

EAST AYRSHIRE COUNCIL

NORTHERN AREA LOCAL PLANNING COMMITTEE

**MINUTES OF MEETING HELD ON FRIDAY 3 AUGUST 2001 AT 1000 HOURS IN
THE MORTON HALL, MAIN STREET, NEWMILNS**

PRESENT: Councillors David Macrae, Harry Wilson, James Raymond, Finlay MacLean and Robert McDill.

ATTENDING: Karl Doroszenko, Policy and Projects Manager; Yvonne Nisbet, Senior Planning Officer; Karen McLeod, Solicitor; and Alex Hewetson, Administrative Officer.

APOLOGIES: Councillors Brian McNeil, Kathleen Hall, Ann Hay and Stephanie Young.

CHAIR: Councillor David Macrae, Chair.

CONSIDERATION OF PLANNING APPLICATIONS

1. PROCEDURE

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

**2. APPLICATION NO 00/0724/LB AND APPLICATION NO 00/769/FL: DR A DAD -
KIRKLAND PARK HOUSE, KIRKLAND ROAD, DARVEL**

There was submitted an executive summary sheet and report dated 26 July 2001 (both circulated) by the Head of Planning and Building Control on a listed building application No 00/0724/LB for proposed change of use and extension of former residential home (vacant) to residential home for the elderly at Kirkland Park House, Kirkland Road, Darvel; and full planning application No 00/0769/FL for proposed change of use and extension of former residential home (vacant) to residential home for the elderly at Kirkland Park House, Kirkland Road, Darvel.

The Senior Planning Officer reported that two letters of objection had been received, details of which were contained within the report; summarised the listed building and planning considerations in respect of the applications; and gave the recommendations of the Head of Planning and Building Control: (i) in respect of Application No 00/0724/LB: Approval, subject to notification to Historic Scotland under the Listed Buildings and Buildings and Conservation Areas (Scotland) Regulations 1987 and 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 existing plans (sheet Nos 1, 2, 3) received on 26 October 2000 and the amended proposed plans and letter received by the Planning Authority on 12 March 2001; (3) Notwithstanding the submitted plans, the use of the UPVC windows is hereby not approved. Only painted timber windows will be acceptable. Details/samples of the windows shall be submitted to and approved by the Planning Authority before any development commences on site; (4) Notwithstanding the submitted plans, the door frames, fan light surrounds, gutter and eaves details shall

be painted to match the doors. Details/samples of the proposed paint colour shall be submitted to and approved by the Planning Authority before any development commences on site; (5) Notwithstanding the submitted plans, the stonework of the house shall not be painted. The proposed wall finish colour to the extension, "Country Cream", is not approved and details/samples of a darker stone colour shall be submitted to and approved by the Planning Authority before any development commences on site; and (6) Notwithstanding the plans hereby approved, the roof shall be covered in natural slates; Condition (1) being imposed to comply with Section 16 of the Planning (Listed Building and Conservation Areas) (Scotland) Act 1997; Condition (2) To ensure that development is carried out in accordance with the approved details; Conditions (3), (4) and (5) To preserve and enhance the Category "B" Listed Building and in the interest of visual amenity; and Condition (6) In the interest of visual amenity and to maintain the visual quality of this Category "B" Listed Building; and (ii) in respect of Application No 00/0769/FL: 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 existing plans (sheet Nos 1, 2, 3) received on 26 October 2000 and the amended proposed plans and letter received by the Planning Authority on 12 March 2001; (3) Notwithstanding the submitted plans, the use of the UPVC windows is hereby not approved. Only painted timber windows will be acceptable. Details/samples of the windows shall be submitted to and approved by the Planning Authority before any development commences on site; (4) Notwithstanding the submitted plans, the door frames, fan light surrounds, gutter and eaves details shall be painted to match the doors. Details/samples of the proposed paint colour shall be submitted to and approved by the Planning Authority before any development commences on site; (5) Notwithstanding the submitted plans, the stonework of the house shall not be painted. The proposed wall finish colour to the extension, "Country Cream", is not approved and details/samples of a darker stone colour shall be submitted to and approved by the Planning Authority before any development commences on site; (6) A landscaping scheme, including the treatment of the boundary of the site, shall be submitted to and approved by the Planning Authority prior to the commencement of any development, and shall be implemented not later than the next appropriate planting season after the development has been carried out. The scheme shall include details of the provision to be made for the maintenance of soft and hard landscaped areas, and shall be maintained thereafter in accordance with these details; (7) Notwithstanding the submitted details, parking spaces for 14 cars shall be provided and maintained within the site. These spaces shall be provided prior to the occupation of the building; (8) The building shall not be occupied until the junction with East Main Street has been widened to allow two-way traffic over the first 10m, involving the removal of the existing stone pillars. A carriageway width of 5.5m and 10m service strips either side is required for a shared surface road junction. These works shall be undertaken in accordance with Roads Division Guidelines; (9) The building shall not be occupied until Robertson Gardens has been reconstructed to a shared road standard in accordance with Roads Division Guidelines; and (10) Notwithstanding the plans hereby approved, the roof shall be covered in natural slates; 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 (5) To preserve and enhance the Category "B" Listed Building and in the interest of visual

amenity; Condition (6) To ensure that adequate provision of open space is provided to an adequate standard and that it is subsequently maintained, in the interest of residential amenity; Conditions (8) and (9) In the interest of road safety; and Condition (10) In the interest of visual amenity and to maintain the visual quality of this Category "B" Listed Building.

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

2.1 Determination of Application No 00/0724/LB

It was agreed to grant the application subject to notification to Historic Scotland under the Listed Buildings and Buildings and Conservation Areas (Scotland) Regulations 1987 and to the conditions and for the reasons detailed.

2.2 Determination of Application No 00/0769/FL

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

3. APPLICATION NO 01/0208/FL AND APPLICATION NO 01/0215/LB: STRATHCLYDE BUILDING PRESERVATION TRUST, 25-35 MAIN STREET AND 20 HIGH STREET, NEWMILNS

3.1 Declaration of Interest

Councillor Harry Wilson declared a non-pecuniary interest in respect of this matter and took no part in the discussion, consideration or determination.

3.2 Consideration of Item

There was submitted an executive summary sheet and report dated 26 July 2001 (both circulated) by the Head of Planning and Building Control on a full planning application, No 01/0208/FL for the proposed renovation of existing vacant property to form 19 new flats and formation of ancillary car park at 25-35 Main Street and 20 High Street, Newmilns; and listed building application No 01/0215/LB for the proposed renovation and alteration to form 19 new flats and demolition of remaining ground floor infill at 25-35 Main Street, Newmilns.

The Senior Planning Officer reported:-

- (i) that one letter of objection had been received, details of which were contained within the report;
- (ii) summarised the planning and listed building considerations in respect of the applications; and
- (iii) the receipt and content of a consultative response by the Architectural Heritage Society of Scotland.

The Senior Planning Officer gave the recommendations of the Head of Planning and Building Control: (i) in respect of Application No 01/0208/FL: 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 received on 30 March 2001 and the location plan; existing floor and location plans ref: 2221W1B; site plan as proposed ref: 2221W8; courtyard elevations as existing ref: 2221W6; street elevations as existing ref: 2221W2A; elevations as proposed ref: 2221W4B; proposed floor and location plans ref: 2221W3A and courtyard elevations as

proposed ref: 2221W7 all received on 30 March 2001, the proposed shopfront ref: 221W20; ground floor plan; existing stair doors to access corner and Main Street, end flat ref: 2221D11; replacement dormer details ref: 2221W21 and Blair Joinery window details received 2 July 2001 and the proposed car park layout plans received on 2 July 2001; (3) Prior to any works commencing on site, details (including 3 copies of coloured elevation drawings) and samples of all external colours to be used on the windows, doors, dormer windows and rainwater goods shall be submitted to and approved in writing by the Planning Authority; (4) The gate leading from the enclosed courtyard to the High Street shall at all times be fastened in such a manner that it can easily be opened from within the courtyard without the use of a key. The method of fastening shall be submitted to and approved by the Planning Authority and installed prior to the occupation of any of the flatted dwellinghouses and thereafter maintained to the satisfaction of the Planning Authority; (5) No development shall take place within the development site until the developer has secured a programme of archaeological work in accordance with a written scheme of investigation. This scheme is to be submitted to and approved by the Planning Authority following consultation and agreement with the West of Scotland Archaeology Services. The programme of archaeological work shall thereafter be undertaken as approved prior to the commencement of any other works on site associated with the formation of the car park hereby approved; (6) Notwithstanding the approved plans, the external finish and materials of the enclosed rear courtyard are not approved. Prior to any work commencing on site, details (including 3 copies of coloured elevation drawings) and samples of the type, colour and distribution of external materials to be used on the rear courtyard shall be submitted to and approved by the Planning Authority; (7) Prior to any work commencing on site, details of the surface treatment to the car parking area shown on the approved plans shall be submitted to and approved by the Planning Authority. The car parking area shall be provided for use by residents of the flats, in accordance with the details agreed, prior to the occupation of any of the flats; (8) Prior to any work commencing on site for the car park shown on the approved plans, details of the design and external colour finish of a fence and lockable gates to be installed on the site around the perimeter boundary of the car park shall be submitted to and approved by the Planning Authority. Thereafter the fence and gates shall be installed prior to the occupation of the first flat and operated, as approved to the satisfaction of the Planning Authority; (9) Notwithstanding the approved plans, no approval is given for the external finish to the rear courtyard elevations. The developer shall investigate the possibility of retention of the white glazed facing brick and shall submit for the written approval of the Planning Authority details (including 3 copies of coloured elevation drawings) of the external finish of these two elevations. An alternative external finish may be considered favourably if it can be proven that it is not possible to retain the glazed facing brick; (10) Notwithstanding the approved plans, the external materials for the ground floor of the Main Street elevation are not approved. Prior to any work commencing on site for the development hereby approved details (including 3 copies of coloured elevation drawings) and samples of all type, distribution and colour of external materials shall be submitted to and approved by the Planning Authority; (11) Prior to the commencement of any works on site, the developer shall submit to and have approved by the Planning Authority in consultation with Historic Scotland three copies of a report confirming the Schedule of Repairs required to the external fabric of the building. Any repair work shall be undertaken thereafter in accordance with the approved Schedule of Repairs and no

repair works unless of an emergency nature, shall be carried out until the Planning Authority has confirmed its written acceptance of the Schedule of Repairs; (12) In the event that the window details approved are amended as a result of the Historic Scotland grant process, the applicant shall submit three copies of the revised window details for approval to the Planning Authority which shall thereafter be installed and maintained as approved; (13) The two entrances/exit doors on the east and west ends of the elevation of the building at Main Street shall be retained in a permanently closed position to the satisfaction of the Planning Authority; (14) Notwithstanding the approved plans, the location of the bin stores within the rear courtyard is not approved. Prior to any work commencing on site, the applicant shall submit for the written approval of the Planning Authority details of the storage and collection of refuse bins, which shall include provision of 3 1100 litre refuse storage containers to be located within the courtyard for communal use. Said refuse storage details shall be formed prior to the occupation of the first residential unit and maintained thereafter to the satisfaction of the Planning Authority; and (15) Notwithstanding the permission hereby granted, no more than 12 of the approved residential units shall be occupied until such time as: (a) details have been submitted to and agreed in writing by the Planning Authority (and any necessary planning consent subsequently also granted) confirming how there shall be provided a further 7 car parking spaces to service the remaining 7 units in this development; and (b) the agreed spaces have been provided; Condition (1) being imposed to comply with Section 58 of the Town and Country Planning (Scotland) Act 1997; Condition (2) In order to ensure that development is carried out in accordance with the approved details; Conditions (3) and (6) In the interests of visual amenity and in order to ensure the safeguarding of the character of the listed building; Condition (4) In order to ensure that residents can reach a place of safety away from the building and enclosed courtyard in the event of a fire; Condition (5) To ensure the satisfactory recording of archaeological resources; Condition (7) In the interests of visual amenity; Condition (8) To ensure that the car park is for the sole use of residents of the flatted dwellinghouses hereby approved; Conditions (9), (10), (12) and (13) In order to protect and enhance the character of the listed building and in the interest of visual amenity; Condition (11) To ensure that any repair work is undertaken in a sympathetic manner to respect the age and character of the listed building and in a manner which will (including any revised details of dormer windows) not result in damage to the external fabric of the building; Condition (14) In order to ensure appropriate provision for the storage and collection of refuse from the residential units; and Condition (15) In the interests of road safety; and (ii) in respect of Application No 01/0215/LB: Approval, subject to notification to Historic Scotland under the Listed Buildings and Buildings and Conservation Areas (Scotland) Regulations 1997 and 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 received on 30 March 2001 and the location plan; existing floor and location plans ref: 2221W1B; site plan as proposed ref: 2221W8; courtyard elevations as existing ref: 2221W6; street elevations as existing ref: 2221W2A; elevations as proposed ref: 2221W4B; proposed floor and location plans ref: 2221W3A and courtyard elevations as proposed ref: 2221W7 all received on 30 March 2001, the proposed shopfront ref: 221W20; ground floor plan; existing stair doors to access corner and Main Street, end flat ref: 2221D11; replacement dormer details ref: 2221W21 and Blair Joinery window details received 2 July 2001 and the

proposed car park layout plans received on 2 July 2001; (3) Prior to any works commencing on site, details (including 3 copies of coloured elevation drawings) and samples of all external colours to be used on the windows, doors, dormer windows and rainwater goods shall be submitted to and approved in writing by the Planning Authority; (4) The gate leading from the enclosed courtyard to the High Street shall at all times be fastened in such a manner that it can easily be opened from within the courtyard without the use of a key. The method of fastening shall be submitted to and approved by the Planning Authority and installed prior to the occupation of any of the flatted dwellinghouses and thereafter maintained to the satisfaction of the Planning Authority; (5) Notwithstanding the approved plans, the external finish and materials of the enclosed rear courtyard are not approved. Prior to any work commencing on site, details (including 3 copies of coloured elevation drawings) and samples of the type, colour and distribution of external materials to be used on the rear courtyard shall be submitted to and approved by the Planning Authority; (6) Notwithstanding the approved plans, no approval is given for the external finish to the rear courtyard elevations. The developer shall investigate the possibility of retention of the white glazed facing brick and shall submit for the written approval of the Planning Authority details (including 3 copies of coloured elevation drawings) of the external finish of these two elevation. An alternative external finish may be considered favourably if it can be proven that it is not possible to retain the glazed facing brick; (7) Notwithstanding the approved plans, the external materials for the ground floor of the Main Street elevation are not approved. Prior to any work commencing on site for the development hereby approved details (including 3 copies of coloured elevation drawings) and samples of all type, distribution and colour of external materials shall be submitted to and approved by the Planning Authority; (8) Prior to the commencement of any works on site, the developer shall submit to and have approved by the Planning Authority in consultation with Historic Scotland three copies of a report confirming the Schedule of Repairs required to the external fabric of the building. Any repair work shall be undertaken thereafter in accordance with the approved Schedule of Repairs and no repair works unless of an emergency nature, shall be carried out until the Planning Authority has confirmed its written acceptance of the Schedule of Repairs; (9) In the event that the window details approved are amended as a result of the Historic Scotland grant process, the applicant shall submit three copies of the revised window details for approval to the Planning Authority which shall thereafter be installed and maintained as approved; (10) The two entrances/exit doors on the east and west ends of the elevation of the building at Main Street shall be retained in a permanently closed position to the satisfaction of the Planning Authority; Condition (1) being imposed to comply with Section 16 of the Planning (Listed Building and Conservation Areas) (Scotland) Act 1997; Condition (2) In order to ensure that development is carried out in accordance with the approved details; Conditions (3) and (5) In the interests of visual amenity and in order to ensure the safeguarding of the character of the listed building; Condition (4) In order to ensure that residents can reach a place of safety away from the building and enclosed courtyard in the event of a fire; Conditions (6), (7) (9) and (10) In order to protect and enhance the character of the listed building and in the interest of visual amenity; and Condition (8) To ensure that any repair work is undertaken in a sympathetic manner to respect the age and character of the listed building and in a manner which will (including any revised details of dormer windows) not result in damage to the external fabric of the building.

3.3 Planning Hearing

The Committee then heard Mr Crawford on behalf of Newmilns Community Council, in support of its objections and Mr Ash, on behalf of the applicant, in support of the application. Members asked questions of the applicant, all in accordance with the Hearing procedure.

3.4 Determination of Application No 01/0208/FL

The Senior Planning Officer reported on planning issues raised during the Hearing.

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

3.5 Determination of Application No 01/0215/LB

The Senior Planning Officer reported on listed building issues raised during the Hearing.

It was agreed to grant the application subject to notification of Historic Scotland under the Listed Buildings and Buildings Conservation Areas (Scotland) Regulations 1987 and to the conditions and for the reasons detailed.

Councillor Harry Wilson re-joined the meeting at this point.

4. APPLICATION NO 00/0387/FL AND APPLICATION NO 00/0396/LB: MR AND MRS C THOMSON, WATERSIDE FARM, GALSTON

There was submitted an executive summary sheet and report dated 24 July 2001 (both circulated) by the Head of Planning and Building Control on a full planning application No 00/0387/FL for the proposed conversion and alterations to form 5 houses in existing farmhouse and outbuildings and improved access to houses and fisheries at Waterside Farm, Galston, and listed building application No 00/0396/LB for the proposed conversion and alterations to form 5 houses in existing farmhouse and outbuildings and improved access to houses and fisheries at Waterside Farm, Galston.

The Senior Planning Officer reported that one letter of objection had been received, details of which were contained within the report; summarised the planning and listed building considerations in respect of the applications; and gave the recommendations of the Head of Planning and Building Control: (i) in respect of Application No 00/0387/FL: 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 location plan received on 19 May 2000 and the amended plans (Drawing Nos 209/1, 209/02B, 209/03B, 209/04A) received by the Planning Authority on 4 April 2001 and 23 May 2001; (3) This approval relates to the extension, alteration and conversion of a farmhouse and outbuildings to form dwellinghouses and not to the erection of a new dwellinghouses in the countryside; (4) The formation of windows and doors shall be undertaken in such a manner as to ensure the retention of the remainder of the existing walls to at least eaves level; (5) Notwithstanding the plans hereby approved, any septic tank provided to serve the development shall be sited in such a position as will enable it to be emptied by the tanker; (6) The developer shall contact the Head of Planning and Building Control immediately upon completion of all down takings and PRIOR to the commencement

of any new building works; this is to enable an inspection of the site. Further works shall re-commence only once this inspection has taken place; (7) Notwithstanding the plans hereby approved the roof shall be covered in natural slates; (8) Notwithstanding the submitted plans the visibility splay areas of 2.5 metres by 160 metres shall be provided at the junction of the access to the development with the public road with no obstruction to visibility greater than 1 metre in height being allowed within these areas. This will involve replacing the existing pedestrian barrier to the south with a high visibility barrier and may also require removal of sections of the existing barrier to the north of the junction. These sightlines shall be provided prior to occupation of any of the dwellinghouses and shall be maintained thereafter; (9) The new junction will require street lighting to be provided to a standard acceptable to the Roads Division. This lighting shall be provided prior to occupation of any of the dwellinghouses; (10) The level of the new road shall be constructed over the potential flood level of the burn, and adequate provision shall be made to ensure the road and house drainage will not increase the risk of flooding at the critical points along the watercourse. Prior to the commencement of development, details confirming the above points shall be submitted to and approved by the Planning Authority. Included within these details shall be an appropriate, technical demonstration that the structural capacity of the culvert, over which access is taken to the fishery car park, is adequate in relation to future floods; (11) Notwithstanding the submitted plans the existing windows of the farmhouse shall be overhauled rather than replaced unless the applicant can demonstrate to the Planning Division's satisfaction that the existing windows are beyond repair. (If this is the case, replacement shall be strictly on a like-for-like basis); (12) Notwithstanding the submitted plans, all external timber work shall be painted and not stained or varnished; (13) Notwithstanding the submitted plans the identified on the plans across the north of the courtyard is not hereby approved. No planting shall take place in this area; and (14) Notwithstanding the provision of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992, or any order or enactment placing this, no extensions or garages shall be erected on the site unless a further specific planning application is submitted to and approved by the Planning Authority; 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; Condition (3) To ensure that the development relates to the conversion, rather than the new construction of dwellinghouses; Condition (4) To ensure that the development relates to the rehabilitation, rather than the new construction of dwellinghouses; Condition (5) In the interest of public safety; Condition (6) To ensure that the development relates to a rehabilitation, rather than to the new construction of dwellinghouses; Condition (7) In the interest of visual amenity; Condition (8) To enable drivers of vehicles leaving the site to have a clear view over a length of road sufficient to allow safe exit; Condition (9) In the interest of road safety; Condition (10) In the interest of public and road safety; Conditions (11) and (12) In the interests of visual amenity and in accordance with Government policy on windows in listed buildings; Condition (13) To ensure the setting and visual appearance of the listed building is not compromised; and Condition (14) To enable the Planning Authority to ensure that such structures are provided in a manner compatible with the visual amenity of the area; and (ii) in respect of Application No 00/0396/LB: Approval, subject to notification to Historic Scotland under the Listed Buildings and Buildings and Conservation Areas (Scotland) Regulations 1987 and 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 location plan received on 19 May 2000 and the amended plans (Drawing Nos 209/1, 209/02B, 209/03B, 209/04A) received by the Planning Authority on 4 April 2001 and 23 May 2001; (3) The formation of windows and doors shall be undertaken in such a manner as to ensure the retention of the remainder of the existing walls to at least eaves level; (4) The developer shall contact the Head of Planning and Building Control immediately upon completion of all down takings and PRIOR to the commencement of any new building works; this is to enable an inspection of the site. Further works shall re-commence only once this inspection has taken place; (5) Notwithstanding the plans hereby approved the roof shall be covered in natural slates; (6) Notwithstanding the submitted plans the existing windows of the farmhouse shall be overhauled rather than replaced unless the applicant can demonstrate to the Planning Division's satisfaction that the existing windows are beyond repair. (If this is the case, replacement shall be strictly on a like-for-like basis); and (7) Notwithstanding the submitted plans all external timber work shall be painted and not stained or varnished; Condition (1) being imposed to comply with Section 16 of the Planning (Listed Building and Conservation Areas) (Scotland) Act 1997; Condition (2) To ensure that the development is carried out in accordance with the approved details; Condition (3) To ensure that the development relates to the rehabilitation, rather than the new construction of dwellinghouses; Condition (4) To ensure that the development relates to the rehabilitation, rather than to the new construction of dwellinghouses; Condition (5) In the interests of visual amenity; and Conditions (6) and (7) In the interests of visual amenity and in accordance with Government policy on listed buildings.

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

4.1 Determination of Application No 00/0387/FL

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

4.2 Determination of Application No 00/0396/LB

It was agreed to grant the application subject to notification to Historic Scotland under the Listed Buildings and Buildings and Conservation Areas (Scotland) Regulations 1987 and to the conditions and for the reasons detailed.

5. APPLICATION NO 01/0119/FL: ANNE SMITH, OLD GLASGOW ROAD, STEWARTON

There was submitted an executive summary sheet and report dated 24 July 2001 (both circulated) by the Head of Planning and Building Control on a full planning application for the erection of house at Plot F, Old Glasgow Road, Stewarton.

5.1 Consideration of Item

The Policy and Projects Manager 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 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 received on 16 February

2001 and the amended plans received by the Planning Authority on 15 May 2001; (3) 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 site; (4) Details submitted in pursuance of Condition No 2 above shall include the proposed treatment on the north western boundary of the plot coloured blue on the approved plan; (5) Notwithstanding the plans hereby approved, details/samples of the external materials to be used shall be submitted to and approved by the Planning Authority before any development commences on site; (6) Prior to the commencement of works on site, details of existing ground and finished site levels/floor levels shall be submitted to and approved by the Planning Authority; and (7) Notwithstanding the plans hereby approved, the windows on the north elevation are not hereby approved and further details of these features including glazing shall be submitted to and approved by the Planning Authority prior to the commencement of works on site; 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; Condition (3) To allow the Planning Authority to control the design and construction of such features in the interests of visual amenity; Conditions (5) and (6) In the interests of visual amenity; and Condition (7) In the interest of residential amenity.

5.2 Planning Hearing

The Committee then heard Mr Keir in support of his objections and Mr Lang on behalf of the applicant. A Member asked a question of the objector, all in accordance with the Hearing procedure.

5.3 Determination of Application

The Senior Planning Officer reported on planning issues raised during the Hearing.

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

6. APPLICATION NO 01/0230/FL: R W McCONNELL & SON LTD, 30 MAIN STREET, NEWMILNS

There was submitted an executive summary sheet and report dated 26 July 2001 (both circulated) by the Head of Planning and Building Control on a full planning application for the proposed erection of roller shutters at 30 Main Street, Newmilns.

6.1 Consideration of Item

The Senior Planning Officer reported that one letter of objection and a letter from the applicant in support of the application 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: Refusal, for the following reasons, viz:- (1) The proposed development would be contrary to Policy ENV7 of the East Ayrshire Local Plan (Finalised Version with Modifications) which states that all developers will be expected to comply fully with the Council's existing and emerging Design Guidance and Policy documents relating to and advising on the particular type of development proposed. The proposed development is contrary to the Design Guidance agreed by the Council in April 2001 by reason of the roller shutter housing not being recessed or concealed from general view within the fascia of the property itself. Insufficient justification has been submitted to merit any exception being made to this Policy; and (2) The

proposed roller shutters and associated housing would, by reason of their size and subsequent projection onto the main elevation, have a detrimental impact on the visual amenity of the Outstanding Conservation Area.

6.2 Planning Hearing

The Committee then heard Mr Robb in support of his objection. The applicant was not present or represented. A Member asked a question of the objector, all in accordance with the Planning procedure.

6.3 Determination of Application

The Policy and Projects Manager and the Senior Planning Officer reported on planning issues raised during the Hearing.

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

The meeting terminated at 1057 hours.

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