

Development Control Sub Committee
1 December 1998

Irvine, 1 December 1998 - At a Meeting of the Development Control Sub-Committee of North Ayrshire Council at 10.30 a.m.

Present

S. Gooding, D. Munn, J. Carson, J. Clements, J. Gorman, E. Gray, M. Highet, E. McLardy, T. Morris, R. Rae, R. Reilly and R. Wilkinson.

In Attendance

R. Forrest, Principal Planning Officer (Development and Promotion), A. Fraser, Principal Legal Officer, D. Cartmell, Team Leader Development Control, D. McDowall, Team Leader Building Control (Legal and Regulatory Services), A. Osborne, Corporate Policy Officer, M. McKeown, Administration Officer and A. Little, Assistant Administration Officer (Chief Executive's)

Chair

Mr Gooding in the Chair.

Apologies for Absence

Ian Clarkson

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

a) (Site to the north of) Kingdom Hall, Boyle Street, Irvine: BW/98/0756 & RX/98/0056

Regulation 9 as read with Technical Standard T2.05 requires the means of access to an upper storey of a building exceeding 280 square metres in area must be provided by a passenger lift suitable for disabled persons.

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

That the layout on the ground floor shall be in accordance with the Disability Scotland Access Guide and all other applicable standards of Part T.

2. Ardrossan/Saltcoats/Stevenston Local Plan Area

a) N/01/98/0516: Stevenston: 11 (site to east of) Glen Crescent

The Development Control Sub-Committee at its meeting on 10th November 1998 agreed to continue consideration of the application by Mr G Narducci, 5 South Crescent, Ardrossan for outline planning permission to erect a detached dwelling house and garage at the site to the east of 11 Glen Crescent, Stevenston to allow the Vice-Chair, Mr Morris, Mr Munro and Mr Gooding to visit the site and report to a future meeting.

After having visited the site, Members considered the application in the light of the objections received, and other material considerations, and recommended that the application be granted subject to the conditions detailed in the report.

Having considered the site visit report, 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, means of access and external appearance of, landscaping and boundary treatment of the proposed development shall be obtained before the development is commenced.

- (2) That the first 2 metres of the access, 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 the applicant shall form a footway crossing as detailed on Section 10.8.1 of the Roads Development Guide to the satisfaction of North Ayrshire Council as planning authority.
- (4) That the proposed garage shall be set back at least 6m from the heel of the footway.

b) N/01/98/0538: Stevenston: High Road: Nelson Road (site to east of)

On 10th November 1998 the Sub-Committee agreed to continue consideration of the application by Ayrshire and Arran Community Health Care NHS Trust, 3 Barns Park, Ayr for planning permission for the construction of a Community Health Care Resource Centre incorporating treatment, interview rooms and associated office accommodation at the site to the east of Nelson Road, High Road, Stevenston, as well as alterations and improvements to the junction at High Road/Nelson, Stevenston, to allow the Sub-Committee together with appropriate local members to meet with the applicant and objectors in a public forum. Objections had been received previously from 8 residents of High Road, Stevenston.

The public meeting took place on 23rd November 1998 where representatives of the Trust and the Architect were given the opportunity to present their position and to respond to the issues raised by members of the public. Members of the public in attendance were of the opinion that the site at High Road/Nelson Road, Stevenston was not the appropriate location for the type of use proposed for this facility. Given the level of public dissent it was proposed that the Development Control Sub-Committee refer this application to Infrastructure and Environmental Services Committee for determination.

Following the meeting a petition of 157 signatures, per Mayfield and Auchenhavrie Tenants Association and Homeowners was received.

Having considered the objections and the report of the public meeting, the Sub-Committee agreed to refer the application to the Infrastructure and Environment Services Committee for determination.

3. Irvine/Kilwinning Local Plan Area

a) N/01/98/0300: Irvine: Perceton A B & C (site to east of)

The Sub-Committee noted that the application by Castleton Homes Ltd, Mayfield, Riccarton Road, Kilmarnock for outline planning permission for erection of a residential development at Perceton A, B & C (site to the east of), Irvine had been withdrawn.

b) N/01/98/0418: Springside: Knockentiber Road: Bankhead Nursery

Jim Scott Homes, East Donington Street, Darvel has applied for planning permission for the site preparation, installation of roads and servicing for 12 plots plus erection of 3 dwellinghouses at Bankhead Nursery, Knockentiber Road, Springside. An objection has been received from Mr and Mrs I McMillan, 9 Overtoun Road, Springside.

Having considered the terms of the objection, 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 to walls of the proposed houses on plots 1,2 and 3.

- (2) That each house within the development shall have a maximum of 2 finishes and a maximum of 3 brick types shall be used throughout the site.
- (3) That the roofing material to all dwellings and garages shall be flat grey roof tile, a sample of which shall be submitted for the approval in writing of North Ayrshire Council as planning authority prior to the commencement of any works.
- (4) That all dwellings and garages shall have a minimum roof pitch of 30.
- (5) That the approval of North Ayrshire Council as planning authority with regard to the siting, design and external appearance of each house on plots 4 - 15 shall be obtained prior to the commencement of any works.
- (6) That prior to the submission of any application for approval of reserved matters for the houses, the applicant shall submit for the written approval of North Ayrshire Council as planning authority a development brief relating to the siting, design and external appearance of the houses on plots 4 - 15.
- (7) That with regard to conditions 5 and 6 the houses on plots 4,5,6,12 and 14 shall be a maximum of 1 ½ storeys and all houses shall be sited with the hatched areas for each lot as indicated in drawings No. 98-22-02-D.
- (8) That no development shall take place within 3m on either side of the public sewer running through plots 1,3,5,7,9,11 and 13.
- (9) That floor levels and ground contours shall be as indicated on drawing No. 98-22—02-D.
- (10) That the visitor parking spaces and access road shall be completed to the satisfaction of North Ayrshire Council as planning authority no later than 3 months following the completion of the last house or 2 years from the start of the development whichever is the sooner.
- (11) That no houses shall be occupied until the roadworks to improve the junction of Knockentiber and Overtoun Road including the provision of footway have been completed.
- (12) That vehicular access points for each plot shall be located at the position shown on drawing No. 98-22-02-D and driveways shall be a minimum of 6m long where there is an integral garage or 10m long where there is a detached garage or otherwise.
- (13) That visibility splays of 2.5m x 60m to the east and 2.5m and 40m to the west at the junction with Knockentiber 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.
- (14) That the treatment of the site boundaries shall be a hedge of a species planted at a density to be agreed in writing with North Ayrshire Council as planning authority along the rear boundary of plots 1,3,5,7,9 and 11, the east boundary of plot 13 and along the boundaries with Knockentiber Road and a 1.8m high close boarded fence along the rear boundary of plots 2,4,6,8,10,12,15 and the west and south boundaries of plot 13.
- (15) That all site boundary fences and hedges shall be erected/planted prior to the occupation of the adjoining dwellinghouse.
- (16) That notwithstanding the permission granted by Article 3 of and Class 7 of Part 2 of

Schedule 1 of the Town and Country Planning (General Permitted Development)(Scotland) Order 1992 (or any Order revoking or re-enacting that Order) the expressed approval of North Ayrshire Council as planning authority shall be required in respect of any gates, fences, walls or other means of enclosure beyond the front wall of the dwellinghouse.

c) N/01/98/0434: Irvine: 44-46 Townhead

On 10th November 1998 the Sub-Committee agreed to continue consideration of the application by P. Fong & Partners, 5 Moor Park Place, Prestwick for the erection of a new licensed Cantonese Restaurant with two flats above at 44 - 46 Townhead, Irvine to allow the Chair, Vice-Chair and local members to visit the site. Objections have been received previously from Mrs E Patterson, 56a Townhead, Mr B Dick, 3 Kiln Walk, both of Irvine, Brian Donohoe, MP, and a petition of 39 names per Mr R Shek, Bank Street, Irvine.

The site visit was held on 13th November 1998 when members inspected the site of the proposed development in its entirety, noting the traffic flow and parking provision.

Letters submitted by the applicant's agent were distributed to all members of the Sub-Committee.

After a full discussion, the Sub-Committee agreed to refuse the application on the grounds:-

that the proposed development would be detrimental to the amenity of the adjoining residential properties by reason of increased traffic movement and the potential for noise and smell.

4. North Coast and Cumraes Local Plan Area

a) N/01/98/0410: Largs: Flatt Road: Flatt Farm

On 10th November 1998 the Sub-Committee agreed to continue consideration of the application by Hazelmere Homes Ltd, Highfield House, Church Road, Westoning, Bedfordshire for planning permission for the demolition of farm outbuildings, widening of an existing roadway, formation of a roundabout and short cul-de-sac and the erection of one detached, three terraced and six semi-detached two storey houses with garages at Flatt Road, Largs to allow the Chair, Vice-Chair and local member to visit the site. Objections have been received previously from 17 residents of Bellesdale Avenue, 3 residents of Woodcroft Avenue, and one resident of Eastwood Avenue, in addition a petition of objection has been received containing the signatures of 14 residents of Flatt Road, 5 residents of Eastern Avenue, 19 residents of Bellesdale Avenue and 3 residents of Woodcroft Avenue.

The site visit was held on 17th November 1998 where members viewed the site and grass verge area at Bellesdale Road. The Principal Legal Officer explained the applicant is entitled to take access to the site from Bellesdale Road, subject to Road Construction consent. The feasibility of alternative access was discussed and it was recommended that the applicant be requested to investigate the possibility of securing access to the site via the junction of Flatt Road and Eastern Avenue, but in the event that this is not possible, access should be via Bellesdale Avenue, as specified in the original report.

The Team Leader Development Control advised that the applicant has confirmed the area of ground at the junction of Flatt Road and Eastern Avenue belongs to the farm who are unwilling to sell to allow access from this point. Access can therefore only be from Bellesdale Avenue.

Having considered the objections and the site visit report, the Sub-Committee agreed to grant the application, subject to the following conditions:-

- (1) That prior to the commencement of the development the carriageway widening in Flatt Road and Bellesdale Avenue and the construction of the mini-roundabout at the

junction of Eastern Avenue and Flatt Road, including the provision of new lit road signs on each approach to the mini-roundabout, all as shown on the plans hereby approved shall be implemented to the satisfaction of North Ayrshire Council as planning authority.

- (2) That visibility splays of 2.5m x 60m at the junction of the site access road and Bellesdale Avenue 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 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.
- (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 for the written approval of North Ayrshire Council as planning authority: (i) full details or samples of the proposed external finishes; and (ii) revised proposals for the boundary enclosure adjacent to Bellesdale Avenue on the east side of the site access to enable the sight line stipulated in Condition 2 above to be formed.
- (6) That prior to any of the dwellinghouses being occupied and where Council adoption of open space is not to be pursued, there shall be submitted for approval by North Ayrshire Council as planning authority, details of the proposed maintenance plan for the play area. The play area maintenance plan shall be carried out as approved and shall only be changed with the consent of the majority of householders and the agreement 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 Schedule 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 developments within the curtilage of the dwellinghouses on plots 3 - 7 inclusive and 10.

b) N/01/98/0578: Largs: 8A School Wynd

Mr K McCaig, 5 Stakehill, Largs has applied for planning permission for alterations and a change of use of existing stores to a vehicle lock-up and car repair workshop at 8a Schoolwynd, Largs. Objections have been received from D & J McDonald, M. Crawford, and Mrs C Caven all of St. Columba Court, Largs and Cunninghame Housing Association, 82/84 Glasgow Street, Ardrossan.

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

- (1) That the proposed development would be contrary to Policy HOU9 in the adopted North Coast and Cumbraes Local Plan in that the development would be detrimental to the amenity and enjoyment of the adjoining residential flatted development for the

elderly, by reason of noise, disturbance, fumes and traffic generation.

- (2) That the proposed development would be detrimental to road safety in that it would add to congestion in School Wynd and is likely to generate a significant increase in vehicles entering and leaving School Wynd via Gallowgate Street (A78 trunk road), without a designated and maintained turning area within the site, which could result in vehicles reversing onto the A78 trunk road.

c) N/01/98/0598: West Kilbride: 1 Jacks View

Mr W Cunninghame, 1 Jack's View, West Kilbride has applied for planning permission to form an extension to a dwelling house to form a balcony at that address. Objections have been received from D. C. Kelly, 3 Jack's View, H. B. B. McQueen, 8 Jack's View, Miss M G Kellock, 12 Well Street, all of West Kilbride and West Kilbride Community Council, per J. G. Lamb, 97 Ardrossan Road, Seamill.

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

- (1) That the balcony, by reason of its siting and design would result in the adjoining residential property being overlooked which would be detrimental to residential amenity.
- (2) That the balcony, by reason of its siting, design and appearance would represent an incongruous addition to the house which would be detrimental to its appearance and the amenity of the area; and

(b) to refer the draft Enforcement Notice (Annex 1) to the Infrastructure and Environment Services Committee on 20th January 1999.

5. Urgent Items

The Chair agreed to hear the following items as a matter of urgency.

6. James Watt College

The Principal Planning Officer advised that the original application received for the erection of a College of Further Education in Kilwinning proposed a two phase development. It is now proposed to relocate the college further away from the objectors' properties and to complete the project in one phase. He further advised that a Section 75 will be drawn up.

Noted.

7. Arran: Sannox Sand Quarry

The Principal Planning Officer reported that the owner of the quarry will close the gates of the quarry 10 days from 28th November 1998. The applicant will therefore be contacted to ascertain the position of the application.

If the applicant advises they wish to have the application determined then a public hearing will be arranged.

Noted.

The meeting ended 11.50 a.m.