

**EAST AYRSHIRE COUNCIL**

**NORTHERN AREA LOCAL PLANNING COMMITTEE**

**MINUTES OF MEETING HELD ON FRIDAY 1 SEPTEMBER 2000 AT 1000 HOURS  
IN CROOKEDHOLM COMMUNITY CENTRE, GROUGAR ROAD,  
CROOKEDHOLM**

**PRESENT:** Councillors David Macrae, Ann Hay, Stephanie Young, Harry Wilson, Jim Raymond and Finlay MacLean.

**ATTENDING:** Dave Morris, Development Promotion Manager; Karen McLeod, Senior Solicitor; Julie Armstrong, Principal Administrative Officer; and Gillian Hamilton, Administrative Officer.

**APOLOGIES:** Councillors Brian McNeil, Kathleen Hall and Robert McDill.

**CHAIR:** Councillor David Macrae, Chair.

**CHAIR'S COMMENTS**

1. The Chair reported that Item 1.3 had been withdrawn from the Agenda.

**PLANNING APPLICATIONS**

**2.1 PROCEDURE**

The Chair established that the Hearing Procedure was understood by all participants.

**2.2 APPLICATION NO 00/0235/FL: MR D TOGNINI - 24 MAIN ROAD, WATERSIDE  
(Item 16, Page 1153, 99/02)**

There was submitted an executive summary sheet and a report dated 23 August 2000 (both circulated) by the Head of Planning and Building Control on a full planning application for proposed erection of two 5 apartment dwellinghouses at 24 Main Road, Waterside.

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

The Development Promotion Manager reported the receipt of two letters of objection signed by three people, 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) The proposed development shall be carried out in accordance with the application form received on 7 April 2000 and the amended plans received by the Planning Authority on 28 June 2000; (3) No trees shall be felled, lopped, have roots cut, or be the subject of any other works without the written consent of the Planning Authority. Details of all replacement planting and a timetable for planting shall be submitted to and approved by the Planning Authority, prior to the commencement of any development on site; (4) the felling/works shall commence after not less than 14 days' notice has been given to the Planning Authority and arrangements made for the supervision of works

by a representative of the Planning Authority. Details of replacement planting, particularly along the boundary with the sawmill (western boundary) shall be submitted to and approved by the Planning Authority prior to the occupation of any dwellinghouse on the site; (5) Details/samples of all external construction materials shall be submitted to and approved by the Planning Authority before any development commences on site; (6) Notwithstanding the plans hereby approved, the external surface of the walls shall be rendered or roughcast in a colour to be agreed in writing with the Planning Authority prior to the commencement of development; (7) Notwithstanding the plans hereby submitted, the site access shall be constructed before works commence on the two houses and the applicant shall ensure that sightlines of 2.5 metres x 90 metres are provided insofar as they relate to land in the applicant's ownership, prior to the occupation of any dwellinghouse on the site; (8) Notwithstanding the plans hereby submitted, the formation of a vehicle access crossing over the public footway shall be to the Roads Division standard, and completed prior to the occupation of any dwellinghouse on the site; (9) Notwithstanding the plans hereby submitted, sectional drawings showing existing and proposed ground and house levels across the site shall be submitted to and approved by the Planning Authority, prior to the commencement of any development on site; (10) 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; and (11) Notwithstanding the plans hereby submitted, the proposed drainage system must comply with the requisite standards, stipulated by SEPA. Confirmation of SEPA's acceptance of the proposed drainage system must 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 development is carried out in accordance with the approved details; Conditions (3), (5), (6) and (10) in the interest of visual amenity; Condition (4) to ensure the proper supervision of the works in the interest of visual amenity; Conditions (7) and (8) in the interest of road safety; Condition (9) in the interest of residential amenity; and Condition (11) in the interest of public health.

### **2.2.1 PLANNING HEARING**

The Committee then heard Mrs G M Roberts, objector in support of her objections and Mr D Tognini the applicant in support of the application. Members asked questions of the objector and the applicant. The objector and the applicant responded to the issues raised, all in accordance with the Hearing Procedure. The Development Promotion Manager then provided further comment on the issues raised.

### **2.2.2 DETERMINATION OF APPLICATION**

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

### **2.3 APPLICATIONS NO 00/0414/LB AND 00/0440/FL: MR R WAGSTAFFE - 15A VENNEL STREET, STEWARTON**

There was submitted an executive summary sheet and report dated 22 August 2000 (both circulated) by the Head of Planning and Building Control on a listed building

application and a full planning application for proposed conservatory extension to existing dwellinghouse at 15A Vennel Street, Stewarton.

The Development Promotion Manager reported the 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 (i) *Application No 00/0414/LB* be approved subject to notification of Historic Scotland under the Listed Buildings and Buildings in Conservation Areas (Scotland) Regulations 1987 and 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; and (2) Notwithstanding the plans hereby approved the external appearance of all materials to be used in the construction of the extension shall match the materials of the original building; Condition (1) being imposed to comply with Section 16 of the Planning (Listed Building and Conservation Areas) (Scotland) Act 1997; and Condition (2) in the interest of visual amenity; and (ii) *Application No 00/0440/FL* be approved subject to the following conditions but that the Planning Consent should not be issued until such time as the Listed Building application has been cleared by Historic Scotland, 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 appearance of all materials to be used in the construction of the extension shall match the materials of the original building; 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 visual amenity.

No Hearing took place as the objector was not present or represented.

It was agreed:-

- (i) that listed building application number 00/0414/LB be approved subject to the notification of Historic Scotland under the Listed Buildings and Buildings in Conservation Areas (Scotland) Regulations 1987 and to the conditions and for the reasons detailed; and
- (ii) that planning application no 00/0440/FL (a) be approved subject to the conditions and for the reasons detailed and (b) the planning consent not be issued until the listed building application had been cleared by Historic Scotland.

#### **2.4 APPLICATION NO 00/0492/FL: BEAZER HOMES LTD - PHASE D, TOPONTHANK, KILMARNOCK**

There was submitted an executive summary sheet and report dated 23 August 2000 (both circulated) by the Head of Planning and Building Control on a full planning application for proposed alterations to layout of plots 38-49, 54 and 31-34 (re-mixed and re-numbered 101-105) at Phase D, Toponthank, Kilmarnock.

The Development Promotion Manager reported that no objections had been received, the receipt and content of a response from a consultee; 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 the facing, roofing and surfacing materials to be used shall be submitted to and approved by the

Planning Authority before any development commences on site; Condition (1) being imposed to comply with Section 58 of the Town and Country Planning (Scotland) Act 1997; and Condition (2) In the interests of visual amenity.

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

## **2.5 APPLICATION NO 99/0581/FL: TILCON NORTHERN LTD - LOUDOUNHILL QUARRY**

There was submitted an executive summary sheet and report dated 17 August 2000 (both circulated) by the Head of Planning and Building Control on a full planning application for proposed further extraction of minerals and amendment to approved restoration plan at Loudounhill Quarry.

The Development Promotion Manager reported that no objections had been received, an amendment to the report concerning the demolition of the bungalow referred to in paragraph 1.1 of 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) The proposed development shall be carried out in accordance with the application form and plan submitted on 12 August 1999, the geotechnical assessment received on 13 December 1999 and the method statement received by the Planning Authority on 17 August 2000, all as revised by the location plan received on 25 August 2000; (3) No development shall take place on site until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant, agreed by the Regional Archaeologist and approved by the Planning Authority; (4) Permission is hereby granted for a limited period of three years from the date of this consent. All extraction workings shall cease, by the 9 May 2003 and thereafter the site shall be restored in accordance with the requirements of Condition 5 by the 9 May 2004; (5) Details of a site restoration plan shall be submitted to for approval by the Planning Authority within 3 months of this consent, and shall thereafter be implemented as per condition 4 above; (6) Except with the prior written consent of the Planning Authority no operations authorised by this consent shall be carried out with the following hours: (a) 07.00 hours to 18.00 hours Monday to Friday; and (b) 07.00 hours to 13.00 hours on Saturday; (7) In the event of any adverse impact by this development on the water quality or quantity in the area, any works which might have brought about this impact shall cease until such times as the water source has been adequately safeguarded to the satisfaction of the Planning Authority; (8) No oil shall be stored within the application site; oil storage shall be confined to the bunded area within the existing quarry plant; (9) At no time shall any contaminated drainage arising from the quarrying area be discharged to watercourse without the prior provision of all necessary treatment facilities; (10) No buildings or plant or caravans shall be erected/placed on the site at any time, without the further express permission in writing of the Planning Authority; (11) Under no circumstances shall any processing of the extracted sand and gravel be carried out at any time on the application site; (12) Adequate measures shall be taken to the satisfaction of the Planning Authority to prevent any wind blown sand and gravel from the application site causing nuisance to surrounding areas and to prevent any vehicles entering the public highway from any land in the ownership of

the applicant, with insecure loads of sand and gravel; 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) the "Leven" was the site of the Battle of Loudoun and the extraction of sand and gravel from this site may result in the discovery of archaeological/historic artefacts; Condition (4) to enable the Planning Authority to review the situation in the light of the progress of extraction of sand and gravel from the site; Condition (5) to ensure that the site is satisfactorily restored providing an appropriately diverse habitat which does not detract from the prominence of Loudoun Hill; Condition (6) to restrict the amount of traffic to and from the application site to reasonable hours, in the interest of the residential amenity of the nearby towns; Conditions (7), (8), (9) and (11) to protect the existing water supply in the area; Condition (10) to enable the Planning Authority to fully consider any proposals to erect/place buildings, plants or caravans on the application site; and Condition (12) in the interest of public health.

It was agreed (i) to grant the application subject to the conditions and for the reasons detailed; and (ii) to emphasise to the applicant the importance of not damaging the archaeological site.

## **2.6 APPLICATION NO 00/0217/FL: ROCK HOMES LTD - NEWMILL ROAD, DUNLOP**

There was submitted an executive summary sheet and report dated 18 August 2000 (both circulated) by the Head of Planning and Building Control on a full planning application for proposed erection of 15 houses at The Fieldings, Phase 3, Newmill Road, Dunlop.

The Development Promotion Manager reported 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) 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 23 March 2000 and the amended plans received by the Planning Authority on 8 August 2000; (3) A landscaping scheme including the treatment of the boundary of the site/areas for public open space/play area equipment, shall be submitted to and approved by the Planning Authority prior to the commencement of any development, and shall be implemented immediately upon the completion of 8 houses. The scheme shall include details of the provision to be made for maintenance of soft and hard landscaped areas, and shall be maintained thereafter in accordance with these details; (4) The details submitted in provision of Condition 3 above shall include details of existing trees on site and confirm measures for their protection; (5) No trees shall be felled, lopped or have roots cut on the site without the written consent of the Planning Authority; (6) The details to be submitted further to Condition 3 above shall include a 1.8m high concrete post and weldmesh fence along the boundary with the railway; or some such other fence as can be confirmed as being acceptable to Railtrack; (7) Prior to the commencement of development details of the following road safety measures shall be submitted to and approved by the Planning Authority. These details shall be implemented prior to the completion of 8 houses. (a) pedestrian barriers placed on the footway opposite the access points to the amenity area; and (b) the extension of the block paving of the adjoining cul-de-sac to construct a speed table; 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; Condition (4) in the interest of retaining the maximum number of trees on site; Condition (5) in the interest of visual amenity; Condition (6) in the interest of public safety; and Condition (7) in the interest of road safety.

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

The meeting terminated at 1036 hours.