

EAST AYRSHIRE COUNCIL

NORTHERN AREA LOCAL PLANNING COMMITTEE

MINUTES OF MEETING HELD ON TUESDAY 17 DECEMBER 1996 AT 1410 HOURS IN THE FULTON HALL, FENWICK

PRESENT: Councillors Jim O'Neill, Kathleen Hall, Robert Beattie and John Knapp.

ATTENDING: Bill Walkinshaw, Principal Administrative Officer; Jim Bottom, Principal Planning Officer; Hamish Buttle, Planning Officer; Alex Hewetson, Administrative Officer; and Lesley-Ann Wallace, Administrative Assistant.

CHAIR: Councillor Jim O'Neill, Chair.

CONSIDERATION OF PLANNING APPLICATIONS

1.1 APPLICATION NO 96/0586/OL: MRS MARGO ORR

There was submitted a report dated 27 November 1996 (circulated) by the Head of Planning and Building Control on an application for outline planning permission for the proposed erection of dwellinghouse at 5 Kilmarnock Road, Kilmaurs.

The Principal Planning Officer reported that three letters of objection, with four signatories, 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 on the following grounds, viz:- (1) the proposed development would result in insufficient private garden space and/or parking provision and would therefore constitute the over development of the site; (2) the development would, by virtue of inadequate provision of parking/private open space, be contrary to Policy HU3 of the Finalised District Plan; and (3) the proposed development would create a road safety hazard at the Mill Avenue/Kilmarnock Road junction.

Neither the objectors or applicant were present.

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

1.2 APPLICATION NO 96/0573/FL: MR ROBERT ALLARDYCE

There was submitted a report dated 4 December 1996 (circulated) by the Head of Planning and Building Control on a planning application for full planning permission for proposed erection of a house and garage at No 1 Holm Street, Stewarton.

The Principal Planning Officer confirmed that one letter of objection, with two signatories, 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 4 November 1996 and the amended plans received by the Planning Authority on 29 November 1996; (3) notwithstanding the plan(s) 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 (Nos 3-11 Holm Street);

(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 sightlines of 4.5 metres x 90 metres shall be maintained at the junction of Bridgend/Holm Street, free from obstruction greater than 1 metre in height across the application 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 38 of the Town and Country Planning (Scotland) Act 1972; Condition (2) to ensure that development is carried out in accordance with the approved details; Condition (3) in the interest of visual amenity; Condition (4) to safeguard the privacy of the neighbouring property; Conditions (5) and (6) in the interests of road safety.

The objectors were not present.

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

1.3 APPLICATION NO 96/0516/FL: MR AND MRS STEINLETT

There was submitted a report dated 2 December 1996 (circulated) by the Head of Planning and Building Control on an application for full planning permission for a proposed erection of new house to rear of No 9 Kilmarnock Road, Kilmaurs.

The Principal Planning Officer reported that the applicant's Agent had requested deferral of consideration of the planning application to allow further information to be submitted.

It was agreed to defer consideration of this application to a future meeting of this Committee.

1.4 APPLICATION NO 96/0578/FL: ROBISON & DAVIDSON LIMITED (Item 1.4, Page 1345)

There was submitted a report dated 4 December 1996 (circulated) by the Head of Planning and Building Control on an application for removal of Condition 10 of approved planning consent (96/0358/FL) for residential development at Irvine Road, Kilmaurs.

The Principal Planning Officer reported that one letter of objection had been received from Kilmaurs Community Council; 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) Condition 10 of Planning Consent Ref No: 96/0358/FL shall be replaced by the following Condition 10:- "Access through the development site from Irvine Road to Glenraig Terrace shall remain free from obstruction at all times, except during the period from the date of this permission until 1 July 1997 or the completion of the residential development at this site, whichever is the sooner"; Condition (1) being imposed to comply with Section 38 of the Town and Country Planning (Scotland) Act 1972; and Condition (2) in the interests of public safety and to ensure reinstatement of the public access.

The Committee heard a representative of the objectors in support of their objections and Members asked questions of the representative. The applicant was not present.

It was agreed to refuse the application, on the basis:-

- (i) that the proposed removal of the access would result in an undesirable diversion resulting in pedestrians, particularly children, travelling to and from Kilmaurs Primary School along Vinepark Avenue and Vinepark Drive adjacent to vehicular traffic; and
- (ii) that the proposed temporary removal of access from Irvine Road to Glencairn Terrace would constitute the loss for an unacceptable period of time of a viable right of way.

**UPDATE REPORT OF POSSIBLE CRIMINAL PROCEEDINGS IN RELATION TO
DAMAGED TREES COVERED BY TREE PRESERVATION ORDER (T.P.O.)
AT KERSLAND, VENNEL STREET, STEWARTON (Item 1.2, Page 1489)**

2. There was submitted a report dated 25 November 1996 (circulated) by the Head of Planning and Building Control providing an update on possible criminal proceedings against the developer in relation to damage to trees covered by a T.P.O. at Kersland, Vennel Street, Stewarton.

It was agreed:-

- (i) that the Director of Development Services submit a further progress report on proceedings relating to potential enforcement action to the next meeting of the Northern Area Local Planning Committee; and
- (ii) otherwise, to note the contents of the report.

The meeting terminated at 1432 hours.