen fit to safeguard the sub-soil and topsoil.

24) That the applicant shall arrange for a chemical analysis of the soil and shall apply such quantities of lime and fertilisers as may be recommended by the analyst's report and cultivation shall be carried out to provide a suitable seed bed and grass seed mixture to the satisfaction of North Ayrshire Council as Planning Authority.

25) That the workings shall be kept enclosed at all times by stockproof fencing.

26) That should any subsidence occur within 5 years of restoration, the applicant shall infill the area with sub-soil and topsoil and shall thereafter reseed the area to the satisfaction of North Ayrshire Council as Planning Authority.

c) N/01/96/0446: Largs: 17 Burnside Way

Mr D A Sinclair, 17 Burnside Way, Largs has applied for planning permission to undertake alterations and extend a dwelling house, including dormer to form T.V. room, utility room, bedroom with ensuite and two stores at 17 Burnside Way, Largs. An objection has been received from Mr A Purvis, 28 Laverock Drive, Largs.

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

6. Roads Section Involvement in Development Control

Mr Gooding advised that Mr N Buchan, Head of Roads and Mr T Paterson, Roads Section would provide an outline of the Roads Section's involvement in the development control process.

Mr Buchan gave an informative talk on the reasons for involvement of the Roads Section and the role of the Roads Section in the development control process, highlighting the standards, guidance and issues which require to be considered. The Sub-Committee acknowledged that the Roads Section provide factual reports and cannot take considerations such as noise, environmental impact or nuisance etc into account. Members however can take a wider view when determining applications, and may consider community issues to be of significance.

Mr Buchan then answered specific questions in relation to the technical aspects of Traffic Impact Analysis (TIA), Trip Rate Information and Computer System (TRICS) and accident rate criteria.

The Sub-Committee thanked Mr Buchan for his talk.

The meeting ended at 3.15 p.m.