

**EAST AYRSHIRE COUNCIL****NORTHERN AREA LOCAL PLANNING COMMITTEE****MINUTES OF MEETING HELD ON FRIDAY 6 AUGUST 1999 AT 1003 HOURS IN  
DARVEL TOWN HALL, EAST MAIN STREET, DARVEL**

**PRESENT:** Councillors David Macrae, Stephanie Young, Harry Wilson and Finlay MacLean .

**ATTENDING:** Bill Walkinshaw, Principal Administrative Officer; Jim Worley, Principal Planning Officer; Karen McLeod, Solicitor; and Alex Hewetson, Administrative Officer.

**APOLOGIES:** Councillors Brian McNeil, Kathleen Hall, Ann Hay, Jim Raymond and Robert McDill.

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

**CONSIDERATION OF PLANNING APPLICATIONS****1. APPLICATION NO 99/0274/OL: MRS N M COOPER**

There was submitted an Executive Summary Sheet and a report dated 27 July 1999 (circulated) by the Head of Planning and Building Control on an outline planning application for proposed plots for 3 detached dwellinghouses at Cessnock Road, Galston.

The Principal Planning Officer reported that three letters of objection, with four signatories and a letter from the applicant in response to a consultee's comments on the application 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) 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 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 entirely within the other plots on site: (a) the overall site layout/the internal layout of the house plots; (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; (4) The details submitted under Condition 3(a) above shall ensure that: (a) no building shall be located within 6 metres of the rear of the footpath fronting the plots; (b) there shall be a minimum of 4 metres between the adjacent new houses; and (c) all dwellings/detached garages shall be a minimum of 1 metre from the side boundaries of the plot; (5) The details submitted under Condition 3(b) above shall: (a) ensure that each dwelling (excluding garages) shall

occupy no more than 30% of the plot; (b) allow for a maximum of 1.5 storey dwellings within the site; (c) include the use of a limited range of finishing materials to be agreed by the Planning Authority prior to the submission of reserved matters application; (d) allow for accesses formed by means of pavement crossings of 4.8 metres width; (e) allow for access to Plot 3 being from Cessnock Road only; (f) ensure sightlines of 2.5 metres x 90 metres at each access, free from obstruction greater than 1 metre in height; (g) ensure not less than 2 parking spaces per plot; and (h) ensure driveways are formed with a hard surface; (6) Notwithstanding the plans hereby approved, the details submitted under Condition 3(a) above shall include the erection of a 1.8 metre high close boarded fence along the rear of each plot. This fence shall be erected on each plot prior to the commencement of construction of first house on the plot concerned; (7) Prior to the commencement of works on the site, the applicant shall satisfy himself as to the suitability of the site for construction purposes; (8) With the exception of the oak tree at the western corner of the site, no trees shall be felled, looped or have roots cut on the site without the prior written consent of the Planning Authority; (9) Details submitted under Condition (3) above shall provide for no buildings within 4m of the trees on the east boundary of the site or 4m of the yew tree within Plot 3; (10) The trees to be retained (as specified under Conditions (8) and (9) above), shall be protected by a one metre high fence located at a distance of 4m from their trunks which shall be erected prior to the commencement of development. Within the area enclosed by the fence, no construction works nor the storage of building materials, plant or excavated material shall take place at any time during the process of construction on any part of the site; and (11) No surface water shall issue from the site onto Cessnock Road; Conditions (1) and (2) being imposed to comply with Section 59 of the Town and Country Planning (Scotland) Act 1997; Condition (3) the approval is in outline only; Conditions (4), (5) and (6) in the interest of residential and visual amenity; Condition (7) in the interest of public safety; Condition (8) in the interest of visual amenity; Conditions (9) and (10) to ensure that the trees on the site remain healthy, in the interest of visual amenity; and Condition (11) in the interest of road safety.

No objectors were present or represented.

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

## **2. PROCEDURE**

The Administrative Officer established that the Hearing procedure was understood by all participants.

### **2.1 APPLICATION NO 99/0477/FL: MR AND MRS NEIL**

There was submitted an Executive Summary Sheet and a report dated 27 July 1999 (circulated) by the Head of Planning and Building Control on a full planning application for proposed erection of new garage at Southpark, 1 Corsehillbank Street, Stewarton.

The Principal Planning Officer reported that four 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:- (1) The development to which this permission relates must be begun within five

years from the date of this permission; (2) The existing garage and driveway shall be removed as indicated in the plans hereby approved, within one month of completion of the garage hereby approved; and (3) Notwithstanding the plans hereby approved, the gates indicated at the new access are not approved. Any gates installed shall open inwards into the site; Condition (1) being imposed to comply with Section 58 of the Town and Country Planning (Scotland) Act 1997; Condition (2) to prevent the introduction of additional vehicle reversing manoeuvres onto Corsehillbank Street; and Condition (3) in the interest of road safety.

The Committee then heard Mr Hardie and Mr McArthur in support of their objections, in accordance with the Hearing Procedure. The applicant was not present or represented.

The Chair closed the Hearing.

It was agreed to continue consideration of this application to the next meeting of the Committee to enable Members to attend a site visit.

## **2.2 APPLICATION NO 99/0387/FL: CALA HOMES (SCOTLAND) LIMITED (Item 1.11, Page 175, 99/02)**

There was submitted an Executive Summary Sheet and a report dated 29 July 1999 (circulated) by the Head of Planning and Building Control on a full planning application for proposed erection of 26 detached dwellings at Westfield Nursery (Part), 3C Southcraigs Holdings, Glasgow Road, Kilmarnock.

The Principal Planning Officer reported:-

- (i) the receipt of two letters of representation, details of which were contained within the report; and
- (ii) the receipt and content of a supplementary letter of representation.

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 received on 24 May 1999 and the amended plans received by the Planning Authority on 29 June 1999; (3) Notwithstanding the plans hereby submitted, details/samples of all external construction materials to be used shall be submitted to and approved by the Planning Authority before any development commences on site; (4) 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; (5) A landscaping scheme including the treatment of the boundary of the site/areas for public open space/play areas shall be submitted to and approved by the Planning Authority prior to commencement of any development and shall be implemented not later than the next appropriate planting season after the development has been carried out. The scheme shall include details of the provision to be made for the maintenance of soft and hard landscaped area, and these shall be maintained thereafter in accordance with these details. Any trees removed without consent of the Planning Authority or seriously damaged at any time thereafter shall be replaced by trees of similar size or species as may be agreed in writing with the Planning Authority; (6) Notwithstanding the plans hereby submitted,

hedging on the north western site boundaries (adjacent to Hollybush Place and Fenwick Place) shall be retained and maintained at a height no greater than 2 metres; (7) Notwithstanding the plans hereby submitted, the following roads issues shall be implemented in accordance with East Ayrshire Council Roads Division standards: (i) a one metre separation between accesses at Plots 6 and 7; (ii) a speed table at the internal junction adjacent to Plots 12, 13 and 14; (iii) all changes to the street lighting system on Glasgow Road due to the formation of the new junction shall be the responsibility of the applicant and shall be implemented prior to the occupation of any dwellinghouse on the site; (iv) the footway over the frontage of the site abutting Glasgow Road shall be reconstructed to the Roads Division standard, prior to the occupation of any dwellinghouse on the site; and (v) sightlines of 2.5m x 120m free from obstruction greater than one metre in height shall be provided and maintained at the junction of the site with Glasgow Road; and (8) Prior to the commencement of any development on site, the applicants shall submit to, and have received the written agreement of the Planning Authority to the contents of, a report by a suitably qualified person addressing the ground stability of the site and in particular the measures necessary to mitigate the impact of a mine entry stated by the Coal Authority to be located within the north of the site; Condition (1) being imposed to comply with Section 58 of the Town and Country Planning (Scotland) Act 1997; Condition (2) to ensure the development is carried out in accordance with the approved details; Conditions (3) and (4) in the interests of visual amenity; Condition (5) 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 (6) to ensure that the existing hedging does not grow unrestrained, in the interest of residential amenity; Condition (7) in the interest of road safety; and Condition (8) in the interest of public safety.

It was agreed to grant the application subject to the conditions and for the reasons detailed and to an additional Condition, to read, viz:- "The hedges along the north west boundary of the site shall be lowered to 2 metres in height prior to the transfer of ownership from the developer of the house whose boundary forms part, to ensure the hedge is reduced to a level to enable its subsequent maintenance; being imposed in the interest of visual amenity."

### **2.3 APPLICATION NO 99/0423/OL: MR AND MRS W SPIERS**

The Principal Planning Officer reported that the applicant had requested the Committee to defer consideration of this application in order that further information could be submitted to the Planning and Building Control Division.

It was agreed to defer consideration of this application to a future meeting of this Committee in order to enable the applicant to submit further information to the Planning and Building Control Division.

### **2.4 APPLICATION NO 99/0515/AD: TRAINER LIMITED**

There was submitted an Executive Summary Sheet and a report dated 27 July 1999 (circulated) by the Head of Planning and Building Control on an advertisement application for proposed one free standing double sided no 6 sheet box sign at 92 Titchfield Street, Galston.

The Principal Planning Officer 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: Refusal, for the following reason, viz:- The proposed sign, adding to those already located at the premises, would create an over proliferation of signage resulting in an unacceptable detrimental impact on the visual and residential amenity of the area within which it is located.

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

The meeting terminated at 1029 hours.