

EAST AYRSHIRE COUNCIL

NORTHERN AREA LOCAL PLANNING COMMITTEE

**MINUTES OF MEETING HELD ON FRIDAY 16 JANUARY 1998 AT 1000 HOURS IN
KILMAURS COMMUNITY CENTRE, KILMAURS**

PRESENT: Councillors David Fulton, Jim O'Neill, Kathleen Hall, Kim Nicoll and Robert McDill.

ATTENDING: Jim Worley, Principal Planning Officer; Yvonne Mitchell, Planning Officer, Ken Robinson, Principal Administrative Officer; and Gillian Hamilton, Administrative Officer.

APOLOGIES: Councillors David Macrae and George Turnbull.

CHAIR: Councillor David Fulton, Chair.

CONSIDERATION OF PLANNING APPLICATIONS

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

1.2 APPLICATION NO 97/0710/FL: RATHMUIR DEVELOPMENTS

There was submitted a report dated 18 December 1997 (circulated) by the Head of Planning and Building Control on a full planning application for proposed conversion of byre to form dwellinghousing at Gateside Farm, Stewarton.

The Principal Planning Officer reported the receipt of a letter of representation from the agent of the applicant, requesting that the application be referred to the Development Services Committee for determination at the same meeting as an application which formed part of a larger adjacent development.

It was agreed:-

- (i) to refer the application to the Development Services Committee, in accordance with the Scheme of Delegation for planning applications for determination at the same meeting as an application which formed part of a larger adjacent development; and
- (ii) to recommend that a Planning Hearing be held.

1.3 APPLICATION NO 97/0529/FL: JOS VAN BOM

There was submitted a report dated 5 January 1998 (circulated) by the Head of Planning and Building Control on a full planning application for the erection of stables block, paddock, access road and associated dwellinghouse at Barncroft House, Fenwick.

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 the permission relates must be begun within five years from the dates of this permission; (2)

notwithstanding the plans hereby approved, the dwelling shall only be occupied after the commercial business is operational; (3) notwithstanding the plans hereby approved, the dwelling shall only be occupied by a person and his/her dependents directly employed in the commercial stabling/equestrian business which is hereby approved; (4) notwithstanding the plans hereby approved the external appearance of all materials to be used in the construction of the extension shall match the materials of the adjacent property, Barncroft House; (5) a landscaping scheme shall be submitted to and approved by the Planning Authority prior to commencement of any development and shall be implemented not later than the next appropriate planting season after the development has been carried out. Any trees removed without consent of the Planning Authority or seriously damaged at any time thereafter shall be replaced by trees of similar size or species as may be agreed in writing with the Planning Authority; (6) no trees shall be felled, logged or have roots cut on the site without the written consent of the Planning Authority; (7) notwithstanding the submitted plans, 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; and (8) notwithstanding the provisions of the (General Permitted Development) (Scotland) Order 1992 and the Town and Country Planning (Use Classes) (Scotland) Order 1989, this permission relates to the use of the premises as commercial stables and the further express permission of the planning authority shall be required in respect of any other use which falls within the same use class to the use hereby approved; Condition (1) being imposed to comply with Section 58 of the Town and Country Planning (Scotland) Act 1997; Condition (2) to ensure that the dwelling is only occupied to service the stable; Condition (3) as the proposed development incorporates the construction of a dwelling in the country side which would otherwise be refused; Conditions (4) (6) and (7) in the interest of visual amenity; Condition (5) to ensure that appropriate landscaping, in accordance with the proposed plans is implemented in the interest of visual and residential amenity; and Condition (8) to enable the Planning Authority to retain control over the use of the site in the interest of residential amenity.

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

1.4 APPLICATION NO 97/0795/FL: ALLDAYS

There was submitted a report dated 5 January 1998 (circulated) by the Head of Planning and Building Control on a full planning application for proposed new shop front at 7-9 Cross 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 development to which this permission relates must be begun within five years from the date of this permissions; Condition being imposed to comply with Section 58 of the Town and Country Planning Act 1997.

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

1.5 APPLICATION NO 97/0820/OL: MR F MCEWAN

There was submitted a report dated 15 December 1997 (circulated) by the Head of Planning and Building Control on an outline planning application for proposed development of land for residential purposes at 34-36 Henrietta 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 conditions, viz:- (1) in the case of the reserved matters specified below, application for approval must be made not later than the expiration of three years beginning with the date of this permission; (2) the development to which this permission relates must be begun not later than the expiration of five years from the date of this permission or within the expiration of two years from the final approval of all reserved matters, whichever is the later; (3) before any development commences on site, the further approval of the Planning Authority shall be obtained in respect of the under mentioned matters hereby reserved, (a) the layout of the site; (b) the size, height, design and external appearance of the proposed dwelling house(s); (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; and (i) finished site levels/floor levels; (2) The details to be submitted under Condition 1(b) above shall provide for the height of all buildings on the site to be restricted to 3 storeys; (3) The details to be submitted under Condition 1(e) above shall comply in all respects with the Council's approved policy on the provision of open space/design guidance as contained in the Plan; (4) The details submitted under Condition 1(f) above shall allow for car parking to East Ayrshire Council Roads Division requirements; and (5) The details to be submitted under Condition 1(d) above shall ensure that access to any housing development must be taken from Henrietta Street only. The location of any access point shall be as far from the junction of Blair Street/Henrietta Street as possible; Conditions (1) and (2) being imposed to comply with Section 59 of the Town and Country Planning (Scotland) Act 1997; Condition (3) being imposed as the approval is in outline only; Condition (4) to ensure that the development does not conflict with the visual and residential amenity of the area; Condition (5) to ensure that sufficient open space is provided within the development, in the interests of visual amenity and residential amenity; Condition (6) in the interest of road safety; and Condition (7) in the interest of road safety and to reduce the conflict between vehicles using the proposed access and the present traffic on Henrietta Street.

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

1.6 APPLICATION NO 97/0831/FL: MR I DAWSON

There was submitted a report dated 15 December 1997 (circulated) by the Head of Planning and Building Control on a full planning application for proposed construction of seven detached houses at 105A High Street, 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 five years from the date of this permission; (2) The proposed development shall be carried out in accordance with the application form and plans received on 5 November 1997 and the amended plans for house type A received by the Planning Authority on 24 November 1997 and for house type B received by the Planning Authority on 1 December 1997; (3) Notwithstanding the plans hereby submitted, no dwellings shall be occupied until the roads improvements as detailed in the memo from East Ayrshire Council Roads Division and sketch plan dated 26 November 1997 have been implemented; (4) The developer shall secure the implementation of an archaeological watching brief, to be carried out by an archaeological organisation acceptable to the Planning Authority, during development work. The retained archaeological organisation shall be afforded access at all reasonable times and allowed to record and recover items of interest and finds. Terms of Reference for the watching brief will be supplied by the West of Scotland Archaeology Service. The name of the archaeological organisation retained by the developer shall be given to the Planning Authority and to the West of Scotland Archaeology Service in writing not less than 14 days before development commences; (5) A landscaping scheme including the treatment of the boundary of the site shall be submitted to and approved by the Planning Authority prior to commencement of any development and shall be implemented not later than the next appropriate planting season after the development has been carried out. The scheme shall include details of the provision to be made for the maintenance of soft and hard landscaped area and shall be maintained thereafter in accordance with these details. Any trees removed without consent of the Planning Authority or seriously damaged at any time thereafter shall be replaced by trees of similar size or species as may be agreed in writing with the Planning Authority; (6) Notwithstanding the plans hereby submitted, details of screening of the north western boundary in its entirety, adjacent to industrial premises shall be submitted to and approved by the Planning Authority, prior to commencement of any development. Such details shall include a timescale for the implementation of such works in relation to the construction of the houses; (7) Notwithstanding the submitted plans, 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; (8) No demolition, site clearance or building operations shall be commenced until chestnut pale fencing of a height not less than 1.2 metres has been erected around the trees shown on the approved plans as being retained on the site. The fencing shall enclose either: (a) the area described by the limit of the spread of the branches of the tree; or (b) a radius of 5 metres from the trunk of the tree, whichever is the greater. Such fencing shall be maintained during the course of development, and no storage, site structure, parking or any other operation shall be undertaken within the area thereby enclosed; (9) Notwithstanding the submitted plans, the external construction materials are not hereby approved. Details/samples of external construction materials shall be submitted to and approved by the Planning Authority before any development commences on the site; (10) prior to the commencement of works on the site, the applicant shall satisfy himself as to the suitability of the site for construction purposes; and (11) Those measures specified in the report by Environmental Technologies (C 97/54) dated October 1997 shall be fully

implemented during construction of the development hereby approved; 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 road safety; Condition (4) to ensure any archaeological features be recorded appropriately; Condition (5) to ensure that adequate landscaping provision is provided, to an adequate standard, and that it is subsequently maintained, in the interest of residential and visual amenity; Condition (6) in the interests of residential and visual amenity; Conditions (7) and (9) in the interests of visual amenity; Condition (8) to ensure the retention of the maximum number of trees on the site and their protection from damage in the interests of visual amenity; Condition (10) in the interests of public safety; and Condition (11) to ensure that contaminants are removed from the site, in the interest of public health.

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

1.7 APPLICATION NO 97/0759/FL: BRYANT HOMES SCOTLAND LIMITED

There was submitted a report dated 14 November 1997 (circulated) by the Head of Planning and Building Control on a full planning application for proposed erection of 18 dwellinghouses at Phase 3, Southcraigs, Glasgow Road, Kilmarnock.

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; (2) Notwithstanding the submitted plans, the facing, roofing and surfacing materials are not hereby approved. 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) Details of measures to be taken to prevent the discharge of water to nearby watercourses during the construction process shall be submitted to and approved by the Planning Authority prior to the commencement of development; Condition (1) being imposed to comply with Section 58 of the Town and Country Planning (Scotland) Act 1997; Condition (2) in the interests of visual amenity; and Condition (3) to prevent the pollution of watercourses.

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

1.8 APPLICATION NO 97/0813/FL: MR C THOM

There was submitted a report dated 11 December 1997 (circulated) by the Head of Planning and Building Control on a full planning application for change of use from retail to domestic accommodation and external alterations at 14 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 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, the windows on the front elevation are not hereby approved. The windows shall have timber frames, stained to match those on the

adjacent Co-op renovation and be of sash and case division; (3) Notwithstanding the plans hereby approved, the external surface of the walls shall be wet rendered in a colour to be agreed in writing with the Planning Authority prior to the commencement of development; (4) Notwithstanding the plans hereby approved the rooflight on the front elevation shall be of a conservation approved type, i.e. virtually mounted flush with the slates. Details of the rooflight shall be submitted to and approved by the Planning Authority before any development commences on the site; (5) Notwithstanding the plans hereby approved, the front door shall be of traditional timber. Details of the design shall be submitted to and approved by the Planning Authority before any development commences on the site; and (6) Notwithstanding the submitted plans all guttering shall be black in colour with no barge boards on the front elevation; Condition (1) being imposed to comply with Section 58 of the Town and Country Planning (Scotland) Act 1997; Conditions (2), (3), (4), (5) and (6) in the interest of visual amenity and the character of the Outstanding Conservation Area.

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

The meeting terminated at 1017 hours.