

EAST AYRSHIRE COUNCIL**NORTHERN AREA LOCAL PLANNING COMMITTEE****MINUTES OF SPECIAL MEETING HELD ON FRIDAY 20 NOVEMBER 1998 AT
1000 HOURS IN JOHN KNOX CHURCH HALL, MAIN STREET, STEWARTON**

PRESENT: Councillors David Fulton, Jim O'Neill, Kathleen Hall, Ann Hay and David Macrae.

ATTENDING: Julie Armstrong, Senior Administrative Officer; Hamish Buttle, Planning Officer; John Trakalo, Senior Engineer (Development Services); Jim Worley, Principal Planning Officer; and Jennifer Morrison, Administrative Officer.

CHAIR: Councillor David Fulton, Chair.

CONSIDERATION OF PLANNING APPLICATIONS**1.1 APPLICATION NO. 98/0503/FL: STEWART MILNE HOMES (Item 1.1, Page 3920)**

There was re-submitted a report dated 9 November 1998 (circulated) by the Head of Planning and Building Control on a full planning application for proposed erection of 74 semi and detached dwellinghouses at Cutsburn Road, Stewarton.

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

The Principal Planning Officer reported the receipt of seven letters of objection, including a petition signed by 43 people, and a submission from Stewarton and District Community Council, details of which were contained within the report, reported again on the comments from the Head of Leisure Services 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 30 June 1998 as revised by the site layout plan (3017-100 REV.D) plan received by the Planning Authority on 26 October 1998; (3) Full details of the construction of the secondary culvert and of alterations to the existing culvert, both under Cutsburn Road, shall be submitted to, and approved by, the Planning Authority prior to the commencement of development; (4) No houses shall be occupied on the site until traffic calming measures on Cutsburn Road and a footpath along the south east side of Cutsburn Road, adjacent to Numbers 3 and 7 Cutsburn Place, have been installed. Such measures shall be agreed in writing with the Planning Authority prior to this installation; (5) Details/samples of external materials shall be submitted to, and approved by, the Planning Authority before any development commences on the site; (6) Details of a landscaping scheme, including the provision of play equipment, shall be submitted to, and approved by, the Planning Authority prior to the commencement of development. Such details shall address all the areas of public open space, and shall include details of the means and the form maintenance of the area; (7) Full details of the means of ensuring the maintenance of the Cutsburn (ie of the legal missives as indicated in the applicants' letter of 21 October 1998) shall be submitted to, and approved by, the Planning Authority prior to the conclusion of the sale of any houses on the site. Such details as are approved shall be

incorporated as a burden or condition in the title of each dwelling; (8) 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; and (9) Notwithstanding the plans hereby submitted, details of phasing of the development shall be submitted to, and approved by, the Planning Authority, prior to the commencement of any development on site. 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 that adequate measures are in place to reduce the risk of flooding of the site, and maintain this level of risk on a permanent basis; Condition (4) in the interest of road safety; Conditions (5) and (8) in the interest of visual amenity; Condition (6) in the interest of residential amenity; Condition (7) to ensure that adequate means of maintenance of the burn is provided for and that it is permanently maintained thereafter; and Condition (9) to ensure that adequate school place provision is available to serve residents at the development.

ADJOURNMENT

- 1.2** It was agreed to adjourn the meeting at 1050 hours.

RECONVENTION

- 1.3** The Committee reconvened at 1055 hours with the same Members and Officers present and attending.

Councillor O'Neill, seconded by Councillor Macrae, moved that the application be recommended for refusal on the following grounds:- (1) Overcrowding of the site; (2) Insufficient information had been provided by the applicant regarding arrangements for power lines; and (3) inadequate analysis of the impact of the development on flooding, and that as the Local Planning Committee's recommendation of refusal had wider strategical ramifications for the Finalised Kilmarnock District Plan, the application be referred to the Development Services Committee for consideration.

Councillor Hall, seconded by Councillor Hay, moved as an amendment that the application be refused on the following grounds:- (1) Overcrowding of the site; (2) Insufficient information had been provided by the applicant regarding arrangements for power lines; and (3) inadequate analysis of the impact of the development on flooding.

On a division by a show of hands, the motion was carried by three votes to two.

The meeting terminated at 1100 hours.