

## EAST AYRSHIRE COUNCIL

### NORTHERN AREA LOCAL PLANNING COMMITTEE

#### MINUTES OF MEETING HELD ON FRIDAY 24 MARCH 2000 AT 1000 HOURS IN JOHN FULTON HALL, MAIN ROAD, FENWICK

**PRESENT:** Councillors David Macrae, Brian McNeil, Stephanie Young, Harry Wilson, Finlay MacLean and Robert McDill.

**ATTENDING:** Dave Morris, Development Promotion Manager (Development Services); David Mitchell, Principal Solicitor (Chief Executive's); Bill Walkinshaw, Principal Administrative Officer (Corporate Services); and Jennifer Morrison, Administrative Officer (Corporate Services).

**APOLOGIES:** Councillors Kathleen Hall, Ann Hay and Jim Raymond.

**CHAIR:** Councillor David Macrae, Chair for Item 1.1 to 1.7 and Councillor Robert McDill for Item 1.8.

### CONSIDERATION OF PLANNING APPLICATIONS

#### 1.1 PROCEDURE

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

#### 1.2 APPLICATION NO 99/0765/FL: MR HENDRY (Item 1.5, Page 722, 99/02)

There was re-submitted an executive summary sheet and report dated 16 February 2000 (both circulated) by the Head of Planning and Building Control on a full planning application for proposed erection of double garage at Plot 1, Station Road, Dunlop.

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

The Development Promotion Manager reported the receipt of one letter of objection, 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; and (2) The garage shall not be used for commercial purposes, other than those being incidental to the occupant's enjoyment of this residential property; Condition (1) being imposed to comply with Section 58 of the Town and Country Planning (Scotland) Act 1997; and Condition (2) to safeguard the residential amenity of the area.

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.

#### 1.3 APPLICATION NO 00/0097/FL: MR R WITHERS

There was submitted an executive summary sheet and report dated 14 March 2000 (both circulated) by the Head of Planning and Building Control on a full planning application for proposed garage at 20 Vine Park Avenue, Kilmaurs.

The Development Promotion Manager reported the receipt of one letter of objection, details of which were contained within 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; and (2) The garage hereby approved shall be maintained in a neat and tidy condition; Condition (1) being imposed to comply with Section 58 of the Town and Country Planning (Scotland) Act 1997; and Condition (2) in the interests of visual amenity.

The Committee then heard Mr Breadon, objector in support of his objections and Mr Withers, the applicant, in support of the application, in accordance with the Hearing Procedure.

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

#### **1.4 APPLICATION NOS 99/0250/LB AND 99/0157/FL: LAURIESTON PROPERTIES**

There was submitted an executive summary sheet and report dated 15 March 2000 (both circulated) by the Head of Planning and Building Control on a listed building application and a full planning application for proposed partial demolition and conversion and extension to form 11 dwellings at Draffen House, Loudoun Street, Stewarton.

The Development Promotion Manager reported the receipt of one letter of objection, details of which were contained within the report in relation to application No 99/0250/LB; summarised the planning considerations in respect of the applications and gave the recommendation of the Head of Planning and Building Control: (i) Both applications be approved, subject to the following conditions, viz:- Application No 99/0250/LB:- (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 plans submitted on 12 April 1999 as revised by the site layout (Drawing No 35041/505C) received on 8 September 1999 and the layout and elevation drawings (Drawing No 015-001/002/003/004/005/006/007) received by the Planning Authority on 9 March 2000; (3) Notwithstanding the plans hereby submitted, the external construction materials and fenestration details are not hereby approved. Details/samples of the external construction materials and of the timber windows shall be submitted to and approved by the Planning Authority before any development commences on site; (4) Notwithstanding the plans hereby approved all roofs shall be covered in natural slates; (5) Notwithstanding the plans hereby submitted the roof on the east wing of the new build element shall be pitched, (hipped); (6) Notwithstanding the plans hereby submitted, the chimney stacks on the wings of the existing listed building shall be repaired and retained; (7) Notwithstanding the plans hereby submitted, the garden wall and the gatepiers adjoining the west wing shall be repaired and retained in situ; and (8) Notwithstanding the plans hereby submitted, the porches and dormer windows are not approved. Detailed drawings of the porches and dormer windows shall be submitted to and approved by the Planning Authority, prior to the commencement of any development on site; 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 plans; Conditions (3), (4) and (8) in the interests of visual amenity; Condition (5) in the interests of visual amenity and to enhance the character of the development; and Conditions (6) and (7) in the interests of visual amenity and to retain the character of the listed building; Application No 99/0157/FL:- (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 plans submitted on 5 March 1999 as revised by the parking and layout plan (Drawing No 35041/505C) received on 8 September 1999 and layout and elevation drawings (Drawing No 015-001/002/003/004/005/006/007) received on 9 March 2000; (3) There shall be no commencement of development on the application site until the 30 mph traffic restriction is capable of accommodating both site access and sightlines of 2.5m x 90m; (4) Notwithstanding the plans hereby submitted, no development shall be commenced on site until a footpath or alternative pedestrian link to the existing footpath on Cutstraw Road/Loudoun Street is constructed in accordance with East Ayrshire Council Roads guidance; (5) Notwithstanding the plans hereby submitted, details of all trees to be retained on site shall be submitted to and approved by the Planning Authority in writing prior to the commencement of any development on site; (6) Notwithstanding the plans hereby submitted and only in the event of works commencing on the implementation of this consent, the first four sycamore trees located at the north eastern corner of the site running south along the western boundary of the site shall be felled. These trees shall be replaced with 4 heavy standard rowan and whitebeam during the first available planting season following completion of the development. These trees shall be located a minimum of ten metres from any new build development; (7) Notwithstanding the plans hereby submitted, no dwelling shall be constructed within 10 metres from the trunk of any tree to be retained on site or within the edge of the canopy, whichever is greater. Protective fencing shall be erected around all trees to be retained on site at a distance of 8 metres from the trunk or around the edge of the canopy, whichever is greater, prior to the commencement of any development on site and no excavations, nor storage of plant, materials or excavated materials shall take place within the enclosed area. Any retained tree to be removed or damaged at any time thereafter shall be replaced by trees of any appropriate species and size as agreed in writing with the Planning Authority; (8) Notwithstanding the plans hereby submitted and prior to the commencement of development, details of landscaping proposals along the northern and eastern boundaries of the site shall be submitted to and approved by the Planning Authority. Details of the maintenance regime and factoring arrangements shall be submitted to and approved by the Planning Authority; (9) Notwithstanding the plans hereby submitted, the external construction materials and fenestration details are not hereby approved. Details/samples of the external construction materials and of the timber windows shall be submitted to and approved by the Planning Authority before any development commences on site; (10) Notwithstanding the plans hereby approved the roofs shall be covered in natural slate; (11) Notwithstanding the plans hereby submitted the roof on the east wing of the new build element shall be pitched, (hipped); (12) Notwithstanding the plans hereby submitted, the chimney stacks on the wings of the existing listed building shall be repaired and retained; (13) Notwithstanding the plans hereby submitted, the garden wall and the gatepiers adjoining the west wing shall be repaired and retained in situ; (14) Notwithstanding the plans hereby submitted, the porches and dormer windows are not approved. Detailed drawings of the porches and dormer windows

shall be submitted to and approved by the Planning Authority, prior to the commencement of any development on site; and (15) No dwellings shall be occupied until the roads and footpaths are completed to base course level and the road drainage system is installed. The road and footpath wearing surface shall be completed immediately on occupation of the dwellings, to the satisfaction of 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 the proposed development is carried out in accordance with the approved plans; Conditions (3) and (15) in the interest of road safety; Condition (4) in the interest of road and pedestrian safety; Condition (5) to ensure the retention of existing trees on site; Condition (6) in the interests of public safety; Condition (7) in the interests of visual amenity and to retain trees on site; Conditions (8), (9), (10) and (14) in the interests of visual amenity; Condition (11) in the interests of visual amenity and to enhance the character of the development; and Conditions (12) and (13) in the interest of visual amenity and to retain the character of the listed buildings; and (ii) that the Listed Building consent not be issued until it had been notified to and agreed by Historic Scotland in terms of the Listed Buildings and Buildings in Conservation Areas (Scotland) Regulations 1987.

In respect of Application No 99/0250/LB no Hearing took place as the objector was not present or represented

It was agreed:

- (i) to grant both applications subject to the conditions and for the reasons detailed; and
- (ii) that the Listed Building consent not be issued until it had been notified to and agreed by Historic Scotland in terms of the Listed Buildings and Buildings in Conservation Areas (Scotland) Regulations 1987.

## **1.5 APPLICATION NO 00/0057/FL: MR W S HO**

There was submitted an executive summary sheet and a report dated 14 March 2000 (both circulated) by the Head of Planning and Building Control on a full planning application for proposed alterations and change of use from dwellinghouse to hot food take-away (ground) and dwelling flat (first) at 61 Main Street, Newmilns.

The Development Promotion Manager reported the receipt of one letter of objection, 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 use hereby approved shall not be carried out before 1100 hours and after 12 midnight Sunday to Thursday or after 0030 hours on Saturday or Sunday mornings; (3) The use hereby approved shall operate without detriment to adjoining properties by reason of noise, dirt, grit, smell or general disturbance; (4) All external doors shall be provided and maintained with self-closing equipment to the satisfaction of the Planning Authority; (5) Notwithstanding the plans hereby approved the flue at the rear of the property shall be extended to ridge level and suitably secured prior to commencement of the use hereby approved. Details of the manner of achieving this shall be submitted to and approved by the Planning Authority prior to their implementation; (6) Notwithstanding the plans hereby approved all windows and door timber finishes shall be painted in a

colour to be submitted to and approved by the Planning Authority prior to commencement of the use hereby approved; (7) The deadlight at the ground floor of the front elevation shall include a horizontal astragal in addition to the vertical astragal shown in the plans to give an equal-sized 4-pane shop window; (8) The sash and case windows shall have a sliding opening action; and (9) The trickle vents on the timber windows shall be located in the meeting rails of the windows; Condition (1) being imposed to comply with Section 58 of the Town and Country Planning (Scotland) Act 1997; Condition (2) to prevent noise and disturbance extending into hours during which other sources of noise have subsided, in the interest of residential amenity; Condition (3) to safeguard the amenity of the area; Condition (4) in the interests of adjacent properties; Condition (5) in the interests of public health and residential amenity; and Conditions (6), (7), (8) and (9) in the interests of visual amenity within the Outstanding Conservation Area and the Townscape Heritage Initiative Area.

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.

#### **1.6 APPLICATION NO 00/0090/FL: McLEAN HOMES WEST SCOTLAND LIMITED**

There was submitted an executive summary sheet and report dated 14 March 2000 (both circulated) by the Head of Planning and Building Control on a full planning application for proposed house type remix at Plots 8, 13, 15, 23, 73 & 75 at Phase 4, Southcraigs, off Glasgow Road, Kilmarnock.

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 following conditions, viz:- (1) The development to which this permission relates must be begun within five years from the date of this permission; (2) Details/samples of facing, roofing and surfacing materials shall be submitted to and approved by the Planning Authority before any development commences on the site; and (3) Prior to the commencement of works on site the applicant shall satisfy himself as to the suitability of the site for construction purposes; Condition (1) being imposed to comply with Section 58 of the Town and Country Planning (Scotland) Act 1997; Condition (2) in the interest of visual amenity; and Condition (3) in the interests of public safety.

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

#### **1.7 APPLICATION NO 00/0080/FL: STEWART MILNE HOMES**

There was submitted an executive summary sheet and report dated 14 March 2000 (both circulated) by the Head of Planning and Building Control on a full planning application for proposed private development of domestic housing at Plots 30-34, 36, 37, 42, 47-50 and 52 Cutsburn Road, Stewarton.

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 following conditions, viz:- (1) The development to which this permission relates must be begun within five years from the date of this permission; (2) Details/samples of external materials shall be

submitted to and approved by the Planning Authority before any of the dwellings, subject of this application, have been commenced on site; (3) Design details and construction details of all fences and walls to be erected on the site shall be submitted to and approved by the Planning Authority before any of the dwellings, subject of this application, have been commenced on site; and (4) Notwithstanding the plans hereby submitted, details of the phasing of the development shall be submitted to and approved by the Planning Authority, prior to the commencement of any dwelling, which is the subject of this application; Condition (1) being imposed to comply with Section 58 of the Town and Country Planning (Scotland) Act 1997; Conditions (2) and (3) in the interests of visual amenity; and Condition (4) to ensure that houses are provided in a manner compatible with phasing details agreed previously.

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

## **1.8 APPLICATION NOS 99/0788/FL AND 99/0789/FL: LAURIESTON PROPERTIES (Item 1.2, Page 716, 99/02)**

### **1.8.1 Appointment of Chair and Consideration of Item**

Members were advised that this application had been continued from the last meeting and that only those Members who were involved in the Hearing at that meeting in association with these applications, could participate in the determination of the applications.

Accordingly, Councillor Macrae vacated the Chair and took no part in consideration of these applications. Councillor McDill was unanimously appointed to the Chair.

There was re-submitted an executive summary sheet and report dated 14 March 2000 (both circulated) by the Head of Planning and Building Control on applications for planning permission to develop land without compliance with the time conditions as to submission of reserved matters and to commencement of development, attached to outline planning permissions dated 8 November 1996 (Reference 96/0363/OL and 96/0364/OL) in respect of residential development (commencement of development to start within a period of 7 years from the date at the grant of the outline permission and the submission of reserved matters to be within 4 years of that date) at land at Draffen Farm, Loudoun Street, Stewarton.

The Development Promotion Manager reported (a) the receipt of 6 letters of objection with 12 signatories, details of which were contained within the report; (b) that although these applications had been continued from the last meeting in order that the Head of Planning and Building Control investigate the feasibility of entering into a Section 75 Agreement with the applicant with regard to addressing the lack of leisure facilities in Stewarton, that the applicant had declined to enter into such an Agreement; and (c) the receipt of a letter from the owners of the application site supporting the applications; 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:- Application No 99/0788/FL:- (1) The development to which this permission relates must be begun within five years from the date of this permission; (2) The Conditions 1 to 12 and Note to Applicant on Planning Consent Ref. No. 96/0364/OL are hereby superseded and shall be substituted with those detailed as follows; (3) A further approval of the Planning Authority shall be obtained in respect of the undermentioned matters

hereby reserved. The development of each individual plot shall not commence until all these reserved matters have been approved, with the exception of those matters entirely within the other plots on the site:- (a) the internal layout of the house plots; (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 to each plot; (e) the provision of open space; (f) the provision for car parking; (g) the boundary walls/fences to be erected; (h) the landscaping of the site; and (i) proposed and existing ground and finished floor levels; (4) There shall be no commencement of development on the application site until the 30 mph traffic restriction is capable of accommodating both site access and sightlines of 2.5m x 90m; (5) Sightlines at the junction of the site with Loudoun Street shall be 2.5m x 90m and shall be maintained free of any obstruction greater than one metre in height. The access road hereby approved shall not be constructed until the point of Loudoun Street from where access is to be taken is restricted to a speed limit of 30 mph; (6) Notwithstanding the submitted plans, the precise design of the footpath linking to Loudoun Street is not hereby approved and full details prepared by a suitably qualified person, including retaining or other constructional details shall be submitted to and approved by the Planning Authority before the commencement of any land engineering or building works on site; (7) No houses shall be occupied until the roads and footpaths are completed to basecourse level and the road drainage system is installed. The road and footpath wearing surfaces shall be completed immediately upon all the houses being occupied, all to the satisfaction of the Planning Authority; (8) The details to be submitted further to Condition (3) shall ensure the following:- (a) the vehicular access to Plot 4 making use of or being at the same location as the existing access to Draffen Farm; and (b) the vehicular access to Plot 5 being taken from the new access road, adjacent to the boundary with Plot 3; (9) The details to be submitted further to Condition (3) above, shall provide for a screen fence to either side of the footpath lying between Plots 2 and 3 and for substantial screen planting to be provided in the planting strip to the east of the new access road over a distance of 80 metres from the junction with Loudoun Street; (10) The details to be submitted further to Condition (3) shall, with regard to the landscaping of the site, include details of the provision to be made for the maintenance of soft and hard landscaped areas, including the name and address of any factor supervising maintenance. Landscaped areas shall be maintained thereafter in accordance with these details and shall be implemented immediately upon the occupation of 3 of the 5 houses; (11) The details to be submitted further to Condition (3) shall be provided within the context of a design brief which shall contain the following design criteria which must be observed:- (a) there shall be a minimum of 3 metres between all adjacent houses; (b) all dwellings, including integral garages, shall be a minimum of one and a half metres from the boundary of the plot; (c) any detached garages shall be a minimum of one metre from the plot boundary; (d) all dwellings, excluding detached garages, shall occupy no more than 30% of the area of the plot; (e) all dwellings shall have private, secluded garden space of at least 100 square metres in area; (f) the design of any dwelling shall be compatible with the surrounding townscape and in particular with the design of adjacent buildings; (g) no dwelling shall be located within a distance of 8 metres from an existing or replacement tree; (h) all dwellings shall be finished in white painted wet dash render and shall feature stone appearance, smooth cement banding to doors and window openings; (i) all dwellings shall feature windows of vertical proportion, be finished with a natural slate roof featuring projecting chimneys and a minimum pitch of 40 degrees; and (j) the specification of a

uniform building line to be observed by Plots 4 and 5 relative to Loudoun Street; (12) The details to be submitted further to Condition (3) shall include details of measures to provide for the illumination of the new footpath located between Plots 2 and 3; (13) No plant, machinery, building materials or sub-soil/top soil shall be stored at any time within a distance from an existing tree equivalent to the crown spread of that tree; and (14) Prior to the commencement of development on site, further details shall be submitted to and approved by the Planning Authority which illustrate the intended manner of safeguarding the retained trees in the immediate vicinity of the stretch of new road where it passes through the avenue of trees either side of the access to Draffen Farm; Condition (1) being imposed to comply with Section 58 of the Town and Country Planning (Scotland) Act 1997; Condition (3) the approval is outline only; Conditions (4), (5), (7) and (8) in the interests of road safety; Condition (6) in the interests of road and pedestrian safety; Conditions (9) and (10) in the interests of residential amenity; Condition (11) In the interests of residential and visual amenity; Condition (12) in the interests of public safety; and Conditions (13) and (14) in the interests of visual amenity; and Application No 99/0789/FL, viz:- (1) The development to which this permission relates must be begun within five years from the date of this permission; (2) The Conditions 1 to 12 and Note to Applicant on Planning Consent Ref. No. 96/0364/OL are hereby superseded and shall be substituted with those detailed as follows; (3) A further approval of the Planning Authority shall be obtained in respect of the undermentioned matters hereby reserved. The development of each individual plot shall not commence until all these reserved matters have been approved, with the exception of those matters entirely within the other plots on the site:- (a) the internal layout of the house plots; (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 to each plot; (e) the provision of open space; (f) the provision for car parking; (g) the boundary walls/fences to be erected; (h) the landscaping of the site; and (i) proposed and existing ground and finished floor levels; (4) There shall be no commencement of development on the application site until the 30mph traffic restriction is capable of accommodating both site access and sightlines of 2.5m x 90m; (5) Notwithstanding the submitted plans, the internal road layout details are not approved. Details of road layout within site to include traffic calming measures to East Ayrshire Council Guidelines shall be submitted to and approved by the Planning Authority prior to the commencement of any development on site; (6) Notwithstanding the submitted details, the corner radii at the junction of the new access road with Loudoun Street shall be 10.5 metres and the footpath linking the new development with Loudoun Street (adjacent to 22 Loudoun Street) and Cutstraw Road shall have a minimum width of 2 metres; (7) Notwithstanding the submitted plans, the precise design of the footpath linking to Loudoun Street is not hereby approved and full details prepared by a suitably qualified person, including retaining or other constructional details shall be submitted to and approved by the Planning Authority before the commencement of any land engineering or building works on site; (8) The details to be submitted further to Condition (3) shall provide for a screen fence to either side of the footpath linking the development to Loudoun Street, for substantial screen planting to be provided in the planting strip to the east of the new access road over a distance of 80 metres from the junction with Loudoun Street and for screen fencing and planting to be provided between the turning head at the rear of 26 Cutstraw Road and that property; (9) The details to be submitted further to Condition (3) shall be provided within the context of a design brief which shall contain the following design criteria which must

be observed:- (i) there shall be a minimum of 3 metres between all adjacent houses; (ii) all dwellings including integral garages shall be a minimum of one and a half metres from the boundary of the plot; (iii) all detached garages shall be a minimum of one metre from the plot boundary; (iv) all dwellings, excluding detached garages shall occupy no more than 30% of the area of the plot; (v) all dwellings shall have private, secluded garden space of at least 100 square metres in area; (vi) the design of all dwellings shall be compatible with the surrounding townscape and in particular with the design of adjacent buildings; and (vii) no dwelling shall be located within a distance of 8 metres from an existing or replacement tree; (10) The details to be submitted further to Condition (3) shall, with the exception of Plots 9, 10 and 11, ensure that the front or principal elevations of each dwelling are orientated in the direction of the arrow marked on each plot and as shown on the site layout plan (S-001). The orientation of dwellings on Plots 9, 10 and 11 shall, notwithstanding the submitted details, be considered individually on the merits of each respective case; (11) The details to be submitted further to Condition (3) shall only allow for single storey dwellings on Plots 8, 16, 17, 18 and 19; that is for the living accommodation to be provided only at a single level. On Plots 9 to 15 inclusive, single or one and a half storey dwellings only shall be permitted; (12) The details to be submitted further to Condition (3) shall ensure that the dwellings on Plots 17, 18 and 19 shall observe a building line of no less than 20 metres from the heel of the footpath; (13) The details to be submitted further to Condition (3) shall include details of a limited range of finishing materials which, having been submitted, shall be agreed in writing by the Planning Authority prior to the approval of any Reserved Matters application; (14) No houses shall be occupied until the roads and footpaths are completed to basecourse level and the road drainage system is installed. The road and footpath wearing surface shall be completed immediately all the houses are occupied, all to the satisfaction of the Planning Authority; (15) Full details of the measures to be taken to prevent the passage of surface water from the site on to adjacent properties, both during and after the building and engineering works, shall be submitted to and approved by the Planning Authority before the development commences; (16) The details to be submitted further to Condition (3), with regard to the landscaping of the site, shall include: Details of the provision to be made from the maintenance of soft and hard landscaped areas, including the name and address of any factor appointed for supervising maintenance. These areas shall be maintained thereafter in accordance with these details and shall be implemented immediately upon the occupation of 12 houses; (17) The details to be submitted further to Condition (3) shall include details of measures to provide for the illumination of the new footpath linking the development to Loudoun Street; (18) Consent is hereby approved in respect of the felling of the lime tree (*Tilia Europea*), located in the line of the proposed access road. This tree is covered by a Tree Preservation Order and shall be replaced at a location to be agreed by the Planning Authority prior to its felling by a tree selected from the following: (a) *Tilia Cordata* (small leaved lime); (b) *Betula Pendula* (silver birch); (c) *Fraxinus Excelsior* (ash); and (d) *Prunus Pissardii* (purple leaved plum). The replacement shall be planted during the next appropriate planting season following the felling taking place. The second replacement tree indicated on the submitted plans shall similarly be chosen from the above species and planted at the same time; (19) Prior to the commencement of development on site, further details shall be submitted to and approved by the Planning Authority which illustrate the intended manner of safeguarding the retained trees in the immediate vicinity of the stretch of new road A-B, as indicated on the site layout plant, (S-001); (20) No

building materials, plant, machinery or sub-soil/top soil shall be stored at any time within a distance from an existing tree equivalent to the crown spread of that tree; and (21) No development shall take place on site until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority which proves beyond reasonable doubt that there is no archaeological interest and its findings are accepted by the Planning Authority; Condition (1) being imposed to comply with Section 58 of the Town and Country Planning (Scotland) Act 1997; Condition (3) the approval is outline only; Conditions (4), (5) and (6) In the interests of road safety; Condition (7) in the interests road and pedestrian safety; Conditions (8), (9), (11), (12) and (15) in the interests of residential amenity; Conditions (10) and (16) in the interest of residential and visual amenity; Conditions (13), (18), (19) and (20) in the interests of visual amenity; Condition (14) in the interest of road safety; Condition (17) in the interest of public safety; and Condition (21) to investigate possible archaeological interests.

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

Councillors McNeil and Young dissented from these decisions.

The Committee expressed its concern that the Local Plan did not in their view properly address the lack of leisure facilities in Stewarton and were of the opinion that the matter required to be revisited and clarified.

The meeting terminated at 1040 hours.