

EAST AYRSHIRE COUNCIL

NORTHERN AREA LOCAL PLANNING COMMITTEE

MINUTES OF MEETING HELD ON WEDNESDAY 12 FEBRUARY 1997 AT 1400 HOURS IN DUNLOP PUBLIC HALL, DUNLOP

PRESENT: Councillors Jim O'Neill, Kathleen Hall, Robert Beattie and George Smith.

ATTENDING: Bill Walkinshaw, Principal Administrative Officer; David Morris, Development Promotions Manager; Hamish Buttle, Planning Officer; and Alex Hewetson, Administrative Officer.

CHAIR: Councillor Jim O'Neill, Chair.

The Chair agreed to alter the order of business per the Agenda issued, and to consider the undernoted three items first.

EXCLUSION OF PRESS AND PUBLIC

1. The Committee resolved under Section 50A(4) of the Local Government (Scotland) Act 1973, as amended, that the Press and public be excluded from the meeting for the following item of business on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 14 of Schedule 7A of the Act.

POSSIBLE CRIMINAL PROCEEDINGS IN RELATION TO DAMAGE TO TREES COVERED BY TREE PRESERVATION ORDER AT KERSLAND, VENNEL STREET, STEWARTON (Item 2, Page 1628)

2. There was submitted a report dated 4 February 1997 (circulated) by the Head of Planning and Building Control on progress made regarding enforcement action in relation to damage to trees covered by a Tree Preservation Order at Kersland, Vennel Street, Stewarton.

The Planning Officer reported that the developer concerned had now complied with the breach of condition notice.

It was agreed:-

- (i) to note that the developer had planted a replacement tree (sycamore) adjacent to the site of the original tree as the owner of the land from where the tree was removed would not agree to the planting of a replacement tree on that site;
- (ii) that the damaged cypress tree would continue to be monitored by Planning and Building Control as the owner of the land would not agree to the developer felling the tree and planting a replacement;
- (iii) to note that there was a lack of quality evidence available in relation to potential criminal proceedings against the developer; and
- (iv) to note the discontinuation of any active prosecution of criminal proceedings against the developer.

CONSIDERATION OF PLANNING APPLICATIONS

3.1 APPLICATION NO 96/0643/FL: MR R McCULLOCH

There was submitted a report dated 4 February 1997 (circulated) by the Head of Planning and Building Control on a retrospective application for full planning permission for erection of dwellinghouse at Plot No 1, Cutstraw Road, Stewarton.

It was agreed to continue consideration of this application to a Special Meeting of the Committee in order that a site visit could take place.

3.2 APPLICATION NO 96/0516/FL: MR AND MRS STEINLETT (Item 1.3, Page 1627)

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 the proposed erection of new house and garage to rear of Nos. 7 and 9 Kilmarnock Road and Nos. 2 and 4 Mill Avenue, Kilmaurs.

The Planning Officer reported that one letter of objection had been received from Kilmaurs Community Council, 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 application site lies outwith the urban envelope of Kilmaurs and the proposed development would be contrary to Policy HR 1 of the Kilmarnock and Loudoun Finalised District Plan; (2) the proposed development, by virtue of the absence of any economic benefit or specific locational need, or demonstrated deficiency in effective housing supply and the inadequate access arrangements, would be contrary to policies CAT 1, CAT 1A and RES 2A of the Adopted Strathclyde Structure Plan; (3) the proposed development would constitute unwarranted visual intrusion into the countryside; and (4) the proposed development would create a road safety hazard at the junction of the access road with Kilmarnock Road.

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

3.3 APPLICATION NO 96/0645/TP: MRS D WOODHOUSE

There was submitted a report dated 4 February 1997 (circulated) by the Head of Planning and Building Control for an application to fell 4 trees and lop 4 trees at Maunsheugh Road/Braehead Road/Murchland Avenue, Fenwick.

It was agreed to continue consideration of this application to a Special Meeting of this Committee to allow further information to be submitted.

3.4 APPLICATION NO 97/0042/FL: ROBISON & DAVIDSON LIMITED (Item 1.4, Page 1627)

There was submitted a report dated 4 February 1997 (circulated) by the Head of Planning and Building Control on an application for temporary removal of Condition 10 of approved planning consent (96/0358/FL) for residential development at Irvine Road, Kilmaurs which related to proposed temporary closing off access through site from Irvine Road to Glencairn Terrace, Kilmaurs.

The Committee noted that the proposal was considered acceptable subject to the appropriate Order under Section 206 of the Town and Country Planning (Scotland) Act 1972, to promote a temporary public path diversion order, being promoted by the

Head of Legal Services at the applicant's request and subsequent reinstatement of the access.

The Planning Officer confirmed that no objections 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 condition, viz:- access through the development site from Irvine Road to Glencairn Terrace shall remain free from obstruction at all times, except for a period of 8 weeks, the details of timing of which shall be submitted by the developer for approval by the Planning Authority, prior to the above mentioned closure being implemented; The above condition being imposed in the interests of public safety and to ensure reinstatement of the public access.

It was agreed :-

- (i) to grant the application subject to the condition and for the reason detailed; and
- (ii) to note that the Head of Planning and Building Control would liaise with the developer to ensure that vehicular activity at the site was safe, particularly at school times.

3.5 APPLICATION NO 97/0055/TP: MR WILSON

There was submitted a report dated 4 February 1997 (circulated) by the Head of Planning and Building Control on an application to fell 5 trees which were the subject of a Tree Preservation Order (TPO 12/1992) at Struthers Farmhouse, Dunlop.

The Planning Officer confirmed that no objections 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) Tree Nos 1, 2 and 5 as indicated on the submitted plan, should be felled and replaced by Birch, Rowan or Hawthorn, to be planted not later than the next appropriate planting season after this consent. Details of the location and size of the replacement planting shall be agreed with the Planning Authority; and (2) Notwithstanding the plans hereby approved, the felling of tree nos 3 and 4 as indicated therein is not approved. Consent is hereby granted only for the removal of those parts of the limbs which are damaged; Conditions (1) and (2) 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 1425 hours.