

EAST AYRSHIRE COUNCIL**CENTRAL LOCAL PLANNING COMMITTEE****MINUTES OF SPECIAL MEETING HELD ON THURSDAY 27 NOVEMBER 1997 AT
1401 HOURS IN THE MEETING ROOM, COUNCIL HEADQUARTERS, LONDON
ROAD, KILMARNOCK**

PRESENT: Councillors Gordon Cree, Drew McIntyre, Douglas Reid, Ronald Brailsford, Provost Stirling and Councillors John Knapp and Daniel Coffey.

ATTENDING: Dave Morris, Development Promotion Manager; Jim Worley, Principal Planning Officer; and Alex Hewetson, Administrative Officer.

APOLOGIES: Councillors Gordon McCredie, Irene Reeves, Wilma Doyle, Jane Darnbrough and Alan Campbell.

CHAIR: Councillor Gordon Cree, Chair.

CONSIDERATION OF PLANNING APPLICATIONS

1. The Administrative Officer advised of the procedure for informal Hearings at Local Planning Committees.

1.1 APPLICATION NO 97/0403/OL: MR AND MRS W DUNCAN (Item 1.3, Page 2690)

There was resubmitted a report dated 23 September 1997 (circulated) by the Head of Planning and Building Control on an outline planning application for the erection of a dwellinghouse at land adjacent to Woodside Cottage, Irvine Road, Crosshouse.

It was noted that the Committee had attended a site visit prior to the meeting.

The Principal Planning Officer reported the receipt and content of additional information from the applicant.

The Principal Planning Officer 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 constitute the erection of a new dwelling in the countryside without agricultural support and would therefore not be in accordance with Policy HR1 of the Finalised Kilmarnock and Loudoun District Plan; (2) The proposal would constitute the erection of a dwelling in the countryside. In the absence of any specific locational need or any evidence of a deficiency in the housing land supply, it would be contrary to Policies CAT 1, CAT 1A and RES 2A of the Adopted Strathclyde Structure Plan; (3) In the absence of specific circumstances to justify the development, it would be contrary to NPPG 3 "Land for Housing"; and (4) The site selected is conspicuous in the landscape and the erection of a dwellinghouse thereon would be detrimental to the visual amenity of the countryside.

The Committee heard Mr Duncan in support of the application all in accordance with the agreed Hearing procedure.

Councillor Brailsford, seconded by Provost Stirling, moved that the application be referred to the Development Services Committee for consideration, in accordance with the Scheme of Delegation for planning applications, with a recommendation that

the application be approved for the following reason, viz:- the environmental impact would not be too severe.

Councillor McIntyre, seconded by Councillor Coffey, moved as an amendment that the application be refused for the reasons detailed.

On a division by a show of hands the motion was carried by four votes to three.

1.2 APPLICATION NO 97/0618/TP: MR G MCGOWAN (Item 1.4, Page 2691)

There was resubmitted a report dated 29 October 1997 (circulated) by the Head of Planning and Building Control on a planning application for the felling of 3 poplar trees which were the subject of a Tree Preservation Order No 88/14.

It was noted that the Committee had attended a site visit prior to the meeting.

The Principal 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 Poplar trees should be felled by a qualified arboriculturist; and (2) Notwithstanding the application hereby submitted, the tree nearest the road shall not be felled; Condition (1) being imposed to ensure that the works are undertaken in such a manner to protect public safety; and Condition (2) the tree makes a valuable, positive contribution to visual amenity and its felling is not justified at this time.

Councillor Brailsford, seconded by Councillor Reid moved that only the tree nearest to the building should be removed.

Councillor Cree, seconded by Councillor McIntyre, moved as an amendment that the two trees nearest to the building should be removed and that the tree nearest the road should be retained at this stage.

On a division by a show of hands the amendment was carried by four votes to two.

Councillor Coffey intimated his dissent to the above decision.

1.3 APPLICATION NO 97/0636/FL: MR A WATSON (Item 1.6, Page 2691)

There was resubmitted a report dated 27 October 1997 (circulated) by the Head of Planning and Building Control on a full retrospective planning application for change of use to storage of plumbing materials at 2/4 Nursery Avenue, Kilmarnock.

It was noted that the Committee had attended a site visit prior to the meeting.

The Principal Planning Officer:-

- (i) reported that 4 letters of objection had been received, details of which were contained within the report; and
- (ii) reported the receipt and content of additional information from the applicant.

The Principal 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; and (2) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992, the use of the premises shall be restricted to a storage one only. Condition (1) being imposed to

comply with Section 58 of the Town and Country Planning (Scotland) Act 1997; and Condition (2) in the interest of residential amenity.

The Committee then heard Mr McPhee, representative for the objectors, in support of their objections and Mr Watson in support of the application, all in accordance with the agreed Hearing procedure. Members asked questions of the objector and the applicant. The objector and applicant responded to issues raised by each other. The Principal Planning Officer provided further comment on the issues raised.

Provost Stirling, seconded by Councillor McIntyre, moved that the application be approved subject to the conditions detailed.

To coincide with existing business hours, as indicated by the applicant, Councillor Coffey, seconded by Councillor Brailsford, moved as an amendment that the application be approved subject to the conditions detailed and to an additional condition, in the interest of residential amenity, viz:- that the business hours for the despatch of goods be restricted to between the hours of 8.00 a.m. and 4.00 p.m.

On a division by a show of hands, the motion was carried by four votes to three.

The meeting terminated at 1452 hours.