

Development Control Sub Committee
9 March 1999

Irvine, 9 March 1999 - At a Meeting of the Development Control Sub-Committee of North Ayrshire Council.

Present

David Munn, Jack Carson, Ian Clarkson, James Clements, Jane Gorman, Margaret Hight, Thomas Morris, Robert Rae, Robert Reilly, Gena Seales and John Sillars.

In Attendance

R. Forrest, Principal Planning Officer (Development and Promotion), D. Cartmell, Team Leader Development Control and Robert McCarter, Team Leader Building Control (Legal and Regulatory), M. McKeown, Administration Officer and A. Little, Assistant Administration Officer(Chief Executive's).

Chair

Mr Munn in the Chair.

Apologies for Absence

Samuel Gooding and Elizabeth McLardy.

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

a) Ardeer Peninsula, Stevenston: BW/97/1220 & RX/98/0045

Regulation 9 as read with Technical Standard D2.08 requires a lift must be separated from the remainder of a building by compartment walls.

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

- (1) That the enclosing structure of the upper storey part of the exhibition hall lift shaft shall be non combustible and constructed to 60 minutes fire resistant standard (integrity, loadbearing capacity and insulation).
- (2) That an early warning Type L3 Fire Alarm System to BS 5839 Part 1: 1988 shall be installed throughout the building.
- (3) That the exhibition hall lift shall be designed and constructed so as to return to the floor level of the storey other than the storey where the fire alarm system is activated.
- (4) That any glazing to the enclosing structure of the lift shaft shall be in accordance with BS 6262 Part 4: 1994.

b) Greenbank Nursing Home, Ayr Road, Irvine: BW/98/0734 & RX/99/0005

Regulation 9 as read with Technical Standard E5.04 requires a door across an escape route 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 for relaxation, subject to the following conditions:-

- (1) That the building shall be installed with a fire detection and alarm system complying with BS 5839 Part 1: 1988 Type L1.
- (2) That the electromagnetic locks shall be fail-safe on activation of the fire alarm system including automatic fire detection equipment and comply with BS 5839 Part 3: 1988.
- (3) That the electromagnetic locks shall be fitted with a mechanism to reduce residual magnetism in the locking system.
- (4) That the electromagnetic locks shall be fail-safe on local and general power failure.
- (5) That the manual call points shall be provided adjacent to protected doors in accordance with BS 5839 Part 2: 1983.
- (6) That the building staff levels shall be in accordance with staffing notice as issued by Ayrshire and Arran Health Board.
- (7) That the doors shall have a suitable notice on the inside explaining the operation of the device.

2. Ardrossan/Saltcoats/Stevenston Local Plan Area

a) N/01/98/0639: Saltcoats: 5 Robertson Crescent

Mr A Fulton, 5 Robertson Crescent, Saltcoats has applied for planning permission to erect a two storey side extension and single storey rear extension to form a dining room, kitchen, bedroom, utility room and bedroom with ensuite at that address.

The Sub-Committee agreed to grant the application.

3. Arran Local Plan Area

a) N/01/98/0180: Brodick: Market Road: Arran Deliveries (site to east of)

John Corbett Construction (Arran) Ltd, Brandon Farm, Strathwhillan Road, Brodick, Isle of Arran have applied for planning permission to erect a warehouse and office at Arran Deliveries (site to the east of), Market Road, Brodick, Isle of Arran.

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

- (1) That prior to the erection of the building all refuse material shall be removed from the excavated area which shall be backfilled and foundations formed, all in accordance with the recommendations of Hodgins Smith Partnership in their letter of 5th February 1991, to the satisfaction of North Ayrshire Council as planning authority.
- (2) That prior to the commencement of the development the applicant shall satisfy North Ayrshire Council as planning authority that the excavated refuse material can be transported to the mainland and disposed of in a licensed landfill site.
- (3) That the levels of methane in the site shall continue to be monitored following completion of the development, to the satisfaction of North Ayrshire Council as planning authority.
- (4) That prior to the occupation of the building the main fence line shall be erected at a location to be agreed with the Council's Arran Road Engineer and the road shall be made up to an adoptable standard along the frontage of the site, all to the satisfaction of North Ayrshire Council as planning authority.
- (5) That the gated access to the site shall be widened to 5.5 metres and shall be set back 2 metres from the main fenceline with a 45 splay to the satisfaction of North Ayrshire Council

as planning authority.

- (6) That the first 10 metres of the access shall be hard surfaced in order to prevent deleterious material being carried onto the carriageway and designed in such a way that no surface water shall issue from the access onto the carriageway.
- (7) That a minimum parking provision of ten customer bays shall be provided prior to the occupation of the building.
- (8) That effluent disposal arrangements shall comply with the current code of practice BS 6297: 1983, with surface water excluded from the septic tank, to the satisfaction of North Ayrshire Council as planning authority.
- (9) That prior to the commencement of the development, details of screen fencing for material storage areas shall be submitted from the written approval of North Ayrshire Council as planning authority.
- (10) That there shall be no external storage of materials higher than the screen fencing approved under Condition 9.

Condition (10) is added in the interests of the amenity of the area.

b) N/01/98/0530: Lochranza: Kirn Point (site to north of)

Ms D Le Grove, 47 Crosbie Street, Glasgow has applied for planning permission to erect a dwelling house at Kirn Point (site to the north of) Lochranza, Isle of Arran.

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 dwellinghouse hereby permitted shall not be occupied until two passing places and drainage improvements have been provided on the access road serving the site to meet the requirements of the Head of Roads Services, to the satisfaction of North Ayrshire Council as planning authority.
- (3) That effluent disposal arrangements shall comply with the current code of practice BS 6297: 1983, with septic tank effluent being disposed of to a sub-surface soakaway subject to satisfactory percolation testing or, alternatively to an outfall to below the low water mark, to the satisfaction of North Ayrshire Council as planning authority.
- (4) That, in relation to Condition (1) above, the developer shall submit proposals for transporting construction materials to the site without exceeding any weight limit in force on Newton Bridge.

Condition (4) is added in the interest of road safety.

c) N/05/98/0010: Whiting Bay: Benview (site to east of)

J W Kelso, Viewbank Farm, Whiting Bay, Isle of Arran has applied for a Certificate of Lawfulness for siting of caravan at Benview (site to the east of), Whiting Bay, Isle of Arran.

The Sub-Committee agreed to issue a Certificate of Lawfulness for the existing use.

4. Irvine/Kilwinning Local Plan Area

a) N/01/98/0663: Irvine: 1 Kirkhill (site to east of)

D A Contractors, 19 Dalmore Way, Irvine have applied for planning permission to erect 2 semi-detached houses and to remove 4 trees at 1 Kirkhill (site to the east of), Perceton, Irvine. Representations have been received from 3 residents of Kirkhill and 3 residents of Langmuir Avenue, Irvine.

Having considered the terms of the representations, 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 details of the proposed external finishes.
- (2) That the first 13m of the access as shown on the drawing No. 158.98.06 and measured from the heel of the footway shall be hard surfaced in order to prevent deleterious material being carried onto the carriageway and designed in such a way that no surface water shall issue from the access onto the carriageway.
- (3) That replacement trees for those agreed to be felled shall be heavy standard, details of the species and siting to be agreed in writing with North Ayrshire Council as planning authority prior to the planting.
- (4) That no development shall take place until there has been submitted to an approved by North Ayrshire Council as planning authority details of landscaping which shall include details of the beech hedges to be planted along the west and east boundaries and of the species, planting densities, soil treatment and aftercare.
- (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 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 all site boundary fences shall be erected prior to the occupation of the dwellinghouses.

b) N/01/98/0705: Dreghorn: 68b (front) Townfoot

On 16th February 1999 the Sub-Committee agreed to continue consideration of the application by KB Glass Ltd, 68b Townfoot, Dreghorn for alterations and a change of use from a domestic garage to a commercial garage (for the servicing and repair of motor vehicles and MOT testing) at that address to allow a site visit to take place.

The site visit was held on 25th February 1999 when members viewed the site and noted the close proximity of the adjoining residential properties. Members considered that the impact of the operation could not be fully assessed without further information in relation to the operator's functional requirements and recommended that this information be provided to enable the Sub-Committee to determine the application.

A further report by the Assistant Chief Executive (Legal and Regulatory) detailed the information provided by the operator in relation to operating hours and functional requirements.

Having considered the site visit report and the further report by the Assistant Chief Executive (Legal and Regulatory) the Sub-Committee agreed (a) to refuse the application on the following grounds:-

- (1) That the proposed development is contrary to Town Centre Policy 9 of the Adopted Local Plan for Irvine/Kilwinning in that it is on industrial use in a mixed use area.
- (2) That the proposed development would be incompatible with and detrimental to the amenity

of the adjoining residential properties by reason of noise and disturbance; and

(b) to recommend to the next appropriate Committee that enforcement notices be served.

5. North Coast and Cumbraes Local Plan Area

a) N/01/98/0676: Largs: 33 Boyd Street

M. Green, 4 Whinfield Avenue, Prestwick has applied for a Change of use of shop to form a hot food carry out at 33 Boyd Street, Largs. An objection has been received from Mr J Insch, 33 Boyd Street, Largs.

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

- (1) That the premises shall not open between the hours of 11.00 p.m. on any day and 11.00 a.m. on the following day.
- (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 (i) the proposed colour finishes to the metal extract flue; and (ii) the proposed bin storage arrangements.

b) N/01/99/0006: Seamill: 106 Ardrossan Road

Mr and Mrs Merrick, 106 Ardrossan Road, Seamill have applied for planning permission to erect an extension to form a kitchen and utility room at that address. A representation has been received from Mr and Mrs Tomlinson, 108 Ardrossan Road, Seamill.

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

- (1) That prior to the commencement of the construction of the extension, the applicant shall: (i) submit for the written approval of North Ayrshire Council as planning authority details of proposals for the erection of screen fencing adjacent to the south boundary of the site to prevent the rear garden of No. 108 Ardrossan Road being overlooked; and (ii) erect the screen fencing.

The reason for the amendment to the wording of Condition (1) as outlined in the report is as follows:-

In the interest of the privacy of the occupants of 108 Ardrossan Road, Seamill.

The meeting ended at 11.00 a.m.