

Development Control Sub Committee
10 November 1998

Irvine, 10 November 1998 - At a Meeting of the Development Control Sub-Committee of North Ayrshire Council.

Present

Samuel Gooding, David Munn, Jack Carson, James Clements, Elliot Gray, Margaret Hight, James Jennings, Thomas Morris, Alan Munro, Robert Reilly, John Sillars and Richard Wilkinson.

In Attendance

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

Chair

Mr Gooding in the Chair.

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

a) 51-52 Hamilton Street, Saltcoats: BW/98/0544 & RX/98/0054

Regulation 9 as read with Technical Standard D2.02 requires an enclosing structure to a protected zone to be constructed of non-combustible materials.

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

(1) That a suitable fire alarm and detection system shall be installed to comply with BS 5839 Part 1:1988.

(2) That the combustible enclosure walls and floor shall be upgraded to achieve 60 minutes fire resistance.

b) 51 Princes Street, Ardrossan: BW/98/0545 & RX/98/0041

Regulation 9 as read with Technical Standard D2.2 requires that a separating floor between shop premises and living accommodation above in different occupation must be constructed from non-combustible materials.

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

That the separating floor shall be upgraded to a 60 minutes fire resisting standard (loadbearing capacity, integrity and insulation) from the underside.

c) 57 High Street, Irvine: BW/98/0807 & RX/98/0050

Regulation 9 as read with Technical Standard D2.01 requires non-combustibility of a separating floor.

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

That the underside of the floor shall be upgraded to provide a minimum of 60 minutes fire resistance.

d) 37 - 39 Bank Street, Irvine: BW/98/0850 & RX/98/0052

Regulation 9 as read with Technical Standard D2.01 requires non-combustibility of the stair and landing within a protected zone.

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

That both stair enclosures shall be capped at the head with an independent non-combustible capping providing 60 minutes fire resistance from both sides.

2. Ardrossan/Saltcoats/Stevenston Local Plan Area

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

Mr G Narducci, 5 South Crescent, Ardrossan has applied for outline planning permission to erect a detached dwellinghouse and garage at the site to the east of 11 Glen Crescent, Stevenston. An objection has been received from Mrs McGregor, 1 Glen Crescent, Stevenston.

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

b) N/01/98/0463: Stevenston, 2 Townhead Street

On 20th October 1998 the Development Control Sub-Committee agreed to continue consideration of the application by Mr M Aziz, 2 Townhead Street, Stevenston for a change of use from a shop to a hot food takeaway at that address, to allow further consultations to take place with the Estates Section and the Housing Services regarding the erection of an extractor flue on the rear wall of the Council owned flat above the premises.

Housing Services have confirmed their objection to the proposal to affix the flue to the Council's property. The proposed extraction system therefore has no prospect of being implemented and any alternative means of low level extraction could not be provided without the potential to cause a smell nuisance.

The Sub-Committee agreed to refuse the application on the grounds:-

That the applicant has failed to demonstrate that the premises can be satisfactorily ventilated without detriment to the adjacent residential properties and that as such the proposed development would be likely to give rise to odours which would be detrimental to the amenity of residential properties and therefore contrary to Policy COM7 of the Local Plan.

c) N/01/98/0521: Ardrossan: 1 (site to north of) Pavilion Place

Hazelmere Homes Ltd, Highfield House, Church Road, Westoning, Bedfordshire have applied for planning permission to erect four semi detached houses and garages at the site to the north of 1 Pavilion Place, Ardrossan. An objection has been received from Mrs M Canaghan, 1 Pavilion Place, Ardrossan.

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

(1) That access to the individual driveways should be by means of a vehicular footway crossing as detailed in Section 10.8.1 of the Roads Development Guide to the satisfaction of North

Ayrshire Council as planning authority.

(2) That the first 2 metres of each driveway, 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 should issue from any driveway onto the public road.

(3) That the sightlines at the junction of the future access with Pavilion Place shall be 4.5m x 40.0m x 1.05m to the south and 4.5m x 25.0m to the north with no obstruction to visibility above a height of 1.05m measured above the adjacent carriageway level to the satisfaction of North Ayrshire Council as planning authority.

(4) 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.

(5) 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.

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

Ayrshire and Arran Community Health Care NHS Trust, 3 Barns Park, Ayr have applied for planning permission to construct a Community Health Care Resource Centre incorporating (i) treatment and interview rooms, (ii) associated office accommodation and (iii) alterations and improvements to the High Road/Nelson Road junction at the site to the east of Nelson Road, High Road, Stevenston. The report on the application confirmed receipt of objections from residents of High Road, Stevenston and the Principal Planning Officer advised that further objections had now been submitted.

In view of the terms of the objections, and the reservations expressed by local members, the Sub-Committee agreed (a) to continue consideration of the application; and (b) that a public meeting be convened involving the applicant, the objectors and members of the public, to discuss the application and objections in more detail prior to the application being determined.

3. Arran Local Plan Area

a) N/01/98/0447: Kilmory: Hawthorn Cottage (West Bannan)

Mr G Lammie, Hawthorn Cottage (West Bannan), Kilmory, Arran has applied for planning permission to extend a dwellinghouse to form a living room, two bedrooms and a conservatory at that address. An objection has been received from Mr R A McMaster, Springfield, West Bannan.

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

(1) 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.

(2) That the discharge from the septic tank shall not affect any private water supplies in the area, to the satisfaction of North Ayrshire Council as planning authority.

b) N/01/98/0453: Lamlash: Manse Road: Tigh Ard (Site to west of)

Lamlash Golf Club, Lamlash, Arran have applied for planning permission to erect a single storey dwellinghouse and garage at the site to the west of Tigh Ard, Manse Road, Lamlash, Arran. An objection has been received from Miss K Harvey, Westbury, Margnaheglis, Lamlash, Arran.

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

That the proposed development would be contrary to policies HOU5 and TOU9 in the adopted Isle of Arran Local Plan in that it would comprise residential development in the countryside and on a protected leisure area for which no identified occupational need or unique justified need has been demonstrated.

4. Garnock Valley Local Plan Area

a) N/01/98/0529: Barrmill: Greenhills: Giffenmill Quarry (site to north of)

William Tracey Ltd, Lochlibo Road, Beith have applied to remove Condition No 2 from planning permission 01/97/0613 to allow the recovery, recycling, processing and storage of controlled waste (excluding liquids and special wastes) at the site to the north of Giffen Quarry, Greenmills, Barrmill.

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

(1) That the existing access shall continue to be used and no other access shall be formed into the site.

(2) That the material shall be stored in stockpiles of no more than 2.5m in height.

(3) That no machinery shall be operated on the site between the hours of 1700 hrs in any day and 0900 hrs the following day.

(4) That the noise generated on the site shall not exceed 55dBA (1hour) when measured from the facade of the nearest dwelling.

(5) That within two months of the date of this permission a scheme of landscaping for the existing bunding shall be submitted for the written approval of North Ayrshire Council as planning authority and that this shall include details of species, planting densities, soil treatment and aftercare.

(6) 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 date of this permission, and any plants which during the period of the permission die, are removed or become seriously diseased or damaged 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. Irvine/Kilwinning Local Plan Area

a) N/01/98/0199: Irvine: 51-53 Bank Street

North Ayrshire Developments, The Lodge, Irvine Road, Largs have applied for a variation of condition 8 of conditional planning approval No.01/97/0542 dated 8/1/98 :- That the requirement for keeping animals on the premises be relaxed to enable intermittent hospitalisation at 51 - 53 Bank Street, Irvine.

After discussion the Sub-Committee agreed to refuse the application on the following grounds:-

That the proposal would give rise to the potential for noise which would be detrimental to the amenity of existing and proposed residential development in the area.

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

P. Fong and Partners, 5 Moor Park Place, Prestwick have applied for planning permission to erect a new licensed Cantonese Restaurant with two flats above at 44 - 46 Townhead, Irvine. Objections have been received from Mrs E Patterson, 56a Townhead, Mr B Dick, 3 Kiln Walk, both of Irvine, Brian Donohoe, MP and a petition containing 39 signatures has been submitted per Mr R

Shek, Bank Street, Irvine.

Having considered the terms of the objections, the Sub-Committee agreed to continue consideration of the application to allow the Chair, Vice-Chair and local members to visit the site and report to a future meeting.

c) N/01/98/0481: Kilwinning: Irvine Road: Ventura (site to north of):

Mr B Moore, 'Ventura', Irvine Road, Kilwinning has applied for planning permission to erect a dwellinghouse at that address.

After discussion the Sub-Committee agreed to continue consideration of the application to allow clarification to be sought on the designation of this site as identified in the Irvine/Kilwinning Replacement Local Plan (Consultative Draft).

d) N/01/98/0533: Irvine: 86 Montgomery Street

Mr A Tremble, 86 Montgomery Street, Irvine has applied for planning permission to erect an outbuilding with 2 bedrooms for an existing hotel at that address. Objections have been received in the form of petition from 4 residents of 88 Montgomery Street, Irvine.

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

That within 1 month of the completion of the extension, the rear car park shall be hard surfaced to the satisfaction of North Ayrshire Council as planning authority.

6. North Coast and Cumbraes Local Plan Area

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

Hazelmere Homes Ltd, Highfield House, Church Road, Westoning Bedfordshire have applied for planning permission to demolish farm outbuildings, widen the existing roadway, format a roundabout and short cul de sac and erect a detached, three terraced dwellinghouse and six semi-detached two storey dwellinghouses with garages at Flatt Road, Largs. Objections have been received from 17 residents of Bellesdale Avenue, 3 residents of Woodcroft Avenue and one resident of Eastwood Avenue, Largs and a petition of 41 signatures has been submitted on behalf of 14 residents of Flatt Road, 5 residents of Eastern Avenue, 19 residents of Bellesdale Avenue and 3 residents of Woodcroft Avenue, Largs.

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

b) N/01/98/0518: Largs: 20 (site to the south of) Hill Street

S. Johnstone and I. Gordon, 82 Hill Street, Largs have applied for planning permission to erect a dwellinghouse at the site to the south of 20 Hill Street, Largs. An objection has been received from Mr T. Ireland, Broomgrove, 102 Hill Street, Largs.

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 a 1.8 metre high concrete post and weldmesh fence shall be erected along the existing boundary of the site adjoining the railway line, to the satisfaction of North Ayrshire Council as planning authority.

(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 realignment of the section of Hill Street within the site; (ii) the surface finish to the section of Hill Street within the site; (iii) the proposed boundary wall to the south-west of the house; and (iv) the brick cill and roof

tile types.

(3) That notwithstanding the permission granted by Article 3 of Classes 1 and 3 of Part 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 development within the curtilage of the dwellinghouse.

c) N/01/98/0534: Largs: 9 Charles Street

J. Purdie, 9 Charles Street, Largs has applied for planning permission to reinstate the rear garden boundary fence at that address. An objection has been received from M. MacIntosh, 9 Charles Street, Largs.

Having considered the terms of the objection, the Sub-Committee agreed to grant the application.

The meeting ended at 12.10 p.m.