

EAST AYRSHIRE COUNCIL

NORTHERN AREA LOCAL PLANNING COMMITTEE

**MINUTES OF MEETING HELD ON FRIDAY 21 MAY 2004 AT 1000 HOURS IN
KILMAURS COMMUNITY CENTRE, EAST PARK DRIVE, KILMAURS**

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

ATTENDING: Euan Couperwhite, Head of Resource Support; Karl Doroszenko, Policy and Projects Manager; Ian Walker, Acting Principal Planning Officer; Karen McLeod, Solicitor; and Jennifer Morrison, Administrative Officer.

APOLOGY: Councillor Jim Raymond.

CHAIR: Councillor Maureen McKay, Chair.

CHAIR'S COMMENTS

1. The Chair reported that Item 3 – Application No 03/0985/FL – 5 Main Road, Waterside, had been withdrawn from the Agenda.

HEARING PROCEDURE

2. The Administrative Officer established that the Hearing Procedure was understood by all participants.
3. **APPLICATION NO 03/1110/FL: CASTLE DEVELOPMENTS LIMITED: 22 MAIN ROAD, WATERSIDE**

There was submitted an executive summary sheet and report dated 12 May 2004 (both circulated) by the Head of Planning, Development and Building Standards on a full planning application for the proposed erection of 12 two storey detached houses with access road and accommodated parking at 22 Main Road, Waterside.

3.1 Consideration of Item

The Acting Principal Planning Officer reported that 5 letters of objection had been received in respect of the full planning application, details of which were contained within the report; reported an amendment to Condition 8 in the report to extend its scope to include “the treatment to the sides of the new ramped access road and the eastern frontage of the site”; an amendment to Condition 10 in the report to include the requirement of a 1 metre wide access to the Craufurld water and that the drawing referred to in Condition 11 should have the suffix 02r19; summarised the planning considerations in respect of the application and gave the recommendation of the Head of Planning, Development and Building Standards, viz:- Approval subject to the conditions and for the reasons detailed in the report and to the amended conditions as detailed by the Acting Principal Planning Officer; and that the issuing of the decision notice be withheld until the Solicitor to the Council had concluded a formal Section 75 Agreement with the applicant under the Town and Country Planning (Scotland) Act 1997 in respect of the matters addressed in section 3 and 7 of the report.

3.2 Planning Hearing

The Committee then heard Jean Brown representing her own objections and also those of William, James, Carol and John Brown. Members of the Committee asked questions of the objector in accordance with the Hearing Procedure.

At this point it was agreed to defer consideration of the application to the next meeting in order that a site visit could be carried out, and that at that time a new Hearing be held to which the objectors and the applicant would again be invited to attend.

4. APPLICATION NO 04/0301/FL: PERSIMMON HOMES LIMITED: 1 RAASAY PLACE, KILMARNOCK

There was submitted an executive summary sheet and report dated 13 May 2004 (both circulated) by the Head of Planning, Development and Building Standards on a full planning application for the substitution of house type (retrospective) at plot 50, 1 Raasay Place, Kilmarnock.

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

4.1 Consideration of Item

The Acting Principal Planning Officer reported that 1 letter of objection had been received in respect of the application, 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: Viz:- (i) Approval, and (ii) in the event that the application was refused that the Planning, Development and Building Standards Division be authorised to take formal enforcement action to secure removal of the unauthorised house.

4.2 Planning Hearing

The Committee then heard Sandra Eadie in support of her objections. Members of the Committee asked questions of the objector in accordance with the Hearing Procedure.

The Committee then heard Alex Mitchell of James Barr, the applicant's representatives, 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.

4.3 Determination of Application

The Acting Principal Planning Officer responded to various planning issues raised during the Hearing.

Councillor Young, seconded by Councillor Wilson, moved that the application be refused on the grounds that approval of this house type substitution would have a detrimental impact on the residential and visual amenity of Plot 45, the house of the objector, and furthermore that the Planning, Development and Building Standards Division be authorised to take formal enforcement action to secure removal of the unauthorised house.

Councillor McGhee, seconded by Councillor O'Neill, moved as an amendment that the application be approved.

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 motion which accordingly became the decision of the meeting.

5. APPLICATION NO 04/0272/FL: TAURUS CONSTRUCTION: MAIRS ROAD AND TEMPLE STREET, DARVEL

There was submitted an executive summary sheet and report dated 13 May 2004 (both circulated) by the Head of Planning, Development and Building Standards on a full planning application for the proposed demolition of existing factory and erection of 4 detached dwellinghouses at Mairs Road/Temple Street, Darvel.

The Acting Principal Planning Officer reported that 1 letter 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, Viz:- Approval subject to the conditions and for the reasons detailed in the report and that the decision notice be withheld until the Solicitor to the Council had concluded a Section 75 Agreement with the applicant under the Town and Country Planning (Scotland) Act 1997 in respect of the matter detailed in paragraph 7.2 of the report.

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

It was agreed to grant the application subject to the conditions and for the reasons detailed in the report and subject to the following additional conditions; (13) prior to the commencement of development on site the applicant shall submit written confirmation of the suitability of the proposed bin storage arrangement to accommodate the Council's 3 bin re-cycling scheme and revised drawings indicating any proposed bin storage details. Thereafter, any bin storage shall be provided as agreed by the Planning Authority, Reason: in the interests of visual amenity and public health; (14) that the adjacent public footway linking Temple Street to Mairs Road shall be maintained unimpeded throughout the demolition and construction works to the satisfaction of the Planning Authority, Reason: in the interests of residential amenity and the maintenance of an uninterrupted public footway; and to the following amendment to condition (6) that upon demolition of the factory within the application site the applicant shall submit a timetable for the landscaping of the area, to the satisfaction of the Planning Authority, said details shall confirm the implementation of the landscaping in the first planting season, after demolition of the factory, Reason: in the interest of visual amenity; and to the following amendment to Condition (9) that external construction works take place on a Saturday between 9.00 am and 1.00 pm only, Reason: in the interests of residential amenity; and that the issuing of the decision notice be withheld until the Solicitor to the Council had concluded an Agreement under Section 75 of the Town and Country Planning (Scotland) Act 1997 with the applicants in respect of the matter detailed in paragraph 7.2 of the report.

6. APPLICATION NO 04/0221/OL: MR AND MRS BUCKE: 8 WEST VIEW, WATERSIDE

There was submitted an executive summary sheet and report dated 13 May 2004 (both circulated) by the Head of Planning, Development and Building Standards on

an outline planning application for the proposed development of land for residential purposes (one house) at 8 West View, Waterside.

The Acting Principal Planning Officer reported that one letter 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, viz:- Refusal for the reasons detailed in the report.

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

It was agreed to refuse the application for the reasons detailed in the report.

7. THE HAPLAND, DUNLOP (NO 2) (PROVISIONAL) TREE PRESERVATION ORDER 2004

There was submitted a report dated 10 May 2004 (circulated) by the Head of Planning, Development and Building Standards which advised the Committee of the making, serving and advertising of the Hapland, Dunlop (No 2) (Provisional) Tree Preservation Order 2004 and which sought the Committee's views on whether or not the existing Tree Preservation Order should be confirmed.

It was agreed:-

- (i) to confirm the Hapland, Dunlop (No 2) (Provisional) Tree Preservation Order 2004; and
- (ii) to otherwise note the contents of the report.

8. RESIDENTIAL DEVELOPMENT AND SCHOOL FACILITIES IN STEWARTON (Item 6, Page 722, 03/07)

There was re-submitted a report dated 15 April 2004 (circulated) by the Head of Planning, Development and Building Standards which advised the Committee of the situation regarding the capacity of schools in Stewarton, and the effects of this on new and proposed housing development in the town. The report had first been requested by the Committee at its meeting in January 2004 when it was agreed to receive a report for information purposes only on pedestrian safety and schools capacity in Stewarton.

It was agreed that the Head of Resource Support and the Policy and Projects Manager take back to their respective Departments the points raised by the Committee during discussion on this report, in order that the Committee could have the confidence that it was taking informed decisions on planning applications based on accurate school roll information.

The meeting terminated at 1155 hours.