

EAST AYRSHIRE COUNCIL**NORTHERN AREA LOCAL PLANNING COMMITTEE****MINUTES OF SPECIAL MEETING HELD ON FRIDAY 17 APRIL 1998 AT 1035 HOURS IN THE MORTON HALL, NEWMILNS**

PRESENT: Councillors David Fulton, Kathleen Hall, David Macrae, George Turnbull and Robert McDill.

ATTENDING: Bill Walkinshaw, Principal Administrative Officer; Jim Worley, Principal Planning Officer; Matthew Glover, Senior Engineer (Roads and Transportation); Yvonne Mitchell, Planning Officer; and Alex Hewetson, Administrative Officer.

APOLOGIES: Councillors Jim O'Neill, Ann Hay and Kim Nicoll.

CHAIR: Councillor David Fulton, Chair.

CONSIDERATION OF PLANNING APPLICATIONS**1.1 PROCEDURE**

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

1.2 APPLICATION NO 97/0303/FL: CRUDENS ESTATES LIMITED (Item 1.9, Page 3199)

There was re-submitted a report dated 24 March 1998 (circulated) by the Head of Planning and Building Control on a full planning application for the erection of 18 two and three bedroom dwellinghouses, associated roadway and enhancement of right of way and partial removal of rail embankment at area to rear of Kirkland Park House, Kirkland Road, Darvel.

The Principal Planning Officer reported that 3 letters of objection and one letter of objection from a consultee 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: (i) 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 28 April 1997 and the amended plans received by the Planning Authority on 14 January 1998 and 13 March 1998; (3) 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 areas, 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; (4) No trees shall be felled, lopped or have roots cut on the site without the written consent of the Planning Authority; (5) 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; (6) The proposed development shall be finished in materials to match those of the adjacent plotted residential development on Kirkland Road; (7) Details of the construction of the proposed footpath connecting the viaduct to Kirkland Road shall be submitted to and approved by the Planning Authority prior to commencement of any development on site; (8) The proposed footpath connecting the viaduct to Kirkland Road shall be completed to the satisfaction of the Planning Authority prior to occupation of any of the dwellinghouses; and (9) No houses shall be occupied until the roads and footpaths are completed to base course level and the road drainage system is installed. The road and footpath wearing surface shall be completed immediately all the houses are occupied all to the satisfaction of the Planning Authority; 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) to ensure that adequate provision of public open space is provided, to an adequate standard and that it is subsequently maintained in the interest of residential and visual amenity; Conditions (4), (5) and (6) in the interests of visual amenity; Condition (7) to ensure the footpath to the Right of Way is completed to an acceptable standard; Condition (8) to ensure the right of way across the site is maintained on a permanent basis; and Condition (9) in the interest of highway safety and residential amenity; and (ii) to remit to the Head of Legal Services to discharge in part the Section 50 Agreement relating to planning consent KL/E/OL/79/161A in respect of the application site; and planning consent in respect of this application 97/0303/FL not being issued until the Section 50 Agreement has been so discharged.

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

The Committee then heard Mr Armitage and Mr and Mrs McNaughton in support of their objections and Mrs Roberts, representative of the Architectural Heritage Society of Scotland, in support of its objections, all in accordance with the Hearing procedure.

The Principal Planning Officer provided further comment on the issues raised.

It was agreed to continue consideration of this application to a Special Meeting of this Committee, following a site visit, to be held on a date and at a venue to be determined by the Chair.

1.3 APPLICATION NO 97/0765/OL - MR FINDLAY WHITE (Item 1.12, Page 3200)

There was re-submitted a report dated 18 March 1998 (circulated) by the Head of Planning and Building Control on an outline planning application for proposed livery stables with associated one and a half storey dwellinghouse and garage at Burnhouse Field, Sorn Road, Galston.

It was noted that Members of the Committee had attended a site visit prior to the meeting.

The Principal Planning Officer reported:-

- (i) that one letter of objection had been received, details of which were contained within the report; and
- (ii) the receipt and content of additional information from the applicant.

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: Refusal for the following reasons, viz:- (1) The proposal, by virtue of inadequate access arrangements, would be contrary to Policy C2 of the Finalised Kilmarnock and Loudoun District Plan; (2) The proposed development would be detrimental to road safety by reason of inadequate sightlines in the north direction; (3) The proposed development in the absence of any demonstrated specific locational need, is contrary to Policy C2 of the Finalised Kilmarnock and Loudoun District Plan; and (4) The proposed dwelling, by virtue of the absence of a need to accommodate a person employed in agriculture or forestry, is contrary to Policy HR1 of the Finalised Kilmarnock and Loudoun District Plan.

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

The Committee then heard Mr White, applicant, in support of the application. Members asked questions of the applicant, all in accordance with the Hearing procedure.

The Principal Planning Officer provided further comment on the issues raised.

It was agreed that the application be referred to the Development Services Committee for consideration with a recommendation that the application be approved on the grounds:-

- (i) that notwithstanding the approved Development Guidelines in relation to sightlines, it was considered that the sightlines were adequate; and
- (ii) that the criteria for the establishment of a business in a rural location, had been satisfied.

Councillor McDill left the meeting at this point.

1.4 APPLICATION NO 98/0025/OL: MR AND MRS McLEISH (Item 1.11, Page 3200)

There was re-submitted a report dated 24 March 1998 (circulated) by the Head of Planning and Building Control on an outline planning application for proposed development of land for residential purposes at Priestland Mill, Priestland.

It was noted that Members of the Committee had attended a site visit prior to the meeting.

The Principal Planning Officer reported that one letter of objection and a letter of response from the applicant 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 reason, viz:- The proposed development would be detrimental to road safety and would be contrary to Policy HU3 of the Finalised District Plan by reason of there being insufficient sightlines within the applicant's control.

It was agreed to refer the application to the Development Services Committee for consideration with a recommendation that the application should be approved on the grounds that notwithstanding the approved Development Guidelines in relation to sightlines, it was considered that the sightlines were adequate.

The meeting terminated at 1114 hours.