

EAST AYRSHIRE COUNCIL**NORTHERN AREA LOCAL PLANNING COMMITTEE****MINUTES OF MEETING HELD ON THURSDAY 27 MAY 1999 AT 1005 HOURS IN HURLFORD COMMUNITY CENTRE, CESSNOCK ROAD, HURLFORD**

PRESENT: Councillors David Macrae, Jim Raymond, Brian McNeil, Stephanie Young, Harry Wilson, Finlay MacLean and Robert McDill.

ATTENDING: Jim Worley, Principal Planning Officer; Yvonne Mitchell, Planning Officer (Development Promotion); David Mitchell, Principal Solicitor; Bill Walkinshaw, Principal Administrative Officer; and Gillian Hamilton, Administrative Officer.

APOLOGIES: Councillors Kathleen Hall and Ann Hay.

CHAIR: Councillor Jim Raymond, Vice-Chair for Item 1.1 and Councillor David Macrae, Chair for Items 1.2 to 1.7

CONSIDERATION OF PLANNING APPLICATIONS**1. PROCEDURE**

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

1.1 APPLICATION NO 99/0150/FL: MR J MOHAMED**1.1.1 Declaration of Interest**

Councillor Macrae declared a non-pecuniary interest in this application and left the meeting. In his absence, Councillor Raymond, Vice-Chair, took the Chair.

1.1.2 Consideration of Item

There was submitted a report dated 18 May 1999 (circulated) by the Head of Planning and Building Control on a full planning application for the proposed change of use from a hairdressers shop to a hot food takeaway at 2 Titchfield Street, Galston.

The Principal Planning Officer advised of a subsequent request by the applicant to defer consideration of the application pending his submission of additional details regarding the ventilation system and clarification regarding refuse disposal, as requested by the Head of Planning and Building Control.

The Principal Planning Officer confirmed if the Committee so wished, that it was appropriate to determine the application at this meeting. It was agreed to determine the application.

The Principal Planning Officer reported the receipt of eight letters of objection with thirteen signatories, details of which were contained within the report and also the receipt of a petition which should not be taken into account as no grounds of objection had been conveyed despite clarification to this end having been sought by the Head of Planning and Building Control; 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 be contrary to Policy C1 of the Finalised Kilmarnock and Loudoun District Plan as Modified as the proposed commercial non-retail use is likely to be detrimental to adjacent uses by reason of noise and odours; (2) The proposed development would adversely affect the residential amenity of the area by reason of odours generated in close proximity to residential properties; and (3) Insufficient information has been submitted to justify an approval of the application.

The Committee then heard Mr Gordon, Mr Murphy, Mrs Hamilton and Mrs Pollock in support of their objections.

It was also reported that the applicant had not intimated he wished to address the Committee either in person or through a third party.

Members asked questions of the objectors, all in accordance with the Hearing Procedure.

It was agreed to refuse the application for the reasons detailed. Councillor Macrae then rejoined the meeting and took the Chair.

1.2 APPLICATION NO 98/0724/FL: MR D KELLY

There was submitted a report dated 14 March 1999 (circulated) by the Head of Planning and Building Control on a full planning application for a proposed dwellinghouse at 19 Sutherland Terrace, Galston.

It was agreed to defer the application to allow members an opportunity to attend a site visit.

1.3 APPLICATION NO 99/0257/FL: MR DAVID MURDOCH

There was submitted a report dated 18 May 1999 (circulated) by the Head of Planning and Building Control for a proposed rear two storey extension and front and rear dormers at 19 Glebe Road, Galston.

The Principal Planning Officer reported the receipt of one letter of objection, 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:- (1) The proposed development would have a detrimental effect on the residential amenity of the property; (2) The proposed development would be contrary to Policy FN11A of the Finalised Kilmarnock and Loudoun District Plan by virtue of the scale and design of the proposed rear extension; and (3) The proposed development would set an undesirable precedent for large scale 2 storey developments at the rear of one and a half storey dwellinghouses to the general detriment of visual amenity.

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

1.4 APPLICATION NO 99/0188/FL: FIRST LEISURE CORPORATION PLC

There was submitted a report dated 18 May 1999 (circulated) by the Head of Planning and Building Control on a full planning application for the proposed change of use at first floor from public arms to licensed club at the Stewarton Arms, 6 Avenue Square, Stewarton.

The Principal Planning Officer reported the receipt of one letter of objection and a letter of representation from the applicant, details of which were contained within the

report and of an amendment to the report, deleting condition (1) regarding the hours of operation, which would be more properly addressed by East Ayrshire Licensing Board; 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) Prior to commencement of the use, the applicant shall submit to, for approval by the Planning Authority, details of the noise inhibitor system and thereafter such system shall be maintained and operated at all times; Condition (1) being imposed to comply with Section 58 of the Town and Country Planning (Scotland) Act 1997; and Condition (2) to demonstrate the noise inhibitor, in the interest of residential amenity.

It was agreed:- (i) to grant the application subject to the conditions as amended and for the reasons detailed; and (ii) that the restrictions on the hours of use as detailed within the report were appropriate and that this view would be transmitted to the Clerk to the Licensing Board.

1.5 APPLICATION NO 98/0239/TP: EAST AYRSHIRE COUNCIL OUTDOOR SERVICES DEPARTMENT

There was submitted a report dated 18 May 1999 (circulated) by the Head of Planning and Building Control on a Tree Preservation Order application for the proposed dwelling of 6 trees and remedial works to 8 trees at Lainshaw Woods, David Dale Avenue, 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.

It was agreed to grant the application.

1.6 APPLICATION NO 99/0018/FL: JOHN YOUNG & SONS

There was submitted a report dated 18 May 1999 (circulated) by the Head of Planning and Building Control on a full planning application for the removal of agricultural occupancy condition at Seall Arain, Holehouse Farm, 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.

It was agreed to grant the application.

1.7 APPLICATION NO 99/0143/TP: MR J MALONE

There was submitted a report dated 18 May 1999 (circulated) by the Head of Planning and Building Control on a Tree Preservation Order application for the felling of trees at ground of Templetonburn, Crookedholm.

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 trees felled shall be replaced by not less than 10 trees, which shall be planted between 10 October 1999 and March 2000. Details of the trees to be planted, including their number, age/size, species and exact location shall be agreed in writing prior to the planting; this

condition being imposed to maintain a contribution to the amenity of the woodland, in the interest of visual amenity.

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

The meeting terminated at 1055 hours.