

EAST AYRSHIRE COUNCIL**NORTHERN AREA LOCAL PLANNING COMMITTEE****MINUTES OF SPECIAL MEETING HELD ON FRIDAY 16 APRIL 1999 AT 1515 HOURS IN THE BARR CENTRE, STATION ROAD, GALSTON**

PRESENT: Councillors David Fulton, Jim O'Neill, David Macrae and Robert McDill.

ATTENDING: Jim Worley, Principal Planning Officer; Julie Armstrong, Senior Administrative Officer; and Gillian Hamilton, Administrative Officer.

APOLOGIES: Councillors Kathleen Hall, Ann Hay, Kim Nicoll and George Turnbull.

CHAIR: Councillor David Fulton, Chair.

CONSIDERATION OF PLANNING APPLICATIONS**1. PROCEDURE**

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

1.1 APPLICATION NOS 98/0775/FL AND 98/0776/LB: MRS I BUCHANAN

There was submitted a report dated 22 March 1999 (circulated) by the Head of Planning and Building Control on a full planning application and a listed building application for the proposed alterations and extensions to existing outbuildings to form additional living accommodation and erection of new garage at 33 Main Street, Dunlop.

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 applications and gave the recommendations of the Head of Planning and Building Control: In respect of Application No 98/0775/FL, 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 6 November 1998 and the elevation plans (2030: W3B and 2030: W6A) received by the Planning Authority on 4 February 1999; (3) The walls shall be rendered to match the existing house; (4) Notwithstanding the plans hereby approved, the garage doors shall be of painted finish; and (5) The permission relates solely to an extension to the facilities of the existing dwelling to be used as a "granny flat" for occupation by dependant relatives of the occupants of the main house. Further approval of the Planning Authority shall be required for its use as a separate dwellinghouse; 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; Conditions (3) and (4) to ensure the development complements the grade B Listed Building, in the interest of its character and appearance; and Condition (5) in the interest of residential amenity. In respect of Application No 98/0776/LB: Approval, subject to the following conditions and subject to notification of the Secretary of State under the Town and Country Planning (Listed Buildings and Conservation Areas) (Scotland) Regulations 1987, viz:- Condition (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 6 November 1998 and the elevation plans (2030: W3B and 2030: W6A) received by the Planning Authority on 4 February 1999; (3) The walls shall be rendered to match the existing house; and (4) Notwithstanding the plans hereby approved, the garage doors shall be of painted finish; Condition (1) being imposed to comply with Section 16 of the Planning (Listed Building and Conservation Areas) (Scotland) Act 1997; Condition (2) to ensure that development is carried out in accordance with the approved details; and Conditions (3) and (4) to ensure the development complements the Grade B Listed Building, in the interest of its character and appearance.

It was also reported that neither the objector nor the applicant had intimated their wish to address the Committee, either in person or through a third party.

It was agreed to grant the planning application subject to the conditions and for the reasons detailed and the listed building consent subject to the conditions and for the reasons detailed and subject to notification of the Secretary of State under the Town and Country Planning (Listed Building and Conservation Areas) (Scotland) Regulations 1987.

1.2 APPLICATION NO 99/0084/FL: AYRSHIRE TIMELINES LIMITED

There was submitted a report dated 26 March 1999 (circulated) by the Head of Planning and Building Control on a full planning application for the proposed formation of car park at Union Street/Ladeside, Newmilns.

The Principal Planning Officer reported 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: 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/samples of surfacing materials shall be submitted to and approved by the Planning Authority and shall thereafter be fully implemented before the use of the area as a car park commences; (3) The car park hereby approved shall not be used for the parking of lorries, trucks or commercial vehicles, other than buses visiting the adjacent factory (Greenhead Mills); (4) Details of the layout of the car park shall be submitted to and approved by the Planning Authority prior to the commencement of the use. Such details as are agreed shall be marked out prior to the commencement of the use; and (5) Measures shall be taken to prevent access to the site other than by use of the identified access points. Details of such measures shall be agreed in writing with the Planning Authority and shall be installed prior to the first use of the car park; Condition (1) being imposed to comply with Section 58 of the Town and Country Planning (Scotland) Act 1997; Condition (2) to ensure that the surfacing materials used are appropriate in the location, in the interest of the character and appearance of the Conservation Area; Condition (3) in the interest of visual and residential amenity; and Conditions (4) and (5) in the interest of road safety.

It was also reported that neither the objector nor the applicant had intimated their wish to address the Committee, either in person or through a third party.

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

1.3 APPLICATION NOS 99/0012/CA AND 98/0852/FL: MR AND MRS A HART

There was submitted a report dated 23 March 1999 (circulated) by the Head of Planning and Building Control on a full planning application and an application for Conservation Area Consent for proposed part demolition of boundary wall and erection of dwellinghouse at 25 Main Road, Fenwick.

The Principal Planning Officer reported the receipt of two letters of objection, details of which were contained within the report; summarised the planning considerations in respect of the applications and gave the recommendation of the Head of Planning and Building Control: In respect of planning application no 98/0852/FL: 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 29 December 1998 and the amended plans received by the Planning Authority on 26 February 1999; (3) Notwithstanding the plans hereby approved, the first floor window in the south gable of the house is not approved. The gable shall be finished and thereafter maintained in its entirety in white render; (4) The beech hedge forming the south boundary of the new house plot shall be installed prior to the first occupation of the dwelling and shall be maintained at a height not less than 1.5m thereafter; (5) Notwithstanding the provisions of the Town and Country (General Permitted Development) (Scotland) Order 1992 (or any order replacing or re-enacting this Order), no alterations or extensions shall be made to the property without further planning permission from the Planning Authority; (6) No trees shall be felled, lopped or have roots cut on the site without the written consent of the Planning Authority; and (7) Prior to the commencement of development, details of the surfacing materials to be used when forming the car parking areas shall be submitted to and approved by 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; Conditions (3) and (4) to prevent undue loss of privacy to the occupants of No 25 Main Road; Condition (5) in the interest of the character and appearance of the Laigh Fenwick Conservation Area and the amenity of adjacent properties; Condition (6) in the interest of visual amenity; and Condition (7) in the interest of the character and appearance of the Laigh Fenwick Conservation Area: In respect of Conservation Area Consent No 99/0012/CA: Approval.

It was also reported that neither the objectors nor the applicant had intimated their wish to address the Committee, either in person or through a third party.

It was agreed to grant (i) the Conservation Area Consent; and (ii) the planning application subject to the conditions and for the reasons detailed.

1.4 APPLICATION NO 99/0058/FL: MR B MCKINLEY

There was submitted a report dated 24 March 1999 (circulated) by the Head of Planning and Building Control on a full planning application for the proposed conversion of vacant church to dwellinghouse including demolition of building to rear at 44 West Main Street, Darvel.

The Principal Planning Officer reported the receipt of two letters of objection, details of which were contained within the report and the receipt and content of additional consultation from the Roads Division regarding car parking and access requirements; 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 plans hereby approved, further details of the glazing of the windows of the east elevation shall be submitted to and approved by the Planning Authority prior to the first occupation of the dwelling. These details shall allow for the use of obscure glazing so as to preclude overlooking; Condition (1) being imposed to comply with Section 58 of the Town and Country Planning (Scotland) Act 1997; and Condition (2) in the interest of the residential amenity of the adjacent dwellings.

It was also reported that neither the objectors nor the applicant had intimated their wish to address the Committee, either in person or through a third party.

It was agreed to grant the application subject to the conditions and for the reasons detailed, and to an additional condition that notwithstanding the plans hereby approved that 3 parking spaces shall be provided within the curtilage of the dwelling and the access to West Main Street shall be by means of a pavement crossing of 5m width. This condition being imposed in the interest of road safety.

1.5 APPLICATION NO 99/0128/FL: MR AND MRS J WYPER

There was submitted a report dated 24 March 1999 (circulated) by the Head of Planning and Building Control on a full planning application for the proposed erection of single dwellinghouse and single garage at 37 Old Glasgow Road, Stewarton.

The Principal Planning Officer reported the receipt of one letter of objection signed by two objectors and a letter of representation from the applicant, 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 is considered to be contrary to Policy HU3 of the Kilmarnock and Loudoun Finalised District Plan, by virtue of the inadequate means of access and provision of private open space; (2) The proposed development cannot satisfactorily achieve the required sightlines, as specified by East Ayrshire Council Roads Division, and consequently will have a detrimental impact on road safety; and (3) The proposed development, without the implementation of an appropriate pedestrian footpath, as specified by East Ayrshire Council Roads Division, will have a detrimental impact on pedestrian/road safety.

It was also reported that neither the objectors nor the applicant had intimated their wish to address the Committee, either in person or through a third party.

It was agreed to continue consideration of the application to the next meeting for clarification from the Roads Division regarding the impact of the Stewarton Road Improvement Programme on obtaining the sightline requirement and to allow Members the opportunity to attend a site visit.

1.6 APPLICATION NO 99/0076/RM: MR J MALONE

There was submitted a report dated 23 March 1999 (circulated) by the Head of Planning and Building Control on a full planning application for the proposed erection of dwelling at land at Templetonburn by Crookedholm.

The Principal Planning Officer reported the withdrawal of one letter of objection leaving one letter of objection, signed by two people, details of which were contained

within the report, and also the receipt and content of a letter of objection from a consultee; the Principal Planning Officer then 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 received on 17 February 1999 and the elevation and floor plans received by the Planning Authority on 4 March 1999; (3) The arrangements for the disposal of sewage shall comply with BS 6297:1983; and (4) Prior to the commencement of the development, all trees within the site shall be protected by a fence located 8 metres from the trunks of the trees. Within the area enclosed by the fence, no excavations nor storage of plant, machinery or excavated material shall take place; 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; Condition (3) to ensure a suitable means of sewage disposal is provided, in the interest of public health; and Condition (4) to ensure that the health of the trees on the perimeter of the site is not affected by the development, in the interest of visual amenity.

The Committee then heard Mr and Mrs Haemmerlee in support of their objections and Mr Malone, the applicant in support of the application.

Members asked questions of the objectors and the applicant. The objector and applicant responded to the issues raised all in accordance with the Hearing procedure.

It was agreed to continue consideration of the application to a Special Meeting of the Committee, to be arranged, to enable Members to attend a site visit.

The meeting terminated at 1550 hours.