

Development Control Sub Committee
16 February 1999

Irvine, 16 February 1999 - At a Meeting of the Development Control Sub-Committee of North Ayrshire Council at 10.30 a.m.

Present

David Munn, Jack Carson, Margaret Highet, Elizabeth McLardy, Thomas Morris, Robert Reilly, Gena Seales and John Sillars.

In Attendance

R. Forrest, Principal Planning Officer, J. Delury, Principal Building Control Officer, D. Cartmell, Team Leader Development Control (Planning, Roads and Environment) and Angela Little, Assistant Administration Officer (Chief Executive)

Chair

Mr Munn in the Chair.

Apologies for Absence

Samuel Gooding and Ian Clarkson.

1. Building (Scotland) Acts 1959/70: Requests for Relaxation

a)(i) 1 Steadman Place, Riverside Business Park: RX/99/0002

Regulation 9 as read with Technical Standard E4.07 requires that a reception area must be separated from the escape route by a wall or screen providing 30 minutes fire resistance within a stair enclosure.

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

(1) No waiting shall be permitted in the reception area; and

(2) A suitable fire alarm and detection system shall be installed throughout the upper floor within the stair enclosure and to the office accommodation on the ground floor in accordance with BS 5839 Part 1 1988.

(ii) 1 Steadman Place, Riverside Business Park: RX/99/0003

Regulation 9 as read with Technical Standard T2.05 requires the provision of a passenger lift suitable for disabled to an upper storey.

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

A passenger lift suitable for disabled shall be provided within the building under phase 2 of the proposals or within 1 year of completion of phase 1 should phase 2 not be implemented.

b)(i) Cameronia Hotel, Shore Road, Whiting Bay, Isle of Arran: BW/98/0993 & RX/98/0074

Regulation 9 as read with Technical Standard D2.02 requires an escape stair and enclosing structure of a protected zone (including the floor of a protected lobby) must be non-combustible construction.

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

(1) That the construction of the timber stud partition between proposed bedroom 3 and attic stair shall be upgraded to achieve a minimum fire resistance of 60 minutes for integrity and insulation from both sides.

(2) That all doors (excepting bathroom) opening onto the first floor hall shall achieve a minimum fire resistance of 30 minutes for integrity and be provided with intumescent strips and smoke seals.

(3) That the whole of the escape stair shall be enclosed in a structure achieving a minimum fire resistance of 60 minutes.

(4) That the timber stair between the first floor and the attic shall be underdrawn to achieve a minimum fire resistance of 60 minutes from the underside.

(5) That any timber balustrading to the escape stair shall be finished to achieve a minimum flame spread of class "O".

(6) That the enlarged first floor lounge shall be available for the use of hotel residents only.

(7) That the building shall be provided with an automatic fire detection and alarm system type L2 to BS 5839 Part 1 1988.

(ii) Cameronia Hotel, Shore Road, Whiting Bay, Isle of Arran: BW/98/0993 & RX/98/0075

Regulation 9 as read with Technical Standard E4.06 requires an escape stair in a hotel to be located within a protected zone.

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

(1) That the construction of the timber stud partition between proposed bedroom 3 and attic stair shall be upgraded to achieve a minimum fire resistance of 60 minutes for integrity and insulation from both sides.

(2) That all doors (excepting bathroom) opening onto the first floor hall shall achieve a minimum fire resistance of 30 minutes for integrity and be provided with intumescent strips and smoke seals.

(3) That the whole of the escape stair shall be enclosed in a structure achieving a minimum fire resistance of 60 minutes.

(4) That the timber stair between the first floor and the attic shall be underdrawn to achieve a minimum fire resistance of 60 minutes from the underside.

(5) That any timber balustrading to the escape stair shall be finished to achieve a minimum flame spread of class "O".

(6) That the enlarged first floor lounge shall be available for the use of hotel residents only.

(7) That the building shall be provided with an automatic fire detection and alarm system

type L2 to BS 5839 Part 1 1988.

(iii) Cameronia Hotel, Shore Road, Whiting Bay, Isle of Arran: BW/98/0993 & RX/99/0004

Regulation 9 as read with Technical Standard E4.13 requires a hotel with only one escape stair must have a protected lobby at every location (other than topmost storey) where its rooms have access to the escape stair.

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

(1) That the building shall be provided with an automatic fire detection and alarm system type L2 to BS 5839 Part 1: 1988.

(2) That any ventilation ducts shall be directed away from the escape stair enclosure.

2. Ardrossan/Saltcoats/Stevenston Local Plan Area

a) N/01/98/0324: Stevenston: Dubbs Quarry

Score Environment Ltd, Park Campus, 1 Park Drive, Glasgow have applied for planning permission for land restoration works at Dubbs Quarry, Stevenston.

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

(1) That prior to the commencement of the importing of any materials the junction improvements as indicated on the approved drawings shall be completed to the satisfaction of North Ayrshire Council as planning authority.

(2) That the proposed access shall join the trunk road at a junction which shall be constructed by the applicant to a standard as described in the Design Manual for Roads and Bridges, Volume 6, (TD41/95) and complying with layout 7. The access shall also incorporate a deceleration lane as shown on drawing 2414-C.

(3) Wheel washing facilities shall be provided within the site to the satisfaction of North Ayrshire Council as planning authority.

(4) The new access road shall be surfaced from the wheel washing facility to the junction with trunk road.

(5) That no surface water shall shed from the access road on to the trunk road.

(6) That the 200 metre (nearside) countdown sign shall be relocated once the deceleration lane has been formed to the satisfaction of the trunk roads authority.

b) N/01/98/0459: Saltcoats: Kirkgate: Car park adjacent to La Scala Cinema

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

The Sub-Committee agreed to grant the application, 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 16th February 2000.

(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 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 foodstuffs 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 arrange for (i) the hire and collection of a skip to contain all litter from the site, which shall be situated in or close by the site and shall be collected immediately after the market has 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.

c) (i) N/01/98/0693 & (ii) N/03/98/0059: Stevenston: Boglemart Street: Grange Bingo Hall:

The Bank of Scotland, 12 Bankhead, Crossway South, Edinburgh have applied for planning permission (i) for an extension to a building to house an automatic bank teller machine (ATM); and (ii) to erect an illuminated double sided projecting sign at Grange Bingo Hall, Boglemart Street, Stevenston.

The Sub-Committee agreed (a) to refuse planning permission on the grounds that the proposed development would encourage parking within a prohibited area which would result in: (i) the obstruction of visibility at the junction of Glebe Street with Boglemart Street; and (ii) adversely affect the free flow of traffic in the area, both to the detriment of road safety; and (b) to refuse the advertisement consent on the grounds that there is no requirement for the proposed sign as the service to which the application relates does not exist.

3. Arran Local Plan Area

a) N/01/98/0656: Lamlash: Oakbank Farm

J. M. Muirhead, Oakbank Farm, Lamlash, Isle of Arran has applied for a change of use from 6 self catering houses to 6 domestic residences at Oakbank Farm, Lamlash, Isle of Arran. A representation has been received from R. G. Tinto, Oakbank Farm, Lamlash, Isle of Arran.

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

(1) That notwithstanding the permission granted by Article 3 of and Classes 1,3 and 5 of Part 1 of the Town and Country Planning (General Permitted Development)(Scotland) Order 1997 (or any other 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.

(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 provision of intervisible passing places along the access road between the junction with the public road and Oakbank which shall be constructed prior to the commencement of the use of any of the dwellinghouses as domestic residences; and (ii) proposals for the erection of boundary enclosures

for the curtilage ground attached to the residential units.

(3) That all drainage arrangements shall be to the satisfaction of SEPA and North Ayrshire Council as planning authority which may involve upgrading the existing septic tank and effluent disposal arrangements to comply with the current code of practice BS 6297: 1983.

(4) That the surface water drainage shall be excluded from the septic tank.

4. Garnock Valley Local Plan Area

a) N/01/98/0348: Barrmill: Dunlop Road: Duskview Garage

Mr C Jackson, Duskview Garage, Dunlop Road, Barrmill has applied for planning permission to form an access road to the yard at that address. An objection has been received from Mr and Mrs J McKeen, 54 Dunlop Road, Barrmill, per Paterson Holms, Solicitors, 126 Drymen Road, Bearsden.

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

(1) That visibility splays of 2.5 metres by 75 metres shall be provided and maintained on land within the applicants control such that there is no obstruction to visibility above a height of 1.05 metres measured about the adjacent carriageway level to the satisfaction of North Ayrshire Council as planning authority.

(2) That there shall be no parking of vehicles on the access road hereby approved.

(3) That the existing vehicle access shall be permanently closed to vehicular traffic on completion of the new access road to the satisfaction of North Ayrshire Council as planning authority.

(4) That all planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting season following the date of this permission; and any trees or plants which within a period of 5 years from their provision 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.

b) N/01/98/0594: Dalry: 16-18 Garnock Street

H. A. Gilbert & Sons, Little Barkip Farm, Dalry have applied for outline planning permission for the erection of four, 2 bedroomed and two, single bedroom flats at 16 - 18 Garnock Street, Dalry. An objection has been received from Mr E Tighe, 13 Garnock Street, Dalry.

Having considered the terms of the objection, the 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 development is commenced

(2) That 9 parking spaces shall be provided within the curtilage of the site.

(3) That vehicular access to the development shall be via driveways and/or a pend.

(4) That the development hereby approved shall be 2 storeys in height as viewed from the adjacent street level.

c) N/02/98/0017: Dalry: Bridgend Mill

Burnthill Developments Ltd, 84 High Street, Johnstone have applied for planning permission to demolish the existing redundant mill buildings at Bridgend Mill, Dalry. An objection has been received from Scottish Civic Trust.

Having considered the terms of the objection, the Sub-Committee agreed, subject to Section 12 of the Planning (Listed Buildings and Conservation Areas)(Scotland) Act 1997 to grant Listed Building Consent subject to the following conditions:-

(1) That prior to the commencement of work on the site the applicant shall notify the Royal Commission on the Ancient and Historical Monuments of Scotland of their intention to carry out the work and thereafter allow them a period of up to three months to record the building.

(2) That prior to the commencement of work on the site the applicant shall satisfy North Ayrshire Council as planning authority that the material will be disposed of in an appropriate authorised site.

(3) That any material which enters the watercourse is removed as soon as reasonably practicable.

(4) That prior to the commencement of demolition works the applicant shall submit proposal for the erection of screen fencing which fencing shall be erected, and thereafter maintained in good condition, prior to works commencing and until the redevelopment of the site, all to the satisfaction of North Ayrshire Council as planning authority.

5. Irvine/Kilwinning Local Plan Area

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

KB Glass Ltd, 68B Townfoot, Dreghorn have applied for alterations and a change of use from domestic garage to commercial garage (for the servicing and repair of motor vehicles and MOT testing) at that address. Representations have been received from C. Doherty, 35 Townfoot, Mrs H McCall, 1 Annick Drive, Mrs A Ramage, 51 Townfoot, D. & M. McQuarrie, 72 Townfoot, all of Dreghorn and a petition of 22 signatures of residents in Townfoot and Annick Drive, Irvine.

After discussion, the Sub-Committee agreed to continue consideration of the application to allow the Vice-Chair, Mr Carson and Mrs Seales as local member to visit the site and report to a future meeting.

b) N/01/99/0001: Irvine: 35 (site to north of) Wilson Avenue

A. Arcaro, 89 Paterson Avenue, Irvine has applied for planning permission to erect two semi-detached houses at 35 Wilson Avenue (site to the north of), Irvine. An objection has been received from C. & E. Cameron, 35 Wilson Avenue, Irvine.

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.

(2) That the improvements to parking provision agreed as part of 01/98/0336 shall be implemented prior to the occupation of the houses.

(3) That a 2m wide hard-surfaced footway with kerb edging shall be constructed along the frontage of the site prior to the occupation of the houses to the satisfaction of North Ayrshire

Council as planning authority.

6. North Coast and Cumbraes Local Plan Area

a) N/01/98/0658: Skelmorlie: 42 (site to east of) Skelmorlie Castle Road

Mr W. T. Buchanan, 42 Skelmorlie Castle Road, Skelmorlie has applied for outline planning permission for the erection of a dwelling house and garage at that address. An objection has been received from Mr T. Ovens, 121 Skelmorlie Castle Road, Skelmorlie.

Having considered the terms of the objection, 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 proposed house shall be of single of 1½ storeys in height.

(3) That a 2m wide footway shall be constructed along the frontage of the site prior to the occupation of the house.

(4) That the applicant shall form a footway crossing to North Ayrshire Council Roads Guidelines to the satisfaction of North Ayrshire Council as planning authority.

(5) That any proposed gates shall operate inwards only to avoid conflict with vehicles and pedestrians on the adjacent public road/footway.

(6) That the driveway shall be a minimum of 6m long.

(7) That drainage from the development shall be connected to the public sewerage system.

b) N/01/98/0665: Seamill: 47 (site to west of) Ardrossan Road

Dr. Bell, "Tarbet", 47 Ardrossan Road, Seamill has applied for planning permission to erect 2 two storey detached villas with separate garages at that address. Objections have been received from Mr A. S. Mack, Bredon House, and Mr R. M. Wilkinson, The Fort, both of Ardrossan Road, Seamill.

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 HOU7 in the adopted North Coast and Cumbraes Local Plan in that it would be detrimental to the character and appearance of the area as it would (i) result in a density of development which would be substantially higher than that of the surrounding areas; (ii) project forward of the existing building line in Ardrossan Road; and (iii) establish an undesirable precedent for similar developments.

(2) That the proposed development would be detrimental to trunk road safety in that the visibility splays required by S.O.D.D. Roads cannot be achieved within land in the applicants ownership or control.

c) N/01/98/0697: West Kilbride: 14 (site to south & west of) Hunterston Road:

Fairlie Plant Ltd, Per Boyce Consultancy, 50 George Street, Glasgow have applied for planning permission to erect a retaining wall and infilling of ground levels at 14 Hunterston Road, West Kilbride. An objection has been received from Mr & Mrs D. B. Robinson, Kirkland House, Hunterston Road, West Kilbride.

Having considered the terms of the objection, the Sub-Committee agreed to refuse the application on the grounds that the development would be detrimental to the amenity of the area and the residential property, Kirkland House, by reason of its siting, design and appearance.

7. Urgent Item

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

8. N/01/98/0180: Market Road, Brodick, Isle of Arran

The Development Control Sub-Committee at its meeting on 11th March 1997 agreed (a) to refuse an application for planning permission for a change of use from farm buildings to builder's yard at Brandon Farm, Strathwhillan Road, Brodick on three grounds; (b) to recommend to the Infrastructure and Environment Services Committee that an Enforcement Notice be served requiring the unauthorised use to cease and the site to be restored to its former condition; and (c) that the Director of Planning, Roads and Environment be authorised to offer assistance in the identification of alternative sites in Arran for the location of the builder's yard including the suitability of the site which Mr Corbett owns at Home Farm, Brodick. The Infrastructure and Environment at its meeting on 19th March 1997 subsequently agreed that an Enforcement Notice be served on John Corbett Construction (Arran) Limited, 117 Crow Road, Partick, Glasgow, John David Corbett, Conachair, Brodick, Isle of Arran and Charles Fforde, Brodick Estate Office, Brodick, Isle of Arran.

Discussions have continued to take place with J. Corbett Construction in relation to a suitable site in Arran for the location of the builder's yard and following negotiation a planning application had now been received for the erection of a warehouse and office at Market Road, Brodick. The applicant is agreeable to the plans to upgrade the road at Market Road and to entering into a legally binding agreement to contribute a deposit receipt for a portion of the costs incurred in the road upgrade.

The Sub-Committee agreed that this application be dealt with under the Council's Scheme of Delegation to Officers, subject to the conditions detailed therein.

The meeting ended at 11.20 a.m.