

EAST AYRSHIRE COUNCIL**NORTHERN AREA LOCAL PLANNING COMMITTEE****MINUTES OF MEETING HELD ON FRIDAY 29 SEPTEMBER 2000 AT 1000 HOURS IN THE BARR CENTRE, STATION ROAD, GALSTON**

PRESENT: Councillors David Macrae, Stephanie Young, Finlay MacLean and Robert McDill.

ATTENDING: Dave Morris, Development Promotion Manager (Development Services); Julie Armstrong, Principal Administrative Officer (Corporate Resources); Karen McLeod, Senior Solicitor (Corporate Resources); Yvonne Mitchell, Senior Planning Officer (Development Services); and Gillian Hamilton, Administrative Officer (Corporate Resources).

APOLOGIES: Councillors Jim Raymond, Brian McNeil, Kathleen Hall, Ann Hay and Harry Wilson.

CHAIR: Councillor David Macrae, Chair.

CONSIDERATION OF PLANNING APPLICATIONS

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

1.2 APPLICATION NO 00/0278/FL - MR & MRS COOKE: 58 MAIN ROAD, FENWICK

There was submitted an executive summary sheet and a report dated 21 September 2000 (both circulated) by the Head of Planning and Building Control on a full planning application for proposed change of use of residential/childminders to form day care nursery at 58 Main Road, Fenwick.

The Senior Planning Officer reported the receipt of three letters of objection, details of which were contained within the report, including one from a consultee which had subsequently been withdrawn, and of an additional condition that the proposed nursery shall accommodate a maximum of 35 children at any one time; summarised the planning considerations in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 25 April 2000 and the amended block plan received on 14 August 2000; (3) There shall be no commencement of the proposed use from the application site until the off street car parking area and entrance works as detailed in drawing no: PBC58-01R2 have been completed to the satisfaction of the Planning Authority; (4) No development shall take place until a scheme for the introduction of traffic calming measures in the adjacent road system on Main Road and Maunsheugh Road, having first been submitted to and approved by the Planning Authority, has been implemented in accordance with that approval. Such a scheme shall provide for the items in the attached plan A and shall include the following: (a) the grass verge over the frontage of the application site shall be upgraded to form a footway sufficient to allow children to be dropped off close to the facility without having to cross roads; (b) the junction of Maunsheugh Road and Main Road shall have build-outs to narrow the

carriageway at this point; and (c) road markings and warning signs shall be placed in advance of the build-outs; (5) Further details of screening along the boundary of the application site coloured blue shall be submitted to and approved by the Planning Authority prior to the commencement of development. Such details shall include measures to introduce improved acoustic properties to this boundary, and they shall thereafter be implemented prior to the commencement of the use hereby approved; and (6) The business shall operate only between the hours of 7.00am and 7.00pm Monday-Friday; 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) in the interest of road safety; Condition (4) in the interest of road safety through the improvement of sightlines and creation of dropping off facilities; Condition (5) in the interest of visual and residential amenity; and Condition (6) to prevent noise and disturbance extending into hours during which other sources of noise have subsided, in the interest of residential amenity.

1.2.1 PLANNING HEARING

The Committee then heard Miss Cockburn and Doctor Stevenson, objectors, in support of their objections. The applicant, having been given the opportunity, declined to speak, all in accordance with the Hearing procedure. The Senior Planning Officer provided further comment on the issues raised.

1.2.2 DETERMINATION OF APPLICATION

It was agreed to grant the application subject to the conditions and for the reasons detailed and to an additional condition that the proposed nursery shall accommodate a maximum of 35 children at any one time in the interest of residential amenity.

1.3 APPLICATION NO 00/0505/FL - MR KATAR SINGH BARHAYA: 16/18 WEST MAIN STREET, DARVEL

There was submitted an executive summary sheet and a report dated 21 September 2000 (both circulated) by the Head of Planning and Building Control on a full planning application for proposed change of use from bank to hot food takeaway and from first floor office to residential flat, installation of two dormers to front of the property, 2no. velux to rear and installation of flue at 16/18 West Main Street, Darvel.

The Senior Planning Officer reported the receipt of one letter of objection from a consultee, 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 and plans submitted on 21 July 2000 and amended plans submitted on 25 July 2000; and (3) Notwithstanding the details hereby approved precise details of the materials to be used in the formation of the two dormer windows shall be submitted to and approved by the Planning Authority prior to the commencement of development; 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; and Condition (3) in the interest of visual amenity.

1.3.1 PLANNING HEARING

The Committee then heard Mr Ross, representing the objector. The applicant was not present or represented. Members asked questions of the objectors' representative. The objectors' representative responded to the issues raised, all in accordance with the Hearing procedure. The Senior Planning Officer then provided further comment on the issues raised.

1.3.2 DETERMINATION OF APPLICATION

It was agreed to refuse the application on the grounds that the proposed development would be detrimental to the unique amenity of Darvel's central square and would result in a loss of amenity within the immediate surrounding area.

The meeting terminated at 1026 hours.