

EAST AYRSHIRE COUNCIL**CENTRAL LOCAL PLANNING COMMITTEE****MINUTES OF MEETING HELD ON TUESDAY 4 AUGUST 1998 AT 1000 HOURS
IN THE MEETING ROOM, COUNCIL HEADQUARTERS, LONDON ROAD,
KILMARNOCK**

PRESENT: Councillors Gordon Cree, Irene Reeves, Douglas Reid, Ronald Brailsford, Provost Robert Stirling and Councillors Jane Darnbrough and Daniel Coffey.

ATTENDING: Jim Worley, Principal Planning Officer; Ian Walker, Planning Officer; Karen McLeod, Senior Solicitor; Julie Armstrong, Senior Administrative Officer; and Robert Beaton, Administrative Officer.

APOLOGIES: Councillors Gordon McCredie and Drew McIntyre.

CHAIR: Councillor Gordon Cree, Chair.

CONSIDERATION OF PLANNING APPLICATIONS**1.1 APPLICATION NOS. 98/0185/CA AND 98/0186/FL: MR O THOMPSON**

There was submitted a report dated 30 June 1998 (circulated) by the Head of Planning and Building Control on a Conservation Area application and a full planning application for the proposed demolition of chimney stack and outbuilding and change of use of dwellinghouse, and alterations and extensions to form children's day nursery at "Orchardhill", 26 London Road, Kilmarnock.

The Principal Planning Officer reported that two letters of objection 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:- (Application No. 98/0185/CA) - (1) notwithstanding the details of the plans hereby approved, the chimney stacks of the property shall be replaced within three months of their removal. Details of the replacements for these features shall be submitted to, and approved by, the planning authority and thereafter implemented prior to the commencement of use of the premises; and (2) notwithstanding the plans hereby approved, the gable wall exposed by the demolition hereby approved shall not be finished in timber lining. Details of an alternative material for this wall shall be submitted to, and approved by, the planning authority prior to the commencement of the demolition; Condition (1) being imposed as the chimneys make a valuable contribution to the character of the Conservation Area; and Condition (2) as the external finishing material specified is inappropriate in the Conservation Area in which it is located.

(Application No. 98/0186/FL) - (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 chimneys shall be replaced. Details of the design and materials of the replacement stacks shall be submitted to, and approved by, the planning authority prior to its demolition; (3) notwithstanding the plans hereby approved, the gable wall exposed by the demolition hereby approved shall not be finished in timber lining. Details of an alternative material for this wall shall be

submitted to, and approved by, the planning authority prior to the commencement of the demolition; (4) the proposed nursery shall operate only between 0800 hours and 1800 hours on Monday to Saturdays and not at any time on a Sunday; (5) further details of the boundary treatment on the eastern boundary of the site shall be submitted for the prior approval of the planning authority and thereafter implemented prior to the commencement of use of the premises; (6) notwithstanding the plans hereby approved, the tree in the front garden of the property shall not be removed, nor shall its roots be severed. Details of a landscaping scheme for this area, incorporating the tree to be retained, shall be submitted to, and approved by, the planning authority prior to the commencement of development; (7) the 11 car parking spaces shall be maintained available for use by staff at the nursery at all times; (8) prior to the first use of the property as a nursery, the pavement crossings giving access to London Road shall be widened to a width equal to that of the entrance and exit to the front garden area; and (9) prior to the first use of the property as a nursery, the accesses shall be clearly marked as "exit only" (eastern access) and "entrance only" (western access). Details of achieving such marking shall be submitted to, and approved by, the planning authority prior to its installation; Condition (1) being imposed to comply with Section 58 of the Town and Country Planning (Scotland) Act 1997; Condition (2) the chimneys make a valuable contribution to the character of the Conservation Area; Condition (3) the external finishing material specified is inappropriate in the Conservation Area in which it is located; Conditions (4) and (5) in the interest of residential amenity; Condition (6) in the interest of visual amenity; and Conditions (7) and (8) in the interest of road safety.

It was agreed to grant the Conservation Area application and the planning application, subject to the conditions and for the reasons detailed.

1.2 APPLICATION NO. 98/0274/TP: MR A McKECHNIE

There was submitted a report dated 20 July 1998 (circulated) by the Head of Planning and Building Control on an application to fell two trees, subject to a Tree Preservation Order at 48 London Road, Kilmarnock.

The Principal Planning Officer reported that no letters of objection 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.

Councillor Cree, seconded by Councillor Reeves, moved that the application be approved.

Councillor Coffey, seconded by Councillor Darnbrough, moved as an amendment that the application be approved subject to the condition that details of a compensatory planting for the two trees shall be submitted for the approval of the Planning Authority prior to or within one month of the felling and thereafter implemented at the first available planting season.

On a division by a show of hands, the amendment was carried by 4 votes to 3.

1.3 APPLICATION NO. 98/0027/OL: STEPHEN BROWN'S, EXECUTRY (Item 1.8, Page 3320)

There was submitted a report dated 6 April 1998 (circulated) by the Head of Planning and Building Control on an outline application for a residential development at 82 Irvine Road, Crosshouse.

The Principal Planning Officer reported that no letters of objection 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) 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 permission 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 submitted on 16 January 1998 as revised by the roads and junction plans received by the planning authority on 11 March 1998; (4) before any development commences on the site, the further approval of the planning authority shall be obtained in respect of the undermentioned matters hereby reserved:- (a) the layout of the site; (b) the size, height, design and external appearance of the proposed dwellinghouses; (c) the means of drainage and sewage disposal; (d) details of the access arrangements; (e) the provision for open space; (f) the provision for car parking; (g) the boundary walls/fences to be erected; (h) the landscaping of the site; and (i) finished site levels/floor levels; (5) the details to be submitted under Condition 4(b) above shall provide for the height of all buildings on the site to be restricted to one and a half storey maximum; (6) the details to be submitted under Condition 4(b) above shall comply in all respects with the Council's approved policy on the provision on open space/design guidance as contained in the plan; Condition (7) the details submitted under Condition 4(f) above shall allow for car parking to East Ayrshire Council Roads Division requirements; Condition (8) before development commences on site, the developer shall submit for approval, a statement to the planning authority on the ground conditions and suitability of the site for the proposed development. The development shall not be implemented until such measures specified in the statement so approved have been undertaken; and Condition (9) no dwellings shall be occupied until the junction with Irvine Road (including those works within the public road) have been constructed. Conditions (1) and (2) being imposed to comply with Section 59 of the Town and Country Planning (Scotland) Act 1997; Condition (3) to ensure that the development is carried out in accordance with the approved details; Condition (4) the approval is in outline only; Condition (5) to ensure that the development does not conflict with the visual and residential amenity of the area; Condition (6) to ensure that sufficient open space is provided within the development, in the interests of visual amenity and residential amenity; Condition (7) in the interests of road safety; Condition (8) to ensure that the site is suitable for residential development; and Condition (9) in the interest of road safety.

Arising from Members' queries regarding the issue of subsidence, the Development Promotion Manager proposed the following supplementary condition and reason as follows, viz:- (10) that prior to the commencement of works on the site, the applicant shall satisfy himself as to the suitability of the site for construction purposes; Condition (10) being imposed in the interest of public safety.

It was agreed:-

- (i) to grant the application subject to the conditions including the additional condition and for the reasons detailed; and

- (ii) that all subsequent reserve or detailed matters be considered at a future meeting of the Central Local Planning Committee.

1.4 APPLICATION NO. 98/0417/FL: MR JOHN STUART MILLIGAN

There was submitted a report dated 17 July 1998 (circulated) by the Head of Planning and Building Control on a full planning application for a proposed kitchen extension at 86 Irvine Road, Kilmarnock.

The Principal Planning Officer reported that one letter of objection 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; and (2) notwithstanding the plan(s) 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.

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

The meeting terminated at 1022 hours.