

Development Control Sub Committee  
14 April 1998

**Irvine, 14 April 1998** - At a Meeting of the Development Control Sub-Committee of North Ayrshire Council at 10.30 a.m.

**Present**

D. Munn, J. Carson, I. Clarkson, M. Highet, E. McLardy, A. Munro and R. Reilly.

**In Attendance**

R. Forrest, Principal Planning Officer, J. Delury, Principal Building Control Officer (Planning, Roads and Environment), M. McKeown, Administration Officer and A. Little, Assistant Administration Officer (Chief Executive).

**Chair**

Mr Munn in the Chair.

**Apologies for Absence**

S. Gooding, J. Clements, T. Morris and J. Sillars.

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

Submit reports on the following applications:-

**a) Unit 2 Drummond Crescent, Riverside Retail Park, Irvine: BW/98/0212 & RX/98/0015**

Regulation 9 as read with Technical Standard M3.01 requires a provision of sanitary facilities.

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

That the number of persons employed in any one shift shall not exceed 40 persons.

**b) 26-28 Howgate, Kilwinning: BW/97/1007 & RX/98/0014**

Regulation 9 as read with Technical Standard D2.03 requires that the separating floor between a restaurant and basement storage area under separate occupancies should be constructed of non-combustible material.

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

1) That the underside of the floor construction shall be upgraded to provide one hour fire protection.

2) That a suitable automatic fire detection alarm system be installed to comply with BS 5839 Part I 1988.

**c) 11 Strathmore Park, Irvine: BW/98/0289 & RX/98/0013**

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

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

That an adequate width of 383mm shall be maintained on the stair when the stairlift is in a

parked/stowed position.

## **2. Ardrossan/Saltcoats/Stevenston Local Plan Area**

### **a) N/01/96/0737 and N/02/96/0041: Hawkhill Farm (and land to the south), Stevenston**

Castleton Homes Ltd, Mayfield, Riccarton Road, Hurlford have applied for Listed Building Consent for the demolition of farm buildings and for outline planning permission for the erection of a fast food restaurant (incorporating a drive-through facility), licensed restaurant/public house and formation of associated car parking, access and landscaping at Hawkhill Farm (and land to the south), Stevenston. Objections have been received from Safeway Stores plc, per Montagu Evans, Chartered Surveyors, 43 Melville Street, Edinburgh, and Scottish Civic Trust. A representation has also been received from B & Q Plc, Portswood House, Chandlers Ford, Eastleigh, Hants.

After discussion and having considered the terms of the objections and representations, the Sub-Committee agreed (a) to refuse outline planning permission on the grounds that the proposed development would be contrary to the adopted Ardrossan, Saltcoats, Stevenston Local Plan in that it would introduce a non-conforming use into a residentially allocated area which would be detrimental to the amenity of neighbouring residential properties by reason of smell and noise disturbances; (b) to refuse Listed Building Consent on the grounds that the applicant has not demonstrated a reasonable justification for the demolition of the Listed Building; and (c) to instruct the Director of Planning, Roads and Environment to inspect the Listed Building in relation to safety and security.

## **3. Arran Local Plan Area**

### **a) N/01/98/0017: Brodick: Boathouse**

Mr R Moss, The Orwin, Brodick, Isle of Arran has applied for planning permission for (a) alterations to form a larger retail area, hire-bicycle storage; and (b) a fast food takeaway at the Boathouse, Brodick, Isle of Arran. Objections have been received from Arran Civic Trust, Mr I Leader, Brodick Cycles, Roselynn, Miss P B Spence, Stalkers Flat, Shore Road and Alexanders of Brodick, all of Brodick, Isle of Arran. A representation has also been received from Ms A Cree, Crawfordlea, Whiting Bay, Isle of Arran and Ayrshire and Arran Tourist Board.

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

1) That the proposed development would be detrimental to the amenity and appearance of the area in that the extended building would have an unacceptable visual impact on the beach and the surrounding area by reason of its size and design and as such is contrary to Policy SHO3 of the Arran Local Plan.

2) That Brodick beach is an inappropriate location for a fast food takeaway; and

(b) advise the applicant that planning permission for the existing building expired on 31 March 1995 and that appropriate enforcement action may be taken unless a fresh planning application is submitted.

### **b) N/05/98/0002: Brodick: Alma Road: Belvedere Hotel**

C. Atkins, Belvedere Hotel, Alma Road, Brodick, Isle of Arran has applied for a Certificate of Lawfulness for a hotel/guest house at that address.

The Sub-Committee agreed that the existing use of Belvedere, Alma Road, Brodick as a hotel/guest house is lawful and to issue a Certificate of Lawfulness.

## **4. Irvine/Kilwinning Local Plan Area**

### **a) N/01/98/0009: Kilwinning: Ashgrove Road: McLuckie Drive (site opposite)**

On 24 March 1998 the Sub-Committee agreed to continue consideration of the application for planning permission by Bellway Homes, 813 South Street, Glasgow to erect 40 terraced and semi detached villas at Ashgrove Road (site opposite McLuckie Drive), Kilwinning to allow the Chair, Vice-Chair and local member to visit the site, with representatives of SEPA and West of Scotland Water.

The site visit was held on 7 April 1998 when members viewed the area and the plans of the proposed development. Members were of the opinion that the proposed attenuation measures and tank sewer system would be satisfactory for the proposed development.

After discussion in relation to traffic calming measures and having considered the site visit report and the original report by the Director of Planning, Roads and Environment, 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 samples of the proposed external finishes.
- 2) That the treatment of the boundary enclosures or plot-divisions shall be agreed in writing with North Ayrshire Council as Planning Authority prior to the commencement of any works.
- 3) That a visibility splay of 4.5m x 60.0m 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.
- 4) That the speed reducing bends in front of plots 39/40 shall be amended to the satisfaction of North Ayrshire Council as Planning Authority to incorporate the overrun area located on the inside of the bends as detailed in section 6.6.4 (16) of the Roads Development Guide.
- 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 prior to the commencement of development the applicant shall carry out the remedial action identified in Para 6.2 of a Report on Soil Investigation (Reference S375/ACH/R2 dated May 1997), prepared by Omnitech (Scotland) Ltd to the satisfaction of North Ayrshire Council as Planning Authority.
- 7) That prior to the commencement of the development the applicant shall submit proposals for traffic calming measures within the site together with proposals for their implementation for the approval in writing of North Ayrshire Council as Planning Authority.

**b) N/01/98/0013: Irvine: Montgomery Street: Irvine Sawmills**

Matthew Wright and Nephew Ltd, Irvine Sawmills, Montgomery Street, Irvine have applied for outline planning permission for a residential development at that address. A representation has been received from C. Sproat, 6 Cochrane Street, Irvine.

Discussion took place on traffic management issues and members were assured that the development brief, currently being prepared, would consider these issues.

After discussion and having considered the terms of the representation, 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 any detailed submission shall comply with the Development Brief for the site.

3) That prior to the submission of reserved matters or a detailed planning application the applicant shall undertake (a) a soil survey of the site at such points and at such depth as North Ayrshire Council may stipulate, the results of which together with a scheme for decontamination of the site, shall be submitted for the approval in writing by North Ayrshire Council as Planning Authority and (b) a survey of existing noise levels on the site and submit the results, together with proposals to protect the housing development from noise from adjoining industrial processes, for the approval in writing 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 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) In association with Condition 1 above, the applicant shall submit for the approval of North Ayrshire Council as Planning Authority full details of all boundary enclosures.

**c) N/01/98/0060: Irvine: Long Drive: Hill Roundabout (site to south of)**

Shell UK Ltd, London have applied to erect a petrol filling station to include a drive-thru rollover car wash, jet wash, twin vacuum facility and retail shop (24 hours) at Hill roundabout (site to south of), Long Drive, Irvine.

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

1) 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.

2) 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 building 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.

3) That prior to the commencement of the use hereby permitted the parking provisions shall be constructed in accordance with the approved plans.

**d) N/01/98/0087: Kilwinning: Longford Avenue: Caledonia House & curtilage**

Caledonia House Ltd, Longford Avenue, Kilwinning have applied for planning permission to site a portacabin within the car park area at that address.

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

1) That the portable building hereby permitted shall be removed and the land restored to its former condition on or before 30 April 1999.

2) That prior to the commencement of the use hereby approved the applicant shall submit proposals for drainage arrangements and their implementation for approval in writing of

North Ayrshire Council as Planning Authority.

**e) N/01/98/0131: Kilwinning: 26 (G H Painting Contractors) Stevenston Road**

John Glover & James Houston, 26 Stevenston Road, Kilwinning have applied for planning permission to form vehicular access at that address. Objections have been received from R. Trundle, 21 McLuckie Park and J. Pirrie, 24 Stevenston Road, both of Kilwinning.

Having considered the terms of the objections, and having heard the views of the local member on the requirement for a wall to screen the access road from the adjoining property, the Sub-Committee agreed to grant the application subject to the following conditions:-

1) That the planning permission hereby granted shall ensure not for the benefit of the land to which it relates but for the benefit of the applicants only.

2) That prior to the commencement of the use of the access by vehicles the applicant shall submit for the written approval of North Ayrshire Council as Planning Authority details of a 1.8m high wall to be erected along the eastern boundary of the access which wall shall also be erected prior to the commencement of the use of the access by vehicles.

3) That the first 2m 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 and in such a way that no surface water shall issue onto the public road.

4) That the first 2m of the access (beyond the heel of the footway) should have a maximum gradient of 5%.

5) That the applicant shall form a footway crossing as detailed in Section 10.8 of the Roads Development Guide to the satisfaction of North Ayrshire Council as Planning Authority.

6) That the use of the land for access purposes shall not operate between the hours of 1800hrs and 0730hrs the following day.

**f) N/05/97/0007: Kilwinning: Torranyard: South Drumhirk (to south of Muirhead Cottage)**

Mr and Mrs D Astle, Elandee Kennels, Drumkirk, Kilwinning have applied for a Certificate of Lawful Use or Development for the erection of a dwellinghouse on land to the south of Muirhead Cottage, Drumkirk, Torranyard, Kilwinning.

After discussion the Sub-Committee agreed to refuse the application for a Certificate of Lawful Use or Development on the grounds that the operation which was the subject of Ayr County Council Planning Permission B/6808, has not been carried out.

**5. North Coast and Cumbraes Local Plan Area**

**a) N/01/98/0037: Portencross: Meadow Cottage (site to the south of)**

On 24 March 1998 the Sub-Committee agreed to continue consideration of the application for outline planning permission by Magnox Electric Plc, Berkeley Centre, Berkeley, Gloucestershire for the erection of one dwellinghouse at the site to the south of Meadow Cottage, Portencross to allow the Chair, Vice-Chair and local member to visit the site. Objections were received previously from A & J McLachlan, Auldhill Cottage, T. Kater, Meadow Cottage, W & A Kolon, South Banks House, all of Portencross, Miss M Sammons, 88 Hunter Avenue, Ardrossan and a letter representing the views of 13 members of Portencross Association from A. Glen, Acting Chairman, c/o Cumbrae Cottage, Portencross and West Kilbride Amenity Society per P. Anslow, 6 Ardrossan Road, Seamill. Additional letters have been received from A. Glen, Acting Chairman, c/o Cumbrae Cottage and A & J McLachlan, Auldhill Cottage, both of Portencross. A representation was also received from West Kilbride Community Council.

The site visit was held on 6 April 1998 when members viewed the area and noted the

setting of the site in relation to existing cottages and Portencross castle. Members were of the opinion that the principle of a house on the site accords with the planning requirements identified in the Local Plan.

Further objections were however received immediately prior to this meeting from A. H. Naismith, South Banks House, Portencross and Portencross Association, c/o A. McLachlan, Auldhill Cottage, Portencross.

After discussion the Sub-Committee agreed to continue the application to the next meeting to allow due consideration to be given to the further objections received.

**6. *Urgent Items***

The Chair agreed to hear the following urgent item.

**7. *Irvine: James Crescent/Old Caley Road***

Councillor Carson requested that the Wimpey site at James Crescent/Old Caley Road be tidied up and the original route of the right of way be reinstated.

The Sub-Committee agreed that the Director of Planning, Roads and Environment should write to Wimpey urging tidy of the site and seeking reinstatement of the original right of way.

The meeting ended at 11.40 a.m.