

**EAST AYRSHIRE COUNCIL****CENTRAL LOCAL PLANNING COMMITTEE****MINUTES OF MEETING HELD ON FRIDAY 6 APRIL 2001 AT 1000 HOURS IN  
THE MEETING ROOM, COUNCIL HEADQUARTERS, LONDON ROAD,  
KILMARNOCK**

**PRESENT:** Councillors Drew McIntyre, Brian Reeves, Daniel Coffey, John Weir, Alex Walsh, Jane Darnbrough and John Knapp.

**ATTENDING:** David Mitchell, Legal Manager; Julie Armstrong, Principal Administrative Officer; Pamela Clifford, Senior Planning Officer; Stuart Nelson, Administrative Officer; and Christine Baillie, Trainee Administrative Officer.

**APOLOGIES:** Councillors Willie Coffey, Douglas Reid, Lilian MacLean, Iain Linton and Alan Campbell.

**CHAIR:** Councillor Drew McIntyre, Chair.

**CONSIDERATION OF PLANNING APPLICATIONS****1. PROCEDURE**

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

**2.1 APPLICATION NO 00/0281/FL: DRYCREST LIMITED: IRVINE ROAD, CROSSHOUSE**

There was submitted an executive summary sheet and report dated 28 March 2001 (both circulated) by the Head of Planning and Building Control on a full planning application for the proposed development of 9 dwellinghouses at Irvine Road, Crosshouse.

**2.1.1 Consideration of Item**

The Senior Planning Officer reported that four 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 and Building Control: Approval, subject to the following conditions, viz:- (1) The development to which this permission relates must be begun within five years from the date of this permission; (2) The proposed development shall be carried out in accordance with the application form and plan received on 16 February 2001 and the amended plans and letter dated 16 February 2001 and 25 April 2001; (3) Notwithstanding the plans hereby approved, details/samples of the external materials to be used in the construction of the houses, garages, roads and parking areas shall be submitted to and approved by the Planning Authority prior to the commencement of development on site; (4) Notwithstanding the submitted plans, the flat roofs of the proposed garages are not hereby approved and further details of an alternative pitched roof design for the roofs of the proposed garages shall be submitted to and approved by the Planning Authority before development commences on site; (5) Notwithstanding the submitted plans, details of the design and construction of all fences and walls to be erected on the site shall be submitted to and approved by the Planning Authority before any development commences on

the site; (6) Notwithstanding the approved plans, a 1.8 metre high screen fence shall be erected along the northern boundary of the site where no such height of fence presently is erected. Details of which shall be submitted to and approved by the Planning Authority prior to the commencement of development on site and implemented prior to the occupation of any houses; (7) Notwithstanding the approved plans, the treatment of the western boundary of the site following the demolition of the greenhouses shall be in accordance with the details submitted in the letter dated 15 February 2001 and the embankment remedial works plan submitted on 19 March 2001. If these measures prove inadequate to prevent the embankment subsiding, further details of structural measures to be taken shall be submitted to and approved by the Planning Authority and thereafter implemented on site; (8) The development hereby approved shall be undertaken without detriment to neighbouring residential property by virtue of noise, dust or general disturbance; (9) No demolition or construction work, site clearance or preparation works shall take place before 0700 hours and after 1700 hours on Mondays to Saturdays nor at any time on Sundays; (10) Notwithstanding the submitted plans, the two visitor car parking spaces indicated on the approved plans are not hereby approved and details of the treatment of this area shall be submitted to and approved by the Planning Authority before development commences on site. The remaining 4 visitor car parking spaces shall be implemented prior to the occupation of any houses; (11) Notwithstanding the submitted plans, the garage attached to Plot 7 is not hereby approved and further details of the relocation of this garage such as to allow for a car to be parked forward of the garage and off the public road, shall be submitted to and approved by the Planning Authority before development commences on site; (12) Notwithstanding the submitted plans, the shared access to House Plots 8 and 9 shall be 3 metres wide and shall be separated from the access driveway for House Plot 7; (13) Prior to the commencement of development on site and in order to compensate for inadequate junction spacing, traffic calming measures shall be implemented on the Irvine Road. Details of these measures and their location shall be submitted to and approved by the Planning Authority, in consultation with the Roads Division and shall be implemented prior to the occupation of any houses; and (14) Details of the treatment and maintenance arrangements of the areas of the land adjacent to the shared surface road shall be submitted to and approved by the Planning Authority and thereafter implemented prior to the occupation of any houses; Condition (1) being imposed to comply with Section 58 of the Town and Country Planning (Scotland) Act 1997; Condition (2) to ensure that development is carried out in accordance with the approved details; Conditions (3), (4) and (14) in the interests of visual amenity; Condition (5) to allow the Planning Authority to control the design and construction of such features in the interests of visual amenity; Conditions (6) and (9) in the interests of residential amenity; Condition (7) in the interests of residential amenity and public safety; Condition (8) in the interests of residential amenity and to prevent such established amenity being adversely affected; Conditions (10), (11) and (12) in the interests of road safety; and Condition (13) to overcome a junction spacing inadequacy in the interests of road safety.

### **2.1.2 Planning Hearing**

The Committee heard Mr Barr, in support of his objection. Members asked questions of the objector and the objector responded to the issues raised, all in accordance with the Hearing procedure.

The applicant was present but did not speak in support of his application.

### **2.1.3 Determination of Application**

Councillor Reeves, seconded by Councillor Knapp moved that the application be approved subject to the conditions and for the reasons detailed.

Councillor Weir, seconded by Councillor D Coffey moved as an amendment that the application be approved, subject to Plots 6 and 7 being moved back to bring them into line with the adjacent plots in order to protect the privacy of the residents of dwellinghouses in Irvine Road; and subject to the conditions and for the reasons detailed.

On a division by a show of hands, the motion was carried by 5 votes to 2.

## **2.2 APPLICATION NO 00/0703/OL: THORNTOUN LIMITED: THORNTOUN ESTATE, CROSSHOUSE**

There was submitted an executive summary sheet and report dated 19 March 2001 (both circulated) by the Head of Planning and Building Control on an outline planning application for the proposed erection of 7 dwellinghouses at Thorntoun Estate, Crosshouse.

The Senior 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 and Building Control: Approval, subject to the following conditions, viz:- (1) In the case of the reserved matters specified below, application for approval must be made not later than the expiration of three years beginning with the date of this permission; (2) That the development to which this permission relates must be begun not later than the expiration of five years from the date of this permission or within the expiration of two years from the final approval of all reserved matters, whichever is the later; (3) The proposed development shall be carried out in accordance with the application form received on 9 October 2000 and the amended plans received by the Planning Authority on 23 February 2001 and 16 and 20 March 2001; (4) Before any development commences on the site, the further approval of the Planning Authority shall be obtained in respect of the undermentioned matters hereby reserved: (a) the layout of the site; (b) the size, height, design and external appearance of the proposed dwellinghouses; (c) the means of drainage and sewage disposal; (d) details of the access arrangements; (e) the provision for open space; (f) the provision for car parking; (g) the boundary walls/fences to be erected; (h) the landscaping of the site; and (i) finished site levels/floor levels; (5) The indicative layout submitted along with the application is for information purposes only and shall not be treated as forming part of the issued consent; (6) Notwithstanding the provisions of the Town and Country Planning (Use Classes) (Scotland) Order 1997, the two dwellings to be erected to the south of the existing respite care centre indicated as Plot 6 and 7 on the indicative site layout shall only be used for the provision of intermediate care accommodation for persons seeking to be introduced or reintroduced to living in the community after living in residential care accommodation. They shall not be used as general needs housing; (7) Prior to the occupation of any houses, a bus lay-by shall be constructed on the north side of Irvine Road. Details of its exact location and construction shall be submitted to and approved by the Planning Authority before development commences on site; (8) Prior to the occupation of any of the houses a 2 metre wide footway shall be provided from the application site to the public footway on Irvine Road. Details of its exact location and construction shall be submitted to and approved by the Planning Authority before

development commences on site; (9) No more than seven dwellinghouses shall be erected within the application site; (10) Details to be submitted to under Condition 4(b) shall allow only for the erection of single storey houses; (11) No trees shall be felled, lopped or have roots cut without the prior written consent of the Planning Authority; and (12) Where the development is to proceed in any manner other than a comprehensive development of 7 houses, the details to be submitted further to Condition (4) above, shall allow for the approved houses to be finished only in materials drawn from a Limited List of external materials which shall be submitted to and approved by the Planning Authority prior to the commencement of development. This List shall also specify the types and colour of windows to be used; Conditions (1) and (2) being imposed to comply with Section 59 of the Town and Country Planning (Scotland) Act 1997; Conditions (3) and (9) to ensure that development is carried out in accordance with the approved details; Conditions (4) and (5) the approval is in outline only; Condition (6) to ensure that the development is carried out in accordance with the approved details due to the particular circumstances of the site; Conditions (7) and (8) in the interests of road safety; Conditions (10) and (11) in the interests of visual amenity; and Condition (12) in the interests of visual amenity of the development and surrounding area.

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

Councillor D Coffey intimated his dissent to this decision.

### **2.3 APPLICATION NO 01/0116/AD: MAIDEN OUTDOOR ADVERTISING: QUEENS DRIVE, KILMARNOCK**

There was submitted an executive summary sheet and report dated 28 March 2001 (both circulated) by the Head of Planning and Building Control on an application for advertisement consent for proposed 2 x 48 sheet advertising hoardings at Queens Drive, Kilmarnock.

The Senior 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 and Building Control: Refusal, for the following reasons, viz:- (1) The proposed hoardings would have a detrimental effect on the visual amenity and general character of the area by virtue of their scale, design and illumination and would represent inappropriate, incongruous and over-dominant structures by reason of introducing unacceptable visual clutter. There is no justification for accepting this detrimental effect, arising out of any other associated visual or environmental benefits; and (2) The proposed hoarding if approved would set an undesirable precedent which could encourage further similar applications for proposals which would be unacceptable by reason of their detrimental effect on the visual amenity and general character of the area.

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

The meeting terminated at 1022 hours.