

Development Control Sub Committee
6 January 1999

Irvine, 6 January 1999 - At a Meeting of the Development Control Sub-Committee of North Ayrshire Council at 2.00 p.m.

Present

David Munn, Jack Carson, Ian Clarkson, Margaret Highet, Elizabeth McLardy, Thomas Morris, Robert Rae, Robert Reilly and Gena Seales and Richard Wilkinson.

In Attendance

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

Chair

Mr Munn in the Chair.

Apologies for Absence

S. Gooding and J. Sillars.

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

(a) 30 Ballot Road, Irvine

(i) *BW/98/0991 & RX/98/0064*

Regulation 9 as read with Technical Standard D2.2 requires a separating wall to be of non-combustible material.

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

That the area of wall between the warehouse and business centre shall be upgraded to provide 60 minutes fire resistance from both sides.

(ii) *BW/98/0991 & RX/98/0070*

Regulation 9 as read with Technical Standard D2.01 requires that a separating wall must have a fire resistance of at least 60 minutes.

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

- (1) That a suitable sprinkler system is installed in accordance with BS 5306 Part 2 and LPC Rules.
- (2) That a suitable fire detection and alarm system shall be installed in accordance with BS 5839 Type L1.
- (3) That a minimum 30 minutes fire resistance shall be achieved between offices and areas in common occupation.

(iii) BW/98/0991 & RX/98/0071

Regulation 9 as read with Technical Standard D2.02 required non-combustibility of a separating wall.

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

- (1) That a suitable sprinkler system is installed in accordance with BS 5306 Part 2 and LPC Rules.
- (2) That a suitable fire detection and alarm system shall be installed in accordance with BS 5839 Type L1.
- (3) That a minimum 30 minutes fire resistance shall be achieved between offices and areas in common occupation.

(iv) BW/98/0991 & RX/98/0072

Regulation 9 as read with Technical Standard D3.6 requires that a separating wall must provide a barrier to fire between the part of a building to be separated including the roof space.

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

- (1) That a suitable sprinkler system is installed in accordance with BS 5306 Part 2 and LPC Rules.
- (2) That a suitable fire detection and alarm system shall be installed in accordance with BS 5839 Type L1.
- (3) That a minimum 30 minutes fire resistance shall be achieved between offices and areas in common occupation.

(b) Arnhall, Whiting Bay, Isle of Arran: BW/98/0486 & RX/98/0073

Regulation 9 as read with Technical Standard J2.01 requires that a building in purpose group one must have provision for conservation of fuel and power in accordance with J2.02, J2.03 or J2.04.

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

- (1) That the specified elements of ground floor and roof space shall have, where feasible, insulation provided to a higher level than that required by the regulations.
- (2) That an energy efficient heating system and controls be installed in the house; its controls to include zoning of the system, thermostatic radiator valves, automatic boiler shut off etc.
- (3) That the building will be used as a dwelling of purpose sub-group B.

(c) 8 Tarryholm Drive, Irvine:

(i) BW/98/1071 & RX/98/0068

Regulation 9 as read with Technical Standard S2.06 requires the minimum width of a stair to be not less than 800mm.

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

That an adequate width of 375mm shall be maintained on the stair.

(ii) BW/98/1071 & RX/98/0069

Regulation 9 as read with Technical Standard S2.18 requires the minimum width and length of a landing must be not less than the width of the stair.

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

That an adequate width of 375mm shall be maintained on the landing when the stairlift is in a parked/stowed position.

(d) Barrington House, Roebank Road, Beith: BW/98/0926 & RX/98/0067

Regulation 9 as read with Technical Standard D2.2 requires an enclosing structure of a protected zone must be constructed in non-combustible material providing at least one hours fire resistance.

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

- (1) That the floor of the landing in the stair enclosure on the upper floor be protected from the underside with non-combustible materials to provide at least one hours fire resistance and that the space between the floor joist be fire stopped to prevent the spread of flame.
- (2) That no services be contained within a new formed cavity.

(e) 14 Anthony Road, Largs: BW/98/0966 & RX/98/0063

Regulation 9 as read with Technical Standard J2.1 requires that a building has provision for conservation of fuel and power in accordance with J2.2, J2.3 or J2.4.

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

That the roof insulation be 200mm of glass fibre insulation and energy efficient controls be fitted to the heating system.

(f) 65 Main Street, Dreghorn: BW/97/0747 & RX/98/0062

Regulation 9 as read with Technical Standard D2.03 requires a separating floor provided between a shop and a dwelling must be constructed of a non-combustible material.

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

That the existing separating floor shall be upgraded to provide 1 hours fire resistance.

(g) Westbourne, West Bay, Millport: BW/98/0732 & RX/98/0057

Regulation 9 as read with Technical Standard J2.1 requires that a building have provision for conservation of fuel and power in accordance with J2.2, J2.3 or J2.4.

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

That insulation be provided where feasible, to a higher level than that required by the Regulation in the main house and the maisonette, and that energy efficient heating and controls be utilised.

(h) 14 Queens Drive, Ardrossan

(i) BW/98/0929 & RX/98/0058

Regulation 9 as read with Technical Standard S2.06 requires the minimum width of a stair to be not less than 800mm.

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

- (1) That a minimum width of 550mm shall be maintained on the stair when the stairlift is in the parked/stowed position.
- (2) That suitable smoke detectors are provided and maintained on the ground and upper storey of the dwelling.

(ii) BW/98/0929 & RX/98/0059

Regulation 9 as read with Technical Standard S2.18 requires the minimum width and length of a landing to be not less than the width of the stair.

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

- (1) That a minimum width of 550mm shall be maintained on the landing when the stairlift is in the parked/stowed position.
- (2) That suitable smoke detectors are provided and maintained on the ground and upper storey of the dwelling.

(i) 13 Helen's Terrace, Kilwinning

(i) BW/98/0996 & RX/98/0060

Regulation 9 as read with Technical Standard S2.06 requires the minimum width of a stair to be not less than 800mm.

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

That an adequate width of 620mm shall be maintained on the stair.

(ii) BW/98/0996 & RX/98/0061

Regulation 9 as read with Technical Standard S2.18 requires the minimum width and length of a landing to be not less than the width of the stair.

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

That an adequate width of 451mm shall be maintained on the landing when the stairlift is in a parked/stowed position.

(j) 83 High Street, Irvine: BW/98/0616 & RX/98/0076

Regulation 9 as read with Technical Standard T2.03 requires access for disabled throughout the storey.

The Sub-Committee agreed to grant the application.

The Sub-Committee discussed ways of simplifying the reporting procedures concerning requests for relaxations and agreed that the Assistant Chief Executive (Legal and Regulatory

Services) investigate how this can be achieved.

2. Ardrossan/Saltcoats/Stevenston Local Plan Area

(a) N/01/98/0618: Saltcoats: 67 Dockhead Street

The Harvest Christian Fellowship, 67 Dockhead Street, Saltcoats have applied for a change of use from church hall to church hall and restaurant at that address.

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

- (1) That the applicants shall make provision for the storage of refuse collection containers within the building details of which shall be submitted for the written approval of North Ayrshire Council as planning authority within 1 month of the date of this permission.

3. Arran Local Plan Area

(a) N/01/98/0400: Brodick: East Knowe

Mr B Boal, c/o Heathfield Hotel, Brodick, has applied for planning permission to demolish an existing house and erect a new dwelling house at East Knowe, Brodick. An objection has been received from Mr M Boal, East Knowe Cottage, Brodick.

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

- (1) That the "granny flat" shall be occupied by a relative of the occupier only and shall not be separated physically from the main dwellinghouse, to the satisfaction of North Ayrshire Council as planning authority.
- (2) 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.
- (3) That any mature trees on the site which require to be felled shall be replaced with trees of species and size to be agreed with North Ayrshire Council as planning authority.

4. Garnock Valley Local Plan Area

(a) N/01/98/0477: Kilbirnie: Mill Road: Ladeside House (site to south of)

John Dickie Homes, Burnfield Road, Glasgow have applied for outline planning permission for a residential development at Ladeside House (site to the south of), Mill Road, Kilbirnie. Objections have been received from Mr and Mrs D Metcalf, Ladeside House, 9 Mill Road, and Ms J G Wilson, 9 Mill Road, Kilbirnie.

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 development shall accord with the approved development brief for the site.
- (3) That any application for the approval of reserved matter shall be accompanied by a report on the hydrological conditions of the site.
- (4) That the access to the site shall be taken from Mill Road at a point 25m south east of the Connell Court junction and shall have a radii of 7.5m.

- (5) That visibility splays of 4.5m x 60m 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.
- (6) That the existing footway on Mill Road shall be improved and extended to form a continuous 2m footway covering the entire Mill Road frontage of the site.
- (7) 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.
- (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 proposals to create a landscaped mound to measure 110 metres in length x 14 metres in width x 2.5 metres in height along the extreme north west boundary of the site, which mound shall be suitably planted with trees and shrubs and be implemented prior to the occupation of any of the dwellinghouses hereby approved.
- (9) That all private garden areas within 25 metres of the adjacent former gasometer site shall be covered with a one metre depth of clean imported topsoil and all mains services shall be laid in free draining imported fill material.

5. Irvine/Kilwinning Local Plan Area

(a) N/01/98/0497: Irvine: 11 & 12 Wheelhouse Cottages Towerlands Farm Road

East Irvine Nursery and After School Care Group, 11 & 12 Wheelhouse Cottages, Towerlands Farm Road, Irvine have applied for a change of use of landscaped area to children's play area and erection of fence at that address. A representation has been received from the occupier of 43 Parkside, Irvine.

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

- (1) That the chain-link fence shall be maintained in a neat and tidy condition to the satisfaction of North Ayrshire Council as Planning Authority.

(b) N/01/98/0637: Dreghorn: Main Street: Perceton and Dreghorn Parish Church

D. B. Contract Services Ltd, Unit 1A, Mayfield, Galston Road, Hurlford have applied for planning permission to erect 12 flats at Perceton and Dreghorn Parish Church, Main Street, Dreghorn. An objection has been received from A. Archibald, 118a Main Street, Dreghorn.

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

- (1) That the roofing material shall be natural or artificial slate, 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.
- (2) 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 brick and artificial stone.
- (3) That the east elevation of Block 1 shall be finished in a similar manner to the front (north) elevation with stone dressings to bay window feature and string course.
- (4) 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 bin store which shall be constructed in materials to match the block of flats and be enclosed.
- (5) That prior to the commencement of the construction of the flats, the revised junction with

Main Street shall be formed to the satisfaction of North Ayrshire Council as planning authority.

- (6) That prior to the occupation of the flats hereby permitted the parking provision shall be constructed in accordance with the approved plans.
- (7) 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 finishes to the access road and parking areas.
- (8) 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.
- (9) 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.
- (10) That all windows shall have a central astragal and be sash and case opening type excepting the small bathroom/shower room windows.
- (11) That all rain water goods shall be black in colour.
- (12) That the treatment of the boundary enclosures shall be agreed in writing with North Ayrshire Council as planning authority prior to the commencement of any works and a suitable enclosure shall be maintained along the boundary with No. 116 at all times.

6. North Coast And Cumbræ Local Plan Area

(a) N/01/97/0616: West Kilbride: Hunterston Road: St Bride's R C Church (ground to rear)

The Reverend Hutchison, 9 Hunterston Road, West Kilbride has applied for outline planning permission for the erection of two detached two storey houses with integral garages and formation of access driveway (shared) from St Bride's Drive at St. Bride's R C Church (ground to the rear), Hunterston Road, West Kilbride. Objections were received from 9 residents of St. Bride's Drive, West Kilbride.

Having considered the terms of the objections, the Sub-Committee agreed to refuse the application on the grounds that the applicant has not demonstrated that the site can be provided with a vehicular access.

(b) N/01/98/0575: Skelmorlie: Shore Road: Clydesdale Bank Buildings

J M R Properties, Gardener's Cottage, 20 The Lane, Skelmorlie have applied for a change of use of existing vacant bank buildings to form 3 flats with the erection of lean-to conservatory at rear of property at the Clydesdale Bank Building, Shore Road, Skelmorlie.

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

- (1) That prior to the commencement of the use of the flats the applicant shall: (i) submit for the written approval of North Ayrshire Council as planning authority a plan showing the provision of three parking spaces, including details of the surface finish, on the land within the applicant's ownership to the north of the communal ground serving the former bank premises and residential flat above; (ii) provide the three parking spaces suitably delineated

on the ground to the satisfaction of North Ayrshire Council as planning authority.

- (2) That the access to the car parking spaces shall be by way of the existing vehicle access to the former bank premises.
- (3) That prior to the commencement of the development the applicants shall submit for the written approval of North Ayrshire Council as planning authority a plan showing the location of the bin storage area for the flats.

(c) N/01/98/0614: Largs: 82-112 Main Street

CTB Building Contractors Ltd, 39 - 41 Wilson Street, Largs have applied for planning permission to subdivide and alter the frontage of an existing supermarket; demolish existing shop units and erect 6 Class 1 shops, 1 Class 2 unit, 2 fast food outlets, 1 office and 30 flats and erect a railway booking office and walkway with associated parking at 82 - 112 Main Street, Largs. An objection has been received from Carousel Craft, per L Nicholson, 84 Main Street, Largs. Largs Community Council have withdrawn their comments in relation to the application.

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

- (1) That prior to the commencement of the development the applicants shall submit for the written approval of North Ayrshire Council as planning authority full details of the proposed (i) external finishes to the building; (ii) surface treatment to all roads, car parks and hard landscape areas; (iii) walls and fences, including those adjacent to the railway; (iv) landscape and artwork features within the station; (v) domestic and commercial waste storage arrangements; and (vi) ventilation systems for the hot food shops.
 - (2) That the proposed means of access to the trunk road 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 the development is commenced. The layout of the junction shall include; (a) corner radii of 4.5m; (b) the width of the vehicular access reduced to retain a core of at least 6.0m; (c) segregated pedestrian routes formed on both sides of the access into the car park.
 - (3) That the nearside edge of the trunk road carriageway and the first 6m shall be surfaced in a bituminous surface and measures shall be adopted to ensure that drainage from the site does not discharge onto the trunk road.
 - (4) That the areas identified for residents and staff parking on plan No. 98019 (Revision A) hereby approved shall be retained for this purpose and shall not be used for any other purpose without the prior written approval of North Ayrshire Council as planning authority.
 - (5) That no development shall take place until: i) An Order has been made under Section 208 of The Town and Country Planning (Scotland) Act 1997 to divert the footpath which crosses the site in north-west, south-east direction linking Main Street and Gogo Street; and ii) Proposals have been submitted, for the written approval of North Ayrshire Council as Planning Authority to keep open the footpath across the site during the course of the development.
 - (6) The proposed service barrier shall not be erected until an order has been made under Section 207 of the Town and Country Planning (Scotland) Act 1997 to stop up the section of Gogo Street to the west of the service barrier;
- and to make an Order in terms of Section 208 Section 208 of The Town and Country Planning (Scotland) Act 1997 diverting the footpath as indicated in Condition 5 i) above; and (c) to make an Order in terms of Section 207 of the said Act to enable the short section of Gogo Street, west of the proposed control barrier, to be stopped up, as indicated in condition 6).

(d) N/01/98/0629: West Kilbride: Hunterston Road: Broomfield (site to north of)

Mr M Clelland, 30 Montgomerie Road, Saltcoats has applied for planning permission to erect a single storey house and garage and to form access at the site to the north of "Broomfield", Hunterston Road, West Kilbride. Objections have been received from 6 residents of Portencross Road, 4 residents of Hunterston Road, West Kilbride and West Kilbride

Community Council. A letter of support has also been received from Brisbane Estates.

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 Policies HOU11 and ENV2 in the adopted North Coast and Cumbraes Local Plan in that it would represent new residential development in the countryside for which the applicant has failed to demonstrate that there is a specific need.
- (2) That the proposed development would set an undesirable precedent for further developments of a similar nature which would result in the ribboning of development along the B782 thereby detracting from the amenity of the surrounding countryside.

The meeting ended at 3.00 p.m.