

**EAST AYRSHIRE COUNCIL**

**NORTHERN AREA LOCAL PLANNING COMMITTEE**

**MINUTES OF MEETING HELD ON FRIDAY 10 OCTOBER 1997  
AT 1000 HOURS IN THE BARR CENTRE, STATION ROAD, GALSTON**

**PRESENT:** Councillors David Fulton, Kathleen Hall, Kim Nicoll, George Turnbull and Robert McDill.

**ATTENDING:** Ken Robinson, Principal Administrative Officer; Jim Worley, Principal Planning Officer; Hamish Buttle, Planning Officer; Alex Hewetson, Administrative Officers; and Lesley-Ann Wallace, Administrative Assistant.

**APOLOGIES:** Councillors James O'Neill, Robert Beattie and David Macrae.

**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 97/0626/FL: MRS N McNAMARA**

The Principal Planning Officer reported that this planning application had been withdrawn by the applicant.

**1.3 APPLICATION NO 97/0646/RM: WIMPEY HOMES HOLDINGS LTD (Item 13.7, Page 1555)**

There was submitted a report dated 30 September 1997 (circulated) by the Head of Planning and Building Control on a reserved matters application for proposed resiting of Plots 600-606 to accommodate services at Cragside View (Phase 3), Southcraigs, Kilmarnock.

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 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, the external building materials shall match the approved building materials previously agreed within planning approval 96/0487/RM; (3) Notwithstanding the plans hereby approved, the following roads issue shall be addressed: (i) The driveway of Plots 602 and 605 shall meet the public road at right angles. Condition (1) being imposed to comply with Section 38 of the Town and Country Planning (Scotland) Act 1972; Condition (2) being in the interest of residential/visual amenity; and Condition (3) in the interest of road safety.

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

**1.4 APPLICATION NO 97/0350/FL: MR I McLEOD**

There was submitted report dated 30 September 1997 (circulated) by the Head of Planning and Building Control on a full planning application for proposed erection for storage shed at rear of 32-36 Main Street, Kilmaurs.

The Principal Planning Officer reported that one letter of objection and an objection from Kilmaurs Community Council 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 reasons, viz:- (1) The proposed development is not considered sympathetic to the character and amenity of the Kilmaurs Conservation Area and surrounding residential dwellings by virtue of its scale and design; (2) The storage shed would constitute an unduly dominant feature and would unacceptably impact upon the amenity of the adjacent dwelling.

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

### **1.5 APPLICATION NO 96/0159/FL: MRS M THOM**

There was submitted a report dated 30 September 1997 (circulated) by the Head of Planning and Building Control on an outline planning application for proposed erection of dwellinghouse at "Thalassa" The Hill, Dunlop.

The Principal Planning Officer reported that three letters of support from the applicant and one further letter of support 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 reasons, viz:- (1) The proposed development would constitute the erection of a new dwelling in the countryside which would constitute sporadic development and is therefore contrary to the terms of NPPG 3, "Land for Housing"; (2) The proposed dwelling, by virtue of its prominent and elevated location, would have an adverse environmental impact and would therefore be contrary to Policy CAT 1A of the Strathclyde Structure Plan; and (3) There is insufficient justification for an agricultural worker's dwelling which would therefore be contrary to Policy HR2 of the Finalised Kilmarnock and Loudoun District Plan.

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

### **1.6 APPLICATION NO 97/0642/FL: McLEAN HOMES (Item 13.6, Page 1553)**

There was submitted a report dated 30 September 1997 (circulated) by the Head of Planning and Building Control on a full planning application for proposed change of house types on Plots 5-14, 30-33 and 45-64 inclusive, at Southcraigs, Kilmarnock.

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 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 22 August 1997 as revised by the site layout plan received by the Planning Authority on 27 September 1997; Condition (3) Notwithstanding the plans hereby approved, all external building materials shall match the approved building materials as per Planning Consent 96/0452/FL; (4) Notwithstanding the plans hereby approved, the following roads issues shall be addressed: (i) Driveways to Plots 21 and 22 shall be at least 4.5 metres wide, (ii)

Driveway for Plot 50 should revert to layout on previous application (96/0452/FL), (iii) All 4 bedroom houses shall have 3 Nos, spaces within the curtilage. Condition (1) being imposed to comply with Section 38 of the Town and Country Planning (Scotland) Act 1972; Condition (2) to ensure that the development is carried out in accordance with the approved details; Condition (3) In the interest of visual amenity; and Condition (4) in the interest of road safety.

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

#### **1.7.1 APPLICATION NO 97/0539/OL: W.M.M. LTD**

There was submitted a report dated 24 September 1997 (circulated) by the Head of Planning and Building Control on an outline planning application for proposed formation of 16 serviced housing plots including site preparation and provision of services at Blair Avenue/Wallace Court/Station Drive, Hurlford.

The Principal Planning Officer reported:-

- (i) that 7 letters of objection with 14 signatories had been received, details of which were contained within the report;
- (ii) the receipt and content of additional information in support of the application from the applicant;
- (iii) the receipt and content of additional comments by the Department of Community Services; and
- (iv) proposed amendments to Conditions 7 and 8 following discussions with the applicant.

The Principal Planning Officer gave the recommendation of the Head of Planning and Building Control: Approval subject to the following conditions, amended as appropriate in accordance with (iv) above, viz:- (1) In the case of the reserved matters specified below, application for approval must be made not later than the expiration of three years beginning with the date of this permission; (2) That the development to which this condition relates must be begun not later than the expiration of five years from the date of this permission or within the expiration of two years from the final approval of all reserved matters, whichever is the later; (3) The proposed development shall be carried out in accordance with the application form and plans received on 17 July 1997, the revised layout plan received by the Planning Authority on 4 September 1997 and the plans showing ground profiles received on 23 September 1997; (4) The further approval of the Planning Authority shall be obtained in respect of the undermentioned matters hereby reserved. The development of each individual plot shall not commence until all these reserved matters have been approved, with the exception of those matters within the other plots on the site: (a) the internal layout of the house plots; (b) the size, height, design and external appearance of the proposed dwellinghouse; (c) the means of drainage and drainage disposal; (d) Details of the access arrangements; (e) the provision of car parking; (f) Finished site level/floor levels; (5) The details submitted under Condition 4 (a) above shall ensure that: (a) no building shall be located within 6 metres of the rear of the footpath fronting the plots in Station Drive and Wallace Court and Blair Avenue; (b) there shall be a minimum of 2 metres between adjacent houses; and (c) all dwellings/detached garages shall be a minimum of one metre from the side boundaries of the plot; (6) The details submitted under Condition 4 (b)

above shall: (a) ensure that each dwelling (excluding garages) shall occupy no more than 30 per cent of the plot; (b) allow for a maximum of 2 storey dwellings within the site, no adjacent dwellings to be more than half a storey difference in height; and (c) include a limited range of finishing materials to be agreed by the Planning Authority prior to the submission of reserved matters applications; Condition (7) Notwithstanding the plans hereby approved, the details submitted under Condition 4 (a) above shall include the erection of a 1.8 metre high close boarded fence along the rear of each plot (except those plots adjoining Nos 1-11 Station Drive) and to the eastern boundary of Plot 15. This fence shall be erected by the developer prior to the commencement of construction of the first house on the site; Condition (8) No houses shall be occupied until the footpaths on Blair Avenue, Wallace Court and Station Drive over which the respective houses will take access are completed to base course level. Wearing surface for each of these road frontages shall be complete, all to the satisfaction of the Planning Authority within 1 month of the first occupation of the dwellings taking access from the road concerned; Condition (9) The developers shall ensure that any existing sewer connections which served the former foundry are exposed and capped at the curtilage of the site; and Condition (10) Notwithstanding the submitted plans, the area fronting the proposed section of the development in Wallace Court (shown as a 2m wide verge) shall be made up to adoptable standards as a public footway. Conditions (1) and (2) being imposed to comply with Section 39 of the Town and Country Planning (Scotland) Act 1972; Condition (3) to ensure that development is carried out in accordance with the approved details; Condition (4) the approval is outline only; Conditions (5), (6), (7) and (8) in the interest of residential and visual amenity; Condition (9) in the interest of public safety; and Condition (10) in the interest of road safety.

The Committee then heard Ms M Cunningham, representative for seven of the objectors, in support of their objections and Mr L McPherson, Agent for the applicant, in support of the application, all in accordance with the agreed Hearing procedure.

### **ADJOURNMENT**

- 1.7.2** Following motion by the Chair, it was agreed to adjourn the meeting at 1022 hours for approximately 10 minutes to enable the objectors' representative and objectors to examine additional information submitted by the applicant.

### **RECONVENTION**

- 1.7.3** The Committee reconvened at 1032 hours with the same Members and Officials present and in attendance.

## CONTINUATION OF HEARING PROCEDURE

- 1.7.4** Ms M Cunningham, representative for seven of the objectors, withdrew their objections to the planning application.

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

**1.8 APPLICATION NO 97/0084/FL: MERCURY PERSONAL COMMUNICATIONS LTD**

There was submitted a report dated 30 September 1997 (circulated) on a full planning application for proposed erection of 25.5 metre telecommunication mast at South Glassock Farm, near Fenwick.

The Principal Planning Officer reported that one letter of objection from Moscow and Waterside Community Council and two letters of support from the applicant had been received, details of which were contained within the report; the receipt and content of a late letter of objection; 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:- (1) the proposed development would constitute an unduly prominent and conspicuous feature in the area by virtue of its height and its location in an area devoid of other tall and prominent structures and its location in close proximity to the heavily trafficked A77 and proposed route of the M77.

The Committee then heard Mrs G Roberts in support of her objection all in accordance with the agreed Hearing procedure.

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

**1.9 APPLICATION NO 97/0540/FL: MR A ANDERSON**

There was submitted a report dated 24 September 1997 (circulated) by the Head of Planning and Building Control on a full planning application for proposed garden shed with kennels at 22 Keir Hardie Crescent, Galston.

The Principal Planning Officer reported that one letter of objection with two signatories had been received, details of which were contained within the report; summarised the planning consideration in respect of the application; and gave the recommendation of the Head of Planning 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 kennels shall not be used for any business purpose; (3) Notwithstanding the submitted plans a 1m fence shall be erected around the site extending 9.83m north on either side of the proposed development, 13.25m in width. Condition (1) being imposed to comply with Section 38 of the Town and Country Planning (Scotland) Act 1972; Condition (2) to safeguard the residential amenity of the area; and Condition (3) in the interest of residential amenity.

The Committee then heard Mr A Anderson in support of the application all in accordance with the agreed Hearing procedure.

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

**1.10 APPLICATION NO 97/0537/FL: MR AND MRS ALLARDICE**

There was submitted a report dated 2 October 1997 (circulated) by the Head of Planning and Building Control on a full planning application for the proposed erection of second horticultural glasshouse, formation of new access to Cutstraw Road as per Roads Permit 97/008 and formation of hardstanding at Meikle Cutstraw, Cutstraw Road, Stewarton.

It was agreed to continue consideration of this application to a Special Meeting of this Committee, following a site visit.

The meeting terminated at 1052 hours.