

EAST AYRSHIRE COUNCIL**NORTHERN AREA LOCAL PLANNING COMMITTEE****MINUTES OF MEETING HELD ON FRIDAY 4 AUGUST 2000 AT 1006 HOURS IN HURLFORD COMMUNITY CENTRE, CESSNOCK ROAD, HURLFORD**

PRESENT: Councillors David Macrae, Brian McNeil, Stephanie Young, Harry Wilson, James Raymond, Finlay MacLean and Robert McDill.

ATTENDING: David Morris, Development Promotion Manager; Bill Walkinshaw, Administration Manager; Yvonne Mitchell, Planning Officer; Karen McLeod, Solicitor; and Alex Hewetson, Administrative Officer.

APOLOGIES: Councillors Kathleen Hall and Ann Hay.

CHAIR: Councillor David Macrae, Chair.

PLANNING APPLICATIONS**1.1 PROCEDURE**

It was established that the Hearing procedure was understood by all participants.

1.2 APPLICATION NO 00/0250/RM: TAY HOMES: AREA E, TOPONTHANK, KILMARNOCK

There was submitted an executive summary sheet and report dated 25 July 2000 (both circulated) by the Head of Planning and Building Control on a reserved matters planning application for proposed residential development at Area "E", Toponthank, Kilmarnock.

The Planning Officer reported that 3 letters of objection, with 4 signatories and one petition of objection, with 12 signatories, had been received, details of which were contained within the report.

The 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 proposed development shall be carried out in accordance with the application form received on 12 April 2000 and the amended plans received by the Planning Authority on 7 July 2000 (Drawing NO 634-500 revc); (2) Details/samples of the facing, roofing and surfacing material to be used shall be submitted to and approved by the Planning Authority before any development commences on the site; (3) Details of the landscaping of the site, including the provision of play equipment and the maintenance of play equipment and all open space outwith the private curtilage of any dwelling shall be submitted to and approved by the Planning Authority prior to the commencement of the development. Such details shall include the timescale for the implementation of the landscaping and play equipment in relation to the completion of the dwellings; (4) Notwithstanding the plans hereby submitted, the details of the boundary hedge planting shall be submitted to the Planning Authority, with details of maintenance and implementation prior to the commencement of any development on site; (5) The boundary hedges shall be maintained at a height of not less than 2.5 metres. Details of maintenance responsibility to be submitted to and approved by the Planning Authority prior to occupation of any dwelling on the site; (6)

Notwithstanding the plans hereby submitted, an adoptable footpath linking Lerwick Place/Kirkwall Place with the development site via the designated wetland area, which complies with East Ayrshire Council Roads guidelines shall be implemented prior to the occupation of any dwellinghouse within the application site; and (7) Notwithstanding the plans hereby submitted, the driveways to Plots 10 and 58 shall be constructed to the appropriate East Ayrshire Council Roads standards. Details to be submitted to and approved by Planning Authority prior to commencement of any development on site; Condition (1) to ensure that development is carried out in accordance with the approved details; Conditions (2) and (4) in the interests of visual amenity; Condition (3) to ensure that the open space is adequately provided and maintained in the interests of residential amenity; Condition (5) to ensure that the hedges are retained to a size at which they would continue to provide a habitat and would significantly contribute to visual amenity; Condition (6) to ensure adequate pedestrian links to the public network; and Condition (7) in the interests of road safety.

1.2.1 PLANNING HEARING

The Chair advised the order in which objectors would be heard in supplement to their written objections.

The Committee then heard Mr J McColl, Mr S Crichton and Mr Ball in support of their objections and Mrs Ball, on behalf of the petitioners, in support of their objections, all in accordance with the Hearing procedure. The applicant was not present nor represented.

The Chair closed the Hearing.

1.2.2 DETERMINATION OF APPLICATION

The Development Promotion Manager, the Planning Officer and the Solicitor reported on the planning issues which had been raised during the Hearing and responded to questions from Members.

It was agreed to grant the application subject to the conditions and for the reasons detailed and to an additional condition, to read, viz:- "Prior to commencement of development, details of drainage of the site shall be submitted to and approved by the Planning Authority with no surface water discharging from the site to adjacent land and/or roads, being imposed in the interests of residential amenity and road safety".

1.3 Declaration of Interest

Councillor James Raymond, declared a non-pecuniary interest in respect of Item 1.3.1 and left the meeting.

1.3.1 APPLICATION NO 00/0360/FL: MR J CUTHBERT: 6 BRIDGE STREET, GALSTON

There was submitted an executive summary sheet and report dated 19 July 2000 (both circulated) by the Head of Planning and Building Control on a full planning application for proposed change of use from vegetable and food shop to hot food takeaway at 6 Bridge Street, Galston.

The Planning Officer reported that one petition of objection, with 14 signatories 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: 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 received on 24 May 2000; (3) Prior to the use of the premises as a hot food shop commencing, a ventilation system shall be installed, the details of which shall be submitted to and approved in writing by the Planning Authority; and (4) The proposal relates to the change of use of the property only and not to any external alterations which will require a further separate application to be submitted to and be approved by the Planning Authority in respect of any alterations proposed; 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 interests of visual amenity and public health; and Condition (4) in the interests of visual amenity.

No Hearing took place as the objectors were not present nor represented.

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

Councillor James Raymond re-joined the meeting.

1.4 APPLICATION NO 00/0307/FL: MR I LEYDEN: 6 AILSA VIEW, STEWARTON

There was submitted an executive summary sheet and report dated 10 July 2000 (both circulated) by the Head of Planning and Building Control on a full planning application for proposed erection of garage to rear of dwellinghouse, 6 Ailsa View, Stewarton.

The Planning Officer reported that 3 letters of objection, with 5 signatories, 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: 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 submitted, the minimum driveway dimensions shall be 6.0m in length and shall be formed prior to the use of the garage hereby approved; (3) Notwithstanding the plans hereby submitted, the external appearance of all materials to be used in the construction of the garage shall match the materials of the original dwelling; and (4) Notwithstanding the plans hereby submitted, details of the design and height of the proposed gates 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) in the interests of road safety; and Conditions (3) and (4) in the interests of visual amenity.

No Hearing took place as the objectors were not present nor represented.

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

1.5 APPLICATION NO 00/0148/FL: MR A FOOTE: 5 STEWARTON ROAD, FENWICK

It was agreed to note that this item had been withdrawn from the Agenda.

1.6 APPLICATION NO 00/0235/FL: MR D TOGNINI: 24 MAIN ROAD, WATERSIDE

There was submitted an executive summary sheet and report dated 18 July 2000 (circulated) by the Head of Planning and Building Control on a full planning application for proposed erection of two five apartment dwellinghouses at 24 Main Road, Waterside.

It was agreed to defer consideration of this item to the next meeting of this Committee.

1.7 APPLICATION NOS 00/0275/LB AND 00/0276/FL: MS CATHERINE TAYLOR: 6A IRVINE ROAD, KILMAURS

There was submitted an executive summary sheet and report dated 18 July 2000 (both circulated) by the Head of Planning and Building Control on a listed building application and a full planning application for proposed dormer window to rear of house at 6A Irvine Road, Kilmaurs.

The 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 recommendation of the Head of Planning and Building Control: Both applications be approved, subject to the following conditions, viz:- Application No 00/0275/LB:- (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 submitted the proposed roof light to the front roof door plane must be a 'GVA conservation' type. Details of the sizes of the proposed roof light 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 16 of the Planning (Listed Building and Conservation Areas) (Scotland) Act 1997; and Condition (2) in the interest of visual amenity; and Application No 00/0276/FL:- (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 submitted the proposed roof light to the front roof door plane must be a 'GVA conservation' type. Details of the sizes of the proposed roof light 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; and Condition (2) in the interest of visual amenity.

No Hearing took place as the objector was not present nor represented.

It was agreed to grant the listed building application and the full planning application both subject to the conditions and for the reasons detailed.

1.8 APPLICATION NO 00/0321/FL: PERSIMMON HOMES (WEST SCOTLAND) LIMITED: AREA C, TOPONTHANK, PHASE 2, KILMARNOCK

There was submitted an executive summary sheet and report dated 18 July 2000 (both circulated) by the Head of Planning and Building Control on a full planning application for proposed erection of dwellinghouses (Plots 39-44 and 49-86) at Area C, Toponthank Phase 2, Kilmarnock.

The Planning Officer reported that no letters of representation 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 25 April 2000 and the amended plans received by the Planning Authority on 5 July 2000 (Drawing No 004 Rev K); (2) Details/samples of the facing, roofing and surfacing material to be used shall be submitted to and approved by the Planning Authority before any development commences on the site; (4) Details of the landscaping of the site, including the provision of play equipment and the maintenance of play equipment and all open space outwith the private curtilage of any dwelling shall be submitted to and approved by the Planning Authority prior to the commencement of the development. Such details shall include the timescale for the implementation of the landscaping and play equipment in relation to the completion of the dwellings; (5) Notwithstanding the plans hereby submitted, the details of the boundary hedge planting shall be submitted to the Planning Authority, with details of maintenance and implementation, prior to the commencement of any development on site; and (6) The boundary hedges shall be maintained at a height of not less than 2.5 metres; 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 (5) in the interests of visual amenity; Condition (4) to ensure that the open space is adequately provided and maintained in the interests of residential amenity; and Condition (6) to ensure that the hedges are retained to a size at which they would continue to provide a habitat and would significantly contribute to visual amenity.

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

The meeting terminated at 1105 hours.