

EAST AYRSHIRE COUNCIL

NORTHERN AREA LOCAL PLANNING COMMITTEE

**MINUTES OF MEETING HELD ON FRIDAY 21 NOVEMBER 1997
AT 1003 HOURS IN HURLFORD COMMUNITY CENTRE, CESSNOCK ROAD,
HURLFORD.**

PRESENT: Councillors David Fulton, Kathleen Hall, David Macrae and George Turnbull.

ATTENDING: Jim Worley, Principal Planning Officer; Hamish Buttle, Planning Officer; and Alex Hewetson, Administrative Officer.

APOLOGIES: Councillors James O'Neill, Robert Beattie, Kim Nicoll and Robert McDill.

CHAIR: Councillor David Fulton, Chair.

CONSIDERATION OF PLANNING APPLICATIONS

1.1 PROCEDURE

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

1.2 APPLICATION NO 97/0613/FL: MR J McBLANE

There was submitted a report dated 14 November 1997 (circulated) by the Head of Planning and Building Control on a full planning application for change of use of Nursing Home to form Licensed Hotel, Hallhouse, Main Road, Fenwick.

The Principal Planning Officer reported;

- (i) that six letters of objection, with 8 signatories had been received, details of which were contained within the report;
- (ii) the receipt and content of a letter of objection from Fenwick Community Council including a request for a site visit;
- (iii) the receipt and content of an additional letter of objection from an original objector; and
- (iv) a proposed amendment to Condition (3).

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, amended as appropriate in accordance with (iv) above, viz:- (1) the development to which this permission relates must be begun within 5 years from the date of this permission; (2) permission is granted for a limited period of 2 years from the date hereof, and the use shall be discontinued to the satisfaction of the Planning Authority at the expiration of this period unless a further permission is granted; (3) the provision of meals and beverages within the establishment shall be restricted solely to bona fide residents of the hotel; (4) notwithstanding the details of the plans hereby approved the proposed conference facilities shall be restricted for use solely by bona fide

residents of the hotel; (5) full details of proposed visibility splay, of 2.5m by 90m shall be submitted for the approval of the planning authority within one month of the consent and thereafter implemented prior to the commencement of development. Condition (1) being imposed to comply with Section 58 of the Town and Country Planning (Scotland) Act 1997; Conditions (2) (3) and (4) in the interests of residential amenity; and Condition (5) in the interests of road safety.

It was agreed to defer consideration of this application to a Special Meeting of this Committee, following a site visit.

1.3 APPLICATION NO 97/0560/FL: MR R GAFFNEY

It was agreed to defer consideration of this application to a Special Meeting of this Committee, following a site visit.

1.4 APPLICATION NO 97/0708/TP: GALSTON PARISH CHURCH

There was submitted a report dated 13 November 1997 (circulated) by the Head of Planning and Building Control on a Tree Preservation Order application for proposed works to three trees at The Manse, 60 Brewland Street, Galston.

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 condition, viz:- the elm tree shall be replaced by a tree of similar species and shall be planted not later than the next appropriate planting season. Details of the location and size of the replacement tree shall be agreed with the Planning Authority prior to its planting; The condition being imposed in the interest of visual amenity.

It was agreed to grant the application subject to the condition and for the reason detailed.

1.5 APPLICATION NO 97/0684/FL: AVONSIDE HOMES LTD

There was submitted a report dated 13 November 1997 (circulated) by the Head of Planning and Building Control on a full planning application for proposed erection of 6 private dwellinghouses at Plots 61 to 65 inclusive, Gameshill, Stewarton.

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 5 years from the date of this permission; (2) notwithstanding the submitted plans, the roof tiles, brickwork and stonework are not hereby approved. Details/samples of roof tiles, brickwork and stonework shall be submitted and approved by the Planning Authority before any development commences on the site; (3) notwithstanding the submitted plan, 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. Condition (1) being imposed to comply with Section 58 of the Town and Country Planning (Act) 1997; Conditions (2) and (3) being in the interests of visual amenity.

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

1.6 APPLICATION NO 97/0348/FL: B GALLOWAY, BUILDING SERVICES

There was submitted a report dated 3 November 1997 (circulated) by the Head of Planning and Building Control on a full planning application for proposed 3 nos 3 bedroom terraced houses with lock-ups and 2 nos 3 bedroomed semi-detached houses with integral garages at 1 Dunlop Road, Stewarton.

The Principal Planning Officer reported that one letter of representation 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 5 years from the date of this permission; (2) the proposed development shall be carried out in accordance with the application form received on 12 May 1997 and the amended plans received by the Planning Authority on 23 September 1997 (layout, elevations, locality plan - Drg No 189/01) and 21 October 1997 (location plan); (3) notwithstanding the plans hereby approved, the proposal shall be carried out in accordance with the details contained in the memo from East Ayrshire Council Roads Division dated 6 October 1997 (copy enclosed); (4) 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; (5) details/samples of all external construction materials shall be submitted to and approved by the Planning Authority before any development commences on site. Condition (1) being imposed to comply with Section 58 of the Town and Country Planning (Act) 1997; Condition (2) to ensue that development is carried out in accordance with the approved details; Condition (3) in the interests of road safety; Conditions (4) and (5) in the interests of visual amenity.

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

1.7 APPLICATION NO 97/0729/OL: DOUGHTY HOMES LTD

There was submitted a report dated 13 November 1997 (circulated) by the Head of Planning and Building Control on an outline planning application for proposed 1 detached dwellinghouse, at ground adjoining Towerhill Estate, behind Towerhill Avenue, Kilmaurs.

The Principal Planning Officer reported that 3 letters of objection, with 4 signatories 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) in the case of the reserved matters specified below, application for approval must be made not later than the expiration of 3 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 5 years from the date of this permission or within the expiration of 2 years from the final approval of all reserved matters, whichever is later; (3) before any development commences on the site, the further approval of the Planning Authority shall be obtained in respect of the undermentioned matters hereby reserves; (a) the layout of the site; (b) the size, height, design and external appearance of the proposed dwellinghouse; (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; (i) finished site levels/floor levels; (4) that prior to the commencement of works on the site, the applicant shall submit details confirmed by a suitably qualified person or practice indicating that the site is suitable for construction purposes and that such construction will not impact on the stability of adjoining property; (5) no development shall be carried out until details of a survey indicating the extent of any flooding on the site, have been submitted to and approved by the Planning Authority. Details to be submitted under Condition 3 above shall, if necessary, indicate the measures to be taken to accommodate any periodic incidence of flooding; (6) notwithstanding the plans hereby submitted, the proposed development on the site shall not exceed single storey height; (7) notwithstanding the plans hereby submitted, a full tree survey shall be undertaken by the applicant, relative to the site, to be undertaken by the Planning Authority, prior to the commencement of any development on site. No mature trees on the south boundary of the site shall be removed; (8) details under Condition No 3 above shall provide for the retention of the right of way through the site. Conditions (1) and (2) being imposed to comply with Section 59 of the Town and Country Planning (Scotland) Act 1997; Condition (3) the approval is in outline only; Condition (4) in the interests of public safety; Condition (5) to assess the possibility of flooding on the application site; Condition (6) in the interests of visual and residential amenity; Condition (7) in the interests of visual amenity; Condition (8) to ensure the continued use of the right of way through the site.

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

1.8 APPLICATION NO 97/0679/FL: MRS C NISBET

There was submitted a report dated 31 October 1997 (circulated) by the Head of Planning and Building Control on a full planning application for proposed erection of dwellinghouse at 1 Holm Street, Stewarton.

The Principal Planning Officer reported:-

- (i) that 5 letters of objection, with 8 signatories had been received, details of which were contained within the report; and
- (ii) the receipt and content of 5 additional objections by the original objectors on amended plans submitted by 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 5 years from the date of this permission; (2) the proposed development shall be carried out in accordance with the application form received on 28 August 1997 and the amended plans received by the Planning Authority on 31 October 1997; (3) notwithstanding the plans hereby approved, the external appearance of all materials to be used in the construction of the dwellinghouse shall match the materials of the adjacent terraced dwellinghouses; (4) notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 or any order revoking and re-enacting that order, no windows or other openings shall be formed in the southern elevation of the dwellinghouse hereby approved, without the prior approval of the Planning Authority; (5) notwithstanding the plans hereby approved, a

screen fence of 2.25 metres in height shall be implemented along the entire southern boundary of the site (back from the from building line of the proposed dwellinghouse) prior to the occupation of the dwellinghouse. Details of the fence design and construction shall be submitted to and approved by the Planning Authority before any development commences on the site; (6) notwithstanding the plans hereby approved, the footway and access crossing should be built in accordance with Section 10.6 of the East Ayrshire Council Roads Guidelines. 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) in the interests of visual amenity; Conditions (4) and (5) to safeguard the privacy of the neighbouring property; and Condition (6) in the interests of road safety.

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

The meeting terminated at 1021 hours.