

EAST AYRSHIRE COUNCIL

NORTHERN AREA LOCAL PLANNING COMMITTEE

MINUTES OF MEETING HELD ON FRIDAY 17 MARCH 2006 AT 1000 HOURS IN CROOKEDHOLM COMMUNITY CENTRE, GROUGAR ROAD, CROOKEDHOLM

PRESENT: Councillors Maureen McKay, Jim O'Neill, John McGhee, Isabella Macrae, Harry Wilson, Jim Raymond, Stuart Finlayson and Robert McDill.

ATTENDING: Bill Stewart, Principal Planning Officer; Craig Iles, Senior Planning Officer; Avril Forrest, Solicitor; and Jennifer Morrison and Christine Baillie, Administrative Officers.

APOLOGY: Councillor Stephanie Young

CHAIR: Councillor Maureen McKay, Chair.

HEARING PROCEDURE

1. The Administrative Officer established that the Hearing Procedure was understood by all participants.

2. **APPLICATION NO. 06/0008/FL: CASTLE DEVELOPMENTS LTD: 22 MAIN ROAD, WATERSIDE**

There was submitted an executive summary sheet and report dated 9 March 2006 (both circulated) by the Head of Planning, Development and Building Standards on a full planning application for proposed erection of terrace forming 3 dwellinghouses at 22 Main Road, Waterside.

- 2.1 **Consideration of Item**

The Principal Planning Officer reported the following amendment to the report: that the Contrary Decision Note as detailed in pages 2 and 14 of the report should read "Should the Committee agree that the application be refused contrary to the recommendation of the Head of Planning, Development and Building Standards on the basis of the principle of residential development on the site, the application would require to be referred to the Development Services Committee as that would be a significant departure from Council Policy"; that 4 objections had been received, details of which were contained within the report; reported additional comments received from one of the objectors in terms of their earlier objections; summarised the planning considerations in respect of the application; and gave the recommendation of the Head of Planning, Development and Building Standards: Approval subject to the conditions and for the reasons detailed in the report.

- 2.2 **Planning Hearing**

The Committee heard Mrs Roberts in respect of her objections.

The Committee then heard Mr Thomson the applicant's representative in support of the application.

Members of the Committee asked questions of the applicant's representative in accordance with the hearing procedure.

The Chair closed the Hearing.

2.3 Determination of Application

The Principal Planning Officer provided clarification on points raised during the Hearing.

It was agreed to approve the application subject to the conditions, and for the reasons, detailed in the report and subject to the undernoted additional condition:-

Prior to any work commencing on the houses hereby approved, but following the preparation of the ground for the foundations, the applicant shall submit details of these ground levels, the finished access road level adjacent to the site, the finished floor levels for each house, all measured from a fixed datum point on Main Road, which shall be verified on site with the Planning Authority and thereafter formally agreed in writing.

REASON: To ensure that the finished floor levels and the ridge heights of the houses accord with the submitted details to maintain the setting of the listed building.

3. APPLICATION NO. 05/1239/FL: CASTLE DEVELOPMENTS LTD: 22 MAIN ROAD, WATERSIDE

There was submitted an executive summary sheet and report dated 8 March 2006 (both circulated) by the Head of Planning, Development and Building Standards on a full planning application for relocation of LPG tanks and gas dispersion wall and formation of layby for LPG tanker at 22 Main Road, Waterside.

The Principal Planning Officer reported that no letters of objection had been received; summarised the planning considerations in respect of the application; and gave the recommendation of the Head of Planning, Development and Building Standards: Approval, subject to the conditions and for the reasons detailed in the report.

It was agreed to approve the application subject to the conditions, and for the reasons detailed in the report.

4. APPLICATION NO. 05/1162/FL: KERIM EYGI: 25 BRIDGE STREET, GALSTON

There was submitted an executive summary sheet and report dated 7 March 2006 (both circulated) by the Head of Planning, Development and Building Standards on a full planning application for part change of use of coffee shop to form hot food takeaway and alterations to shop front (retrospective) at 25 Bridge Street, Galston.

4.1 Consideration of Item

The Principal Planning Officer reported that, in addition to the objection received from Galston Community Council, two additional letters of objection had been received, details of which were contained within the report; summarised the planning considerations in respect of the application; and gave the recommendation of the Head of Planning, Development and Building Standards: Approval subject to the conditions and for the reasons detailed in the report.

4.2 Planning Hearing

The Committee then heard Mr Alton in support of his objections, and Mrs Anderson representing the objections of Galston Community Council.

Members of the Committee asked questions of the objectors in accordance with the Hearing Procedure.

The Committee then heard Mrs Eygi, the applicant's representative in support of the application.

Members of the Committee asked questions of the applicants' representative in accordance with the Hearing Procedure.

The Chair closed the Hearing.

4.3 Determination of Application

The Principal Planning Officer provided clarification on points raised during the Hearing.

Councillor Finlayson, seconded by Councillor Macrae, moved that the application be refused on the grounds that the proposal was detrimental to the residential amenity of the area.

Councillor McGhee, seconded by Councillor O'Neill, moved as an amendment that the application be approved subject to the conditions, and for the reasons, detailed in the report and subject to the undernoted additional condition:-

Any amplified music within the premises being so used as not to be audible from within the nearest affected residential property.

REASON: To ensure that the premises operate without prejudice to the residential amenity of the neighbouring property.

On a division by a show of hands, 4 members voted for the amendment and 4 members voted for the motion.

There being an equality of votes, the Chair exercised her casting vote in favour of the amendment which accordingly became the decision of the meeting.

5. APPLICATION NO. 05/1310/FL: MR AND MRS J KRIEGER 104 EAST MAIN STREET, DARVEL

There was submitted an executive summary sheet and report dated 2 March 2006 (both circulated) by the Head of Planning, Development and Building Standards on a full planning application for proposed erection of single dwellinghouse at 104 East Main Street, Darvel.

It was noted that Members of the Committee had attended a site visit in respect of the application prior to the meeting.

The Principal Planning Officer reported the following amendment to the report: that reason 2 shown on page 53 of the report should be amended from Policy ENV 7 3(b) to "the parking requirement of Policy ENV 7"; that 2 objections had been received, details of which were contained within the report; summarised the planning considerations in respect of the application and gave the recommendation of the Head of Planning, Development and Building Standards: Refusal for the reasons detailed in the report.

No Hearing took place as the objectors were not present or represented.

It was agreed to approve the application on the grounds that the proposal did not represent a significant breach of policy subject to the inclusion of the undernoted conditions, as well as to the addition of the standard planning conditions:-

Notwithstanding the plans hereby approved, samples of the walling and roofing materials shall be submitted to and agreed in writing with the Planning Authority, prior to any work commencing on site, and thereafter utilised as agreed.

REASON – In the interests of visual amenity;

Construction works shall only take place during the hours of 0800 hours and 1800 hours Monday to Friday and 0800 hours and 1300 hours on Saturday and at no time on Sundays.

REASON – In the interests of the amenity of the surrounding area; and

Prior to the occupation of the house hereby approved, the parking layout shall be formed in accordance with the approved details and shall thereafter be retained and maintained in accordance with these details.

REASON – In the interests of the amenity of the surrounding area.

6. APPLICATION NO 05/1320/OL: MR K SCADE: BIRKHILL, FOULPAPPLE ROAD, NEWMILNS

There was submitted an executive summary sheet and report dated 8 March 2006 (both circulated) by the Head of Planning, Development and Building Standards on an outline planning application for erection of 2 detached dwellinghouses with associated access and formation of traffic calming measures to Foulpapple Road at Birkhill, Foulpapple Road, Newmilns.

6.1 Consideration of Item

The Principal Planning Officer reported that paragraphs 3.1 and 3.2 on page 55 of the report should be amended to read the same as paragraphs 8.1 and 8.2 on page 62 of the report; that the word “full” in paragraph 1.1 of the report should be replaced by the word “outline” that 2 objections had been received, details of which were contained within the report; summarised the planning considerations in respect of the application; and gave the recommendation of the Head of Planning, Development and Building Standards: Approval subject to the conditions and for the reasons detailed in the report.

6.2 Planning Hearing

The Committee heard Mr Bryson in support of his objections.

The Committee then heard Mr Scade the applicant in support of the application.

Members of the committee asked questions of the applicant in accordance with the Hearing Procedure.

The Chair closed the Hearing.

6.3 Determination of Application

The Principal Planning Officer provided clarification on points raised during the hearing.

Councillor Wilson, seconded by Councillor McDill, moved that the application for the erection of two detached dwellinghouses with associated access be approved

subject to condition 1, and for the associated reason, detailed in the report and that the part of the application which related to traffic calming measures be deleted from the application on the grounds that traffic calming measures on Foulpapple Road would be detrimental to the area.

Councillor McGhee, seconded by Councillor McKay, moved as an amendment that the application be approved subject to the conditions, and for the reasons detailed in the report.

On a division by a show of hands the amendment was carried by 5 votes to 3.

ORDER OF BUSINESS

7. The Chair at her discretion and in terms of Standing Order 19, agreed to alter the order of business to that as detailed hereafter.

8. **APPLICATION NO 05/1243/FL: TRAVIS HOMES: LAINSHAW HOUSE, STEWARTON**

There was submitted an executive summary sheet and report dated 8 March 2006 (both circulated) by the Head of Planning, Development and Building Standards on a full planning application for the erection of 4 dwellinghouses, new road alignment and roundabout formation at Lainshaw House, Stewarton.

The Senior Planning Officer reported that 1 objection had been received, details of which were contained within the report; summarised the planning considerations in respect of the application; and gave the recommendation of the Head of Planning, Development and Building Standards: Approval subject to the conditions and for the reasons detailed in the report and subject to the following condition and reason:- (17) prior to the commencement of the development the roundabout at the junction of David Dale Avenue and Lainshaw Street, Stewarton, as shown on the approved plans, shall be submitted to the satisfaction of the Planning Authority.

REASON: In the interests of road safety; and

that the issuing of the decision notice be held in abeyance until the Solicitor to the Council had concluded an agreement with the applicant in terms of Section 75 of the Town and Country Planning (Scotland) Act 1997 addressing the points detailed in paragraph 7.1 of the report.

No hearing took place as the objector was not present or represented.

It was agreed to approve the application subject to the conditions, and for the reasons detailed in the report and subject to the additional condition and reason detailed above and that the issuing of the decision notice be held in abeyance until the Solicitor to the Council had concluded an agreement with the applicant in terms of Section 75 of the Town and Country Planning (Scotland) Act 1997 addressing the points detailed in paragraph 7.1 of the report.

Councillor Wilson left the meeting at this point.

9. **APPLICATION NO 05/1045/FL: JOHN HENRY HOMES: BRIDGEND, STEWARTON**

There was submitted an executive summary sheet and report dated 8 March 2006 (both circulated) by the Head of Planning, Development and Building Standards on a

full planning application for change of house types for plots 3 and 4 and re-alignment of road affecting plots 3, 4 and 7 at Bridgend, Stewarton.

The Senior Planning Officer reported that 1 objection had been received from Stewarton and District Community Council, details of which were contained within the report; summarised the planning considerations in respect of the application; and gave the recommendation of the Head of Planning, Development and Building Standards: Approval subject to the conditions and for the reasons detailed in the report.

No Hearing took place as the objector was not present or represented.

It was agreed to approve the application subject to the conditions, and for the reasons detailed in the report.

10. APPLICATION NO 06/0121/FL: VODAFONE UK LTD: WEST MOSSSIDE FARM, KIRKLANDSIDE, KILMARNOCK

There was submitted an executive summary sheet and report dated 7 March 2006 (both circulated) by the Head of Planning, Development and Building Standards on a full planning application for proposed erection of a 22.6 metre high slimline monopole with equipment housing cabinet and ancillary development and formation of proposed landscaping area and fencing at West Moss side Farm, Kirklandside, Kilmarnock.

The Principal Planning Officer reported that 1 objection had been received, details of which were contained within the report; summarised the planning considerations in respect of the application; and gave the recommendation of the Head of Planning, Development and Building Standards: Approval subject to the conditions and for the reasons detailed in the report.

No Hearing took place as the objector was not present or represented.

It was agreed to approve the application subject to the conditions, and for the reasons detailed in the report.

11. APPLICATION NO 05/0963/FL: ALTHERAN PROPERTIES LTD: LANGDYKE FARM, WATERSIDE

There was submitted an executive summary sheet and report dated 8 March 2006 (both circulated) by the Head of Planning, Development and Building Standards on a full planning application for alterations to form 3 dwellinghouses at plots 2,3 and 4 Langdyke Farm, Waterside.

The Principal Planning Officer reported that 1 objection had been received, details of which were contained within the report; summarised the planning considerations in respect of the application; and gave the recommendation of the Head of Planning, Development and Building Standards: Approval subject to the conditions and for the reasons detailed in the report but that permission not be issued until the Solicitor to the Council had concluded a formal agreement with the applicant under Section 75 of the Town and Country Planning (Scotland) Act 1997 in respect of the points detailed in paragraph 7.1 of the report.

No Hearing took place as the objector was not present or represented.

It was agreed to approve the application subject to the conditions, and for the reasons detailed in the report, but that permission not be issued until the Solicitor to the Council had concluded a formal agreement with the applicant under Section 75 of the Town and Country Planning (Scotland) Act 1997 in respect of the points detailed in paragraph 7.1 of the report.

12. APPLICATION NUMBER 06/0009/FL: SHIRE HOUSING ASSOCIATION: CASTLE VIEW AVENUE, GALSTON

There was submitted an executive summary sheet and report dated 8 March 2006 (both circulated) by the Head of Planning, Development and Building Standards on a full planning application for proposed residential development at Castlevue Avenue, Galston by Shire Housing Association.

The Principal Planning Officer reported that no letters of objection had been received; summarised the planning considerations in respect of the application; and gave the recommendation of the Head of Planning, Development and Building Standards: Approval subject to the conditions and for the reasons detailed in the report and subject to the following additional condition:- (11) that all driveways and parking spaces shown on drawing no: 685-04C, shall be formed in accordance with the approved details, prior to the occupation of the associated residential units and thereafter shall be maintained and retained in accordance with the approved details.

REASON – In the interests of road safety.

It was agreed to approve the application subject to the conditions, and for the reasons detailed in the report, subject to the additional condition detailed above and subject to the following additional condition (12) prior to any works commencing on site, the applicants shall submit a Traffic Management Scheme for the development which shall be agreed in writing with the Planning Authority. Thereafter, the approved scheme shall be implemented and maintained throughout the duration of on-site operations.

REASON – In the interests of road safety.

The meeting terminated at 1215 hours.