

EAST AYRSHIRE COUNCIL**CENTRAL LOCAL PLANNING COMMITTEE****MINUTES OF MEETING HELD ON FRIDAY 5 JUNE 1998 AT 1000 HOURS IN THE MEETING ROOM, COUNCIL HEADQUARTERS, LONDON ROAD, KILMARNOCK**

PRESENT: Councillors Gordon Cree, Ronald Brailsford, Provost Robert Stirling and Councillors John Knapp and Daniel Coffey.

ATTENDING: Jim Worley, Principal Planning Officer; Colin McKee, Planning Officer; Julie Armstrong, Senior Administrative Officer; and Robert Beaton, Administrative Officer.

APOLOGIES: Councillors Gordon McCredie, Drew McIntyre, Irene Reeves, Douglas Reid and Jane Darnbrough.

CHAIR: Councillor Gordon Cree, Chair.

CONSIDERATION OF PLANNING APPLICATIONS**1.1 PROCEDURE**

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

1.2 APPLICATION NO 98/0285/FL: BARRATT WEST SCOTLAND

There was submitted a report dated 27 May 1998 (circulated) by the Head of Planning and Building Control on a full planning application for the proposed alteration to alter working hours of 0900 to 1800 hours, 7 days/week to 0800 to 1800 hours, 7 days/week, planning approval 97/0550/FL, Condition 17 at land off Holmes Road, Kilmarnock.

The Principal Planning Officer reported that 4 letters of objection 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 for the following reasons, viz:- The approval of the alteration to working hours to 0800 to 1800, 7 days/week, to allow the use for construction or excavation purposes of heavy construction vehicles or equipment would be detrimental to the residential amenity of the adjacent area.

The Committee then heard Mrs Cook representing Grange/Howard Community Council in objection, the applicant was not present at the meeting. Members asked questions of the objector. The objector responded to the issues raised, all in accordance with the Hearing procedure.

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

1.3 APPLICATION NO 98/0209/FL: BUITELAAR (KILMARNOCK) LIMITED

There was submitted a report dated 27 May 1998 (circulated) by the Head of Planning and Building Control on a full planning application for the proposed erection of new lairage shed at Cambuskeith Abattoir, Dundonald Road, Kilmarnock.

The Principal Planning Officer reported that one letter of objection 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) That 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 (3) Notwithstanding the plans hereby approved, the external appearance of all materials to be used shall be submitted to and approved by the Planning Authority prior to any development commencing on site; Condition (1) being imposed to comply with Section 58 of the Town and Country Planning (Scotland) Act 1997; Condition (2) in the interest of public safety; and Condition (3) in the interest of visual amenity.

The Committee then heard Mrs Cook on behalf of Grange/Howard Community Council in objection, the applicant was not present at the meeting. Members asked questions of the objector. The objector responded to the issues raised, all in accordance with the Hearing procedure.

In answer to issues raised by Members, the Principal Planning Officer recommended the following additional condition: (4) That the development shall be undertaken in accordance with the plans and forms submitted on 31 March 1998 as amended by the plans submitted on 4 June 1998. Reason: to ensure development proceeds in accordance with the approved plans.

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

1.4 APPLICATION NO 98/0211/TP: BARRATT WEST SCOTLAND

There was submitted a report dated 27 May 1998 (circulated) by the Head of Planning and Building Control on an application to carry out works to various trees including the felling and replacement of trees nos 5 and 16 at land off Holmes Road, Kilmarnock.

The Principal Planning Officer reported that no letters of objection had been received; summarised the planning consideration 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) This consent relates to the following works only:- (i) those previously unauthorised lopping works to the trees to the north of the site; (ii) the previously unauthorised felling of trees Nos 5 and 16 on the site; and (iii) the following proposed works:- Tree 1 - remove lower three limbs, including the large limb overhanging the access road, only if a further core sample of the area of weakness/decay shows this large limb to be dangerous. Any major deadwood to be cleared out of crown; Tree 4 - to be left at present, but may be re-assessed once the house adjacent has been erected and the extent of over hanging is more evident; Tree 6 - remove two lower clumps of branches; Tree 7 - remove first lower branch and the lowest branch up the next limb to clear overhanging branches; Tree 8 - remove lower clump and the next thin branch up the trunk; Tree 9 - remove branches to clear the stem up to form in the main trunk; Tree 10 - remove branches to clear up to first thick limb approximately 1.8 metres above fork; Tree 11 - remove dead branch, third one up trunk; Tree 15 - clear up to fork in the main trunk, remove two clumps and thin overhanging branch on the road side of the tree; Tree 17 - remove

first three branches on the site side fork and first two on the road side fork; Tree 19 - remove first four thin branches over hanging Holmes Road; Tree 22 - clear up fork in the main trunk, plus remove first branch on road side limb; Tree 29 - no further work required; Tree 30 - remove lower two branches over hanging the road; Tree 31 - remove the outer part of the large branch over hanging adjacent house; and Tree 39 - remove large branch over hanging adjacent house; and (2) None of the works listed in Condition 1 (iii) above shall be carried out without an approximately qualified Council Official being on site to oversee the works. The developer shall give notice to the Planning Authority not less than 14 days before the intended date of undertaking the works (in order to arrange for supervision) and shall not proceed until the intended date is accepted in writing by the Planning Authority and a representative of the Planning Authority is present; Condition (1) in the interest of visual amenity and public safety; and Condition (2) to ensure that only those works listed above are carried out in the interest of visual amenity.

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

1.5 APPLICATION NO 97/0921/FL AND 97/0923/LB: BANK OF SCOTLAND

There was submitted a report dated 27 May 1998 (circulated) by the Head of Planning and Building Control on a full planing application and a listed building application for the proposed alterations/refurbishment at existing branch of the Bank of Scotland, 46 Bank Street, Kilmarnock.

It was agreed to continue consideration of the application to allow the Head of Planning and Building Control to request the applicant to reconsider the proposal due to the lack of a disabled access associated with the proposal.

1.6 APPLICATION NO 98/0122/FL: MR AND MRS J ROBERTSON

There was submitted a report dated 27 May 1998 (circulated) by the Head of Planning and Building Control on an application for the alteration and extension to and painting of dwellinghouse at 25 Wilson Avenue, Kilmarnock.

The Principal Planning Officer reported that one letter of objection 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) Details of the proposed roofing material of the extension shall match that of the main part of the dwelling; and (3) The proposed development shall be carried out in accordance with the application form received on 3 March 1998 and the amended plans received by the Planning Authority on 30 April 1998; 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 the character and appearance of the Conservation Area; and Condition (3) to ensure that development is carried out in accordance with the approved details.

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

1.7 APPLICATION NO 98/0273/FL: MR KEVIN MURPHY

There was submitted a report dated 27 May 1998 (circulated) by the Head of Planning and Building Control on a full planning application for proposed side dormer extension at 13 Chestnut Place, Kilmarnock.

The Principal Planning Officer reported that no objections had been received; summarised the planning consideration 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 is not considered to be compatible with the design of the dwelling or the architectural character of the area and will therefore have an adverse impact on the visual appearance of both the property and the area and would be contrary to Policy EN 11 of the Finalised Kilmarnock and Loudoun District Plan; and (2) The proposed development would set an undesirable precedent for similar development being incompatible with the design of the dwelling and the architectural character of the area.

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

1.8 APPLICATION NO 97/0157/TP: EAST AYRSHIRE COUNCIL OUTDOOR SERVICES

There was submitted a report dated 27 May 1998 (circulated) by the Head of Planning and Building Control on an application for the proposed felling of three trees subject to a Tree Preservation Order.

The Principal Planning Officer reported that no letters of objection had been received; summarised the planning consideration in respect of the application and gave the recommendation of the Head of Planning and Building Control: Approval, subject to the following condition, viz:- Details of a compensatory planting for the tree felled shall be submitted for the approval of the Planning Authority and thereafter implemented at the first planting season following the felling.

In response to issues raised by Members, the Principal Planning Officer recommended the substitution of the following condition: The compensatory planting of a heavy standard cherry tree shall be implemented at the first available planting season following the felling.

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

1.9 APPLICATION NO 98/0182/FL: MR JOHN BIGGAR

There was submitted a report dated 27 May 1998 (circulated) by the Head of Planning and Building Control on a retrospective application for the erection of deck and railings at 4 Tower Place, Kilmarnock.

The Principal Planning Officer reported that one letter of objection had been received, details of which were contained in the report; summarised the planning considerations in respect of the application and gave the recommendation of the Head of Planning and Building Control: Approval.

The Committee then heard Mr Biggar, applicant, in support of the application, the objector was not present at the meeting. Members asked questions of the applicant. The applicant responded to issues raised, all in accordance with the Hearing procedure.

It was agreed to grant the application.

1.10 APPLICATION NO 98/0068/FL: MR HOLLAND

There was submitted a report dated 27 May 1998 (circulated) by the Head of Planning and Building Control on an application for the erection of garage, stables and LPG tank at 8 Bridgehouse Court, Treeswoodhead Road, Kilmarnock.

It was agreed to defer consideration of this application for a site visit to be undertaken.

1.11 APPLICATION NO 97/0832/FL: MR R JOHNSTONE

There was submitted a report dated 27 May 1998 (circulated) by the Head of Planning and Building Control on an application for the proposed erection of a respite care unit, Thorntoun Estate, by Crosshouse.

The Principal Planning Officer reported that no letters of objection had been received; 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 submitted on 5 November 1997 as revised by the amended plans received by the Planning Authority on 4 March 1998 and tree survey block plans of 19 May 1998; (2) Notwithstanding the plans hereby approved, details/samples of the finishing materials shall be submitted to and approved by the Planning Authority before any development commences on the site; and (4) The details of the compensatory tree planting shall be submitted for the approval of the Planning Authority prior to the implementation of the work on site and thereafter planted at the first available planting season; Condition (1) being imposed to comply with Section 58 of the Town and Country Planning (Scotland) Act 1997; Condition (2) to ensure that the development is carried out in accordance with the approved details; and Conditions (3) and (4) in the interest of visual amenity.

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

The meeting terminated at 1053 hours.