

EAST AYRSHIRE COUNCIL

NORTHERN AREA LOCAL PLANNING COMMITTEE

**MINUTES OF MEETING HELD ON FRIDAY 4 APRIL 2003 AT 1000 HOURS IN
DARVEL TOWN HALL, WEST MAIN STREET, DARVEL**

PRESENT: Councillors Jim Raymond, Brian McNeil, Ann Hay, Stephanie Young, Isabella Macrae, Finlay MacLean and Robert McDill.

ATTENDING: Dave Morris, Development Promotion Manager; Ian Walker, Senior Planner; Karen McLeod, Solicitor and Jennifer Morrison, Administrative Officer.

APOLOGIES: Councillors Kathleen Hall and Harry Wilson.

CHAIR: Councillor Jim Raymond, Chair.

HEARING PROCEDURE

1. The Administrative Officer established that the Hearing Procedure was understood by all participants.
2. **APPLICATION NO 03/0092/FL: JIM SCOTT HOMES – MALCOLM’S YARD, CROSSHOUSE ROAD, KILMAURS (Item 3, Page 3132, 99/03)**

There was submitted an executive summary sheet and report dated 26 March 2003 (both circulated) by the Head of Planning and Building Control on a full planning application for proposed residential development at Malcolm’s Yard, Crosshouse Road, Kilmaurs.

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

2.1 Consideration of Item

The Development Promotion Manager reported that 12 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 and Building Control, viz:- Approval, subject to the conditions and for the reasons detailed in the report.

2.2 Planning Hearing

The Committee then heard Mrs Dick, Mr Stevenson and Mr Corson, representing Kilmaurs Community Council, in support of their objections. The applicant was not present or represented. Members of the Committee asked questions of the objectors in accordance with the Hearing procedure.

The Chair closed the Hearing.

2.3 Determination of Application

The Development Promotion Manager responded to various planning issues raised during the Hearing.

It was agreed to refuse the application on the grounds (1) that it would have a detrimental impact on the existing residential amenity of the area due to a significant increase in traffic caused by the proposed housing development; (2) that it would result in the loss of an established play area; and (3) that the proximity of the new access road (serving the proposed housing development) to the remaining part of

the play area would introduce a road safety risk to children using the play area which does not exist at present.

3. APPLICATION NO 02/0171/FL: MCTAGGART CONSTRUCTION – BRIDGE AT DUNLOP HOUSE, DUNLOP

There was submitted an executive summary sheet and report dated 25 March 2003 (both circulated) by the Head of Planning and Building Control on a full planning application for the proposed reconstruction of bridge at Dunlop House, Dunlop by McTaggart Construction.

3.1 Consideration of Item

The Development Promotion Manager reported that 5 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 and Building Control, viz:- Refusal, for the reasons detailed in the report.

3.2 Planning Hearing

The Committee then heard Davina Batey in support of Dunlop and Lugton Community Council's objections and Mr Climson the applicant in support of the application. Members of the Committee asked questions of the objector and the applicant. The objector and the applicant then responded to new issues raised, all in accordance with the Hearing procedure.

The Chair closed the Hearing.

3.3 Adjournment/Reconvention of Meeting

It was agreed to adjourn the meeting at 1115 hours to allow the Development Promotion Manager to consult with the Solicitor.

The Meeting reconvened at 1127 hours with the same Members and Officers present and in attendance.

3.4 Further Consideration of Item

The Development Promotion Manager reported that the applicant, as part of the Hearing process, had indicated that he intended to utilise existing stone from the bridge, where available, in addition to the proposed material identified in the application. Accordingly the Development Promotion Manager recommended that the application be continued to a future meeting to allow for the consideration of the revised proposals outlined by the applicant during the Hearing.

3.5 Determination of Application

Councillor McDill, seconded by Councillor Macrae, moved that the application be continued to allow for the consideration of revised proposals as outlined by the applicant at the meeting.

Councillor McNeil, seconded by Councillor Hay, moved as an amendment that the application be refused for the reasons detailed in the report.

On a division by a show of hands the motion was carried by 4 votes to 3.

Councillors McNeil, Hay and Young left the meeting at this point.

4. APPLICATION NO 02/0983/FL: K G BUILDING – VACANT GROUND ADJACENT TO BREWLAND STREET, GALSTON

There was submitted an executive summary sheet and report dated 25 March 2003 (both circulated) by the Head of Planning and Building Control on a full planning application for proposed new housing development of 32 new houses at vacant ground adjacent to Brewland Street, Galston.

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 Development Promotion Manager reported that one petition of objection containing nine signatures 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 and Building Control, viz:- Approval, subject to the conditions and for the reasons detailed in the report and that the issuing of the planning decision notice be withheld until the Solicitor to the Council had satisfactorily concluded a formal agreement under section 75 of the Town and Country Planning (Scotland) Act 1997 with the applicants, in respect of the issue addressed in paragraph 8.3 of the report.

4.2 Planning Hearing

The Committee then heard Mrs Faulds and Mr Mann in support of the petition of objection. The applicant was not present or represented. Members asked questions of the objectors in accordance with the Hearing procedure.

The Chair closed the Hearing.

4.3 Determination of Application

The Development Promotion Manager responded to various planning issues raised during the hearing.

It was agreed to grant the application subject to the conditions and for the reasons detailed in the report and subject to two additional conditions (1) notwithstanding the details shown in respect of plot twenty-two, the house type indicated for that plot is not approved. Prior to the commencement of any development on that plot, the separate written planning consent of the planning authority shall be obtained in respect of an alternative single storey house. Reason: to secure provision of a unit having a reduced impact on the amenities of adjoining dwellings and (2) the details to be submitted further to condition 5(d) of the report shall allow for the realignment of the emergency access such that it would connect centrally to the end of Andrew Lundie Place. Reason: to ensure that the emergency access would connect to the end of Andrew Lundie Place without detriment to the amenities of adjacent properties, and in the interests of road safety. It was further agreed that the issuing of the planning decision notice be withheld until the Solicitor to the Council had satisfactorily concluded a formal agreement under section 75 of the Town and Country Planning (Scotland) Act 1997 with the applicants in respect of the issue addressed in paragraph 8.3 of the report.

5. APPLICATION NO 02/0864/FL: SCOTTISH WATER – AMLAIRD WATER TREATMENT WORKS, GALSTON ROAD, WATERSIDE

There was submitted an executive summary sheet and report dated 25 March 2003 (both circulated) by the Head of Planning and Building Control on a full application for the proposed erection of temporary meteorological mast to record wind data for a period of 12 months at Amlaird Water Treatment Works, Galston Road, Waterside.

The Development Promotion Manager reported that one 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 and Building Control: 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 grant the application subject to the conditions and for the reasons detailed in the report.

6. APPLICATION NO 03/0031/FL: AIRWAVE MM02 LIMITED – MIDLAND FARM, FENWICK

There was submitted an executive summary sheet and report dated 24 March 2003 (both circulated) by the Head of Planning and Building Control on a full planning application for the proposed installation of a 12m lattice tower with 2.6m headframe supporting three 4-stack dipole antennae and two microwave dishes and equipment cabin all surrounded by a stockproof and chainlink fence at Midland Farm, Fenwick.

The Development Promotion Manager reported that one 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 and Building Control: 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 grant the application subject to the conditions and for the reasons detailed in the report.

7. APPLICATION NO 03/0015/FL: NTL ON BEHALF OF ORANGE PCS LIMITED – BORLAND BANK COTTAGE, GLASGOW ROAD, KILMARNOCK

There was submitted an executive summary sheet and report dated 25 March 2003 (both circulated) by the Head of Planning and Building Control on a full planning application for the proposed installation of 3.0m high antennae support pole at 15.2m, three dual polar antennae at 16.2-18.0m, two 0.6m dishes at 15.8m and one equipment cabin at NTL Transmitting Station, Borland Bank Cottage, Glasgow Road, Kilmarnock.

The Development Promotion Manager reported that one 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 and Building Control: 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 grant the application subject to the conditions and for the reasons detailed in the report.

Councillor McDill having moved an alternative proposal which failed to receive a seconder, recorded his dissent to this decision.

8. ADJOURNMENT/RECONVENTION OF MEETING

It was agreed to adjourn the meeting at 1242 hours.

The Meeting reconvened at 1245 hours with the same Members and Officers present and in attendance.

9. APPLICATION NO 02/0766/FL: MR AND MRS J HONEYMAN – FOSTERHILL, MOSCOW

There was submitted an executive summary sheet and report dated 25 March 2003 (both circulated) by the Head of Planning and Building Control on a full planning application for the proposed conversion, alterations and extension of water tank house to form dwelling house: retrospective amendment to planning permission 98/0288/FL at Fosterhill, Moscow.

The Development Promotion Manager summarised the planning considerations in respect of the application and gave the recommendation of the Head of Planning and Building Control: Approval, subject to the conditions and for the reasons detailed in the report and subject to an additional condition that the section of the road from the A719 junction to Fairfield shall be upgraded to adoptable standards in compliance with Roads Division Guidelines and the submitted details. This section of the road shall be completed prior to the occupation of the dwellinghouse. Reason: in the interest of road safety. It was also recommended that the decision notice be withheld until the Solicitor to the Council had satisfactorily amended the existing Section 75 Agreement under the terms of the Town and Country Planning (Scotland) Act 1997 in respect of those sightlines referred to in paragraph 3.5 of the report.

It was agreed to grant the application subject to the conditions and for the reasons detailed in the report and subject to the additional condition and reason as reported by the Development Promotion Manager and that the decision notice be withheld until the Solicitor to the Council had satisfactorily amended the existing Section 75 Agreement under the terms of the Town and Country Planning (Scotland) Act 1997 in respect of those sightlines referred to in paragraph 3.5 of the report.

10. PROVISIONAL TREE PRESERVATION ORDER: 8 SKERNIELAND ROAD, FENWICK

There was submitted a report dated 25 March 2003 (circulated) by the Head of Planning and Building Control which advised of The 8 Skernieland Road, Fenwick (Provisional) Tree Preservation Order 2002 and which sought approval for confirmation of the Tree Preservation Order.

It was agreed to confirm The 8 Skernieland Road, Fenwick (Provisional) Tree Preservation Order 2002.

The Meeting terminated at 1252 hours.