

EAST AYRSHIRE COUNCIL

NORTHERN AREA LOCAL PLANNING COMMITTEE

MINUTES OF MEETING HELD ON FRIDAY 28 SEPTEMBER 2001 AT 1000 HOURS IN THE CENTRE, STANDALANE, STEWARTON

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

ATTENDING: Dave Morris, Development Promotion Manager; Yvonne Nisbet, Senior Planning Officer; Karen McLeod, Solicitor; and Gillian Hamilton, Administrative Officer.

APOLOGIES: Councillors Kathleen Hall, Harry Wilson and Robert McDill.

CHAIR: Councillor David Macrae, Chair.

CHAIR'S COMMENTS

1. The Chair reported that Items 1.2, Application Nos 01/0406/FL and 01/0383/LB: John Dickie Homes Limited - Draffen Farm, Loudoun Street, Stewarton, and 1.7, Application No 01/0172/FL: Rowe and Tudhope Coaches, Muirkirk - 68 Irvine Road, Kilmaurs, had been withdrawn from the Agenda.

CONSIDERATION OF PLANNING APPLICATIONS

2. **APPLICATION NO 01/0274/FL: MR W BROWN: 2 MACKIE AVENUE, STEWARTON**

It was agreed to defer the application to the next meeting to enable Members to attend a site visit.

3. **APPLICATION NOS 00/0776/FL AND 00/0777/LB: MR AND MRS HORNER: 11 MILL AVENUE, KILMAURS**

There was submitted an executive summary sheet and report dated 18 September 2001 (both circulated) by the Head of Planning and Building Control on a full planning application and a listed building application for proposed erection of bespoke conservatory at 11 Mill Avenue, Kilmaurs.

The Senior Planning Officer reported the receipt of an objection from a consultee, details of which were contained within the report; summarised the planning considerations in respect of the applications and gave the recommendation of the Head of Planning and Building Control: Refusal, for the following reasons, viz:- (i) in respect of Application No 00/0776/FL: (1) The proposed extension would, by reason of introducing an unsympathetic extension, have a detrimental effect on the architectural design of this Category 'B' listed building and would also be detrimental to the visual amenity of the Kilmaurs Conservation Area; and (2) The proposed development would be contrary to Policy 4.8.4 of the Adopted Kilmarnock Local Plan and Policies ENV4 and ENV7 of the East Ayrshire Local Plan Finalised Version with Modifications by reason of introducing an incongruous and unsympathetic extension onto a Category B Listed Building; and (ii) in respect of Application No 00/0777/LB: (1) The proposed extension would, by reason of introducing an unsympathetic extension, have a detrimental effect on the architectural design of this Category 'B'

listed building and would also be detrimental to the visual amenity of the Kilmaurs Conservation Area; and (2) The proposed development would be contrary to Policy 4.8.4 of the Adopted Kilmarnock Local Plan and Policies ENV4 and ENV7 of the East Ayrshire Local Plan Finalised Version with Modifications by reason of introducing an incongruous and unsympathetic extension onto a Category B Listed Building.

No Hearing was held as the objector was not present or represented.

It was agreed that both planning application no 00/0776/FL and listed building application no 00/0777/LB be refused for the reasons detailed.

4. APPLICATION NO 01/0237/FL: PERSIMMON HOMES (WEST SCOTLAND) LIMITED: TOPONTHANK PHASE 2, KILMARNOCK

There was submitted an executive summary sheet and report dated 18 September 2001 (both circulated) by the Head of Planning and Building Control on a full planning application for proposed erection of 51 dwellinghouses at Toponthank Phase 2, Kilmarnock.

The Senior Planning Officer 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 11 January 2001 and the amended layout plan No 107/004 Rev Q, received by the Planning Authority on 30 August 2001; (3) Details/samples of the facing, roofing and surfacing materials to be used, including traffic calming features, shall be submitted to and approved by the Planning Authority before any development commences on the site; (4) Details of the landscaping of the site, including the provision of play equipment and the maintenance of play equipment and all open space outwith the private curtilage of any dwelling shall be submitted to and approved by the Planning Authority prior to the commencement of the development. Such details shall include the timescale for the implementation of the landscaping and play equipment in relation to the completion of the dwellings; (5) Notwithstanding the plans hereby submitted, the details of the boundary treatment shall be submitted to and approved by the Planning Authority prior to the commencement of development. These details shall allow for the retention of existing hedging unless otherwise agreed in writing by the Planning Authority. These details shall also allow for the provision of an entrance feature at the site entrance off the existing roundabout, and shall include information confirming future maintenance of such boundary features as are agreed; and (6) The boundary hedges to be retained in pursuance of Condition (5) above, shall be maintained at a height of not less than 2.5 metres; 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) and (5) in the interests of visual amenity; Condition (4) to ensure that the open space is adequately provided and maintained in the interest of residential amenity; and Condition (6) to ensure that the hedges are retained to a size at which they would continue to provide a habitat and would significantly contribute to visual amenity.

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

5. APPLICATION NO 01/0539/FL: MR A PATERSON: EAST HEADS FARM, BY NEWMILNS

There was submitted an executive summary sheet and report dated 5 September 2001 (both circulated) by the Head of Planning and Building Control on a full planning application for proposed new dwellinghouse at East Heads Farm, by Newmilns.

The Senior Planning Officer reported the receipt of a letter in support 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 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) Notwithstanding the submitted plans visibility splay areas of 2.5 metres by 70 metres shall be provided at the junction of the access to the development with the public road prior to the occupation of the dwelling with no obstruction to visibility greater than 1 metre in height being allowed within these areas; (3) The first 2 metres of the access shall be surfaced in order to prevent deleterious materials being deposited onto the public road; (4) 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; (5) The foul drainage discharge shall comply with the terms of the Control of Pollution Act 1974; (6) Notwithstanding the plan(s) hereby approved the roof shall be covered in natural slates; and (7) Notwithstanding the provision of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992, (or any order or enactment replacing this) no extensions or garages (unless forming part of the approved layout plan) 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; Conditions (2) and (3) in the interest of road safety; Conditions (4) and (5) in the interest of public safety; Condition (6) in the interest of visual amenity; and Condition (7) to enable the Planning Authority to ensure that such structures are provided in a manner compatible with the visual amenity of the area.

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

The meeting terminated at 1010 hours.

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