

EAST AYRSHIRE COUNCIL**SOUTHERN LOCAL PLANNING COMMITTEE****MINUTES OF MEETING HELD ON FRIDAY 27 APRIL 2001 AT 1000 HOURS IN DRONGAN COMMUNITY CENTRE, MILLMANNOCH AVENUE, DRONGAN**

PRESENT: Councillors Tommy Farrell, Eric Jackson, George Smith, Julie Faulds, William Menzies, Provost Jimmy Boyd and Councillors Elaine Dinwoodie and Jimmy Carmichael.

ATTENDING: Hugh Melvin, Senior Development Promotion Officer; Karen McLeod, Solicitor; and Ian Gemmell, Administrative Officer.

APOLOGIES: Councillors Jimmy Kelly, Eric Ross and Robert Taylor.

CHAIR: Councillor Tommy Farrell, Chair.

CONSIDERATION OF PLANNING APPLICATIONS**PROCEDURE**

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

1.2 **APPLICATION NO 01/0135/FL: AYRSHIRE CONSTRUCTION: BUILDERS YARD, GILMINSCROFT COTTAGES, SORN ROAD, AUCHINLECK**

There was submitted an executive summary and report dated 6 April 2001 (both circulated) by the Head of Planning and Building Control on a full planning application for the proposed levelling of a former tip for use as hardstanding area/building yard at land at Builders Yard, Gilminscroft Cottages, Sorn Road, Auchinleck.

The Senior Development Promotion Officer reported and it was noted that in paragraphs 2.1, 4.1 and 4.9 of the report, the term "municipal refuse tip" was amended to read "colliery tip".

1.2.1 **Consideration of Item**

The Senior Development Promotion Officer reported that two letters of objection had been received, details of which were given in 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:- (1) The development to which this permission relates must be begun within five years from the date of this permission; (2) Notwithstanding any specification on the approved plans or application form, details of 15 metre wide tree belts, to be provided in the locations indicated in green on the Approved Plan reference no G.L.S. GILN/01 and their subsequent maintenance shall be submitted to and approved by the Planning Authority before any infilling commences on site. The planting shall be carried out not later than the first available planting season after the infilling is commenced and shall be maintained in accordance with the approved maintenance regime at all times thereafter; (3) Notwithstanding the provisions of Condition 2 above, the existing broadleaved trees on the site of the proposed tree belt to be provided on the site's northern boundary shall be retained and interplanted

with fast growing conifers; (4) The material to be used in the infilling of the site and subsequently to be stored on the site, shall consist of inert or inactive material only; (5) Notwithstanding the provisions of Condition 4 above, any fuel or oil stored within the site shall be kept within a bund which shall have a capacity not less than 110% of the total volume contained within; (6) No vehicles involved in the infilling of the site shall enter or leave the site outwith the hours of 0800 to 1800, Monday to Friday and at any time on a Saturday or Sunday; and (7) During the infilling of the site and the subsequent use of the site as a builder's storage yard, the number of movements of heavy goods vehicles on the access road adjacent to the existing dwellings and generated by the approved use shall not exceed 16 per day; Condition (1) being imposed to comply with Section 58 of the Town and Country Planning (Scotland) Act 1997; Conditions (2) and (3) In the interest of visual amenity; Conditions (4) and (5) In the interest of environmental amenity; and Conditions (6) and (7) In the interests of residential amenity.

1.2.2 Planning Hearing

The Committee then heard Mrs M Trotter, objector, in support of her objections and Mr John McPheators, the applicant, in support of his application. Members asked questions of the objector and applicant. The objector and applicant responded to the issues raised all in accordance with the Hearing procedure.

1.2.3 Determination of Application

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

1.3 APPLICATION NO 01/0080/FL: MISS GIBSON: CROSSHILL MOUNT, SKARES

There was submitted an executive summary and report dated 2 April 2001 (circulated) by the Head of Planning and Building Control on an application for full planning consent for the erection of a single dwellinghouse at Crosshill Mount, Skares.

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

1.3.1 Consideration of Item

The Senior Development Promotion Officer reported that six letters of objection had been received, details of which were given in 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:- (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 5 February 2001 as revised by the amended elevation and site plans received by the Planning Authority on 4 April 2001; (3) Notwithstanding the plans hereby approved, the roof of the dwellinghouse shall be constructed in slate or slate size tiles and details/samples of the material to be used shall be submitted to and approved by the Planning Authority before any development commences on site; (4) Notwithstanding the approved plans, a sample of the proposed render shall be submitted to and approved by the Planning Authority prior to the commencement of development; (5) Notwithstanding the submitted plans, all mullions shall be brick and rendered to match the dwellinghouse; (6) A landscaping scheme, including the treatment of the

boundary of the site, shall be submitted to and approved by the Planning Authority prior to the commencement of any development, and shall be implemented not later than the next appropriate planting season after the development has been carried out. This landscaping scheme shall include planting along the northern and southern boundaries of the site to provide partial screening of the development; (7) Access to the site shall be taken via a standard driveway access crossing to East Ayrshire Roads standards; (8) Any roadside ditch shall be piped and protected beneath the proposed access; (9) Prior to the occupation of the dwellinghouse, visibility splay areas of 2.5 metres by 120 metres shall be provided and thereafter maintained at the junction of the access to the development with the public road with no obstruction to visibility greater than 1 metre in height being allowed within these areas; (10) Prior to the occupation of the dwellinghouse the junction with the C97 public road shall be bituminously surfaced for a distance of 5 metres from the edge of the road to avoid overcarry of loose material onto the public road; (11) Prior to the occupation of the dwellinghouse a 2 metre wide kerbed pedestrian refuge/verge shall be formed along the frontage of the site; (12) Prior to the occupation of the dwellinghouse a turning area shall be provided and maintained on the site to the satisfaction of the Planning Authority to enable vehicles to enter and leave the highway in forward gear at all times; (13) Prior to the occupation of the dwellinghouse parking spaces for 3 cars shall be provided and maintained within the site; (14) Any gates to be provided shall open away from the public road to prevent obstruction; (15) No surface water shall issue from the site onto the public road; (16) Any existing public utility apparatus located in the road verge shall be protected beneath the proposed access; (17) The existing hedge along the western boundary of the site shall be retained intact and maintained thereafter to the satisfaction of the Planning Authority (except insofar as to allow access to the site in accordance with Condition No 7); and (18) Notwithstanding the plans hereby approved, any septic tank provided to serve the development shall be sited in such a position as will enable it to be emptied by the tanker; 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; Conditions (3), (4), (5) and (6) In the interests of visual amenity; Conditions (7), (8), (9), (10), (11), (12), (13), (14), (15) and (16) In the interest of road safety; Condition (17) To maintain the contribution of the existing hedge to the quality of the area in the interests of visual amenity; and Condition (18) In the interest of public safety.

1.3.2 Planning Hearing

The Committee then heard Mrs Lorraine Richardson, objector, in support of objections submitted jointly by herself and her husband, Mr David Richardson. Members asked questions of the objector and the objector responded to the issues raised all in accordance with the Hearing procedure. The applicant was not present or represented.

1.3.3 Determination of Application

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

1.4 APPLICATION NO 01/0164/FL: MR KENNEDY - 30 MAIN STREET, DALMELLINGTON

There was submitted an executive summary and report dated 2 April 2001 (both circulated) by the Head of Planning and Building Control on an application for full planning consent for the proposed change of use from shop to taxi office at 30 Main Street, Dalmellington.

1.4.1 Consideration of Item

The Senior Development Promotion Officer reported that five letters of objection had been received, details of which were given in 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:- (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, plan and letter received on 12 March 2001; (3) Prior to the operation of the taxi office, the pole on the gable wall which supports the aerial shall be painted grey to the satisfaction of the Planning Authority; and (4) The specification and operation of the associated radio aerial shall be such that there is no detrimental impact on the reception of television and/or radio signals by adjacent properties; 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; Condition (3) In the interest of visual amenity; and Condition (4) In the interest of residential amenity.

1.4.2 Planning Hearing

The Committee then heard Mr John Collins, objector, in support of his objections and Mr A Kennedy, the Applicant, in support of his application. Members asked questions of the objector and applicant. The objector and applicant responded to the issues raised all in accordance with the Hearing procedure.

1.4.3 Determination of Application

It was agreed:-

- (i) to approve the application subject to the conditions and for the reasons detailed; and
- (ii) that the Head of Planning and Building Control request the Roads and Transportation Division to progress the proposed review of the waiting restrictions in Main Street, Dalmellington.

1.5 APPLICATION NOS 01/0120/LB AND 01/0178/FL: JULIE KANE - 2 EARL GREY STREET, MAUCHLINE

There was submitted an executive summary and report dated 30 March 2001 (circulated) by the Head of Planning and Building Control on applications for listed building consent and full planning consent for the proposed installation of UPVC double glazed door and windows at 2 Earl Grey Street, Mauchline.

The Senior Development Promotion Officer reported that two letters of objection had been received, details of which were given in the report; summarised the planning considerations in respect of the application and gave the recommendation of the

Head of Planning and Building Control: Application No 01/0120/LB: Refusal, for the following reasons:- (1) The proposal is contrary to Policy ENV4 of the East Ayrshire Local Plan Finalised Version with Modifications, as it does not have due regard to the architectural or historical qualities of the Listed Building or of the Outstanding Conservation Area, and would be detrimental to the visual amenity both of the building and of the Conservation Area; and (2) The proposal fails to meet criteria a, b and d of Policy 11 of the Council's adopted Development Control Policies relating to Listed Buildings and Buildings within Conservation Areas as the proposed replacement windows:- (i) are not of traditional design or have traditional methods of opening; (ii) are not of timber construction; and (iii) would be located on a prominent part of the building; and in respect of Application No 01/0178/FL: Refusal, for the following reasons:- (1) The proposal is contrary to Policy ENV4 of the East Ayrshire Local Plan Finalised Version with Modifications, as it does not have due regard to the architectural or historical qualities of the Outstanding Conservation Area, and would be detrimental to the visual amenity both of the building and the Conservation Area; and (2) The proposal fails to meet criteria a, b and d of Policy 11 of the Council's adopted Development Control Policies relating to Listed Buildings and Buildings within Conservation Areas as the proposed replacement windows:- (i) are not of traditional design or have traditional methods of opening; (ii) are not of timber construction; and (iii) would be located on a prominent part of the building.

It was agreed to refuse the applications for the reasons detailed.

1.6 APPLICATION NO 01/0155/FL: MR WRIGHT - 9 PARK TERRACE, LUGAR

There was submitted an executive summary and report dated 29 March 2001 (both circulated) by the Head of Planning and Building Control on an application for full planning consent in respect of the proposed installation of three velux windows at the rear of the house at 9 Park Terrace, Lugar.

The Senior Development Promotion Officer reported that one letter of objection had been received, details of which were given in the report; summarised the planning considerations in respect of the application and gave the recommendation of the Head of Planning and Building Control: Approval.

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

It was agreed to approve the application.

1.7 APPLICATION NO 01/0145/FL: MR IAN SHENNAN - THE TOLL YARD, LITTLEMILL ROAD, DRONGAN

There was submitted an executive summary and report dated 30 March 2001 (both circulated) by the Head of Planning and Building Control on an application for full planning consent for the proposed erection of light industrial units at The Toll Yard, Littlemill Road, Drongan.

The Senior Development Promotion Officer summarised the planning considerations and gave the recommendation of the Head of Planning and Building Control: Approval, subject to the following conditions:- (1) The development to which this permission relates must be begun within five years from the date of this permission; (2) The light industrial units hereby approved, shall be used only for the purposes defined by Classes 4 and 6 of the Town and Country Planning (Use Classes) (Scotland) Order 1997; (3) Notwithstanding the provisions of Condition 2 above, no

storage of materials or articles shall take place on the site outwith any building; (4) No materials shall be burned on the site at any time; (5) Prior to the occupation of the light industrial units, the tree indicated in green on the approved plan shall be repositioned (or, in the event that it does not survive, shall be replaced with a tree of the same species), in the location indicated in blue; (6) Notwithstanding the provisions of Condition 5 above and prior to the occupation of the light industrial units, visibility splay areas shall be formed and thereafter maintained such that there shall be no obstruction to visibility over 1 metre in height within a visibility splay of 2.5 metres by 90 metres at the access to the site from the B730; (7) The internal access road shall be suitably surfaced to ensure that no surface water discharges or loose material is carried out on to the public road; (8) Prior to the occupation of the light industrial units, the visitor and staff car parking shall be provided and thereafter maintained as indicated on the approved plan; (9) Notwithstanding any specification on the approved plans or application form, and prior to the occupation of the light industrial units, a turning area shall be provided within the site; (10) Any access gates shall open inwards only, away from the public road; (11) Any loading or unloading of vehicles which may be required in connection with the use of the site shall take place only within the curtilage of the site; (12) A landscaping scheme including details of its subsequent maintenance, shall be submitted to and approved by the Planning Authority before the commencement of any development on the site. The landscaping shall be implemented not later than the next available planting season after the development has been carried out. The landscaping shall be maintained in accordance with the approved maintenance regime at all time thereafter; (13) Notwithstanding any specification on the approved plans or application form and before any work is commenced on site, samples of all external construction materials to be used shall be submitted to and approved by the Planning Authority; and (14) Notwithstanding any specification on the approved plans or application form any septic tank to be provided to serve the development shall be sited in such a position as will enable it to be emptied by a tanker; Condition (1) being imposed to comply with Section 58 of the Town and Country Planning (Scotland) Act 1997; Condition (2) In the interest of amenity; Conditions (3) and (13) In the interests of visual amenity; Condition (4) In the interest of amenity and public safety; Condition (5) In the interests of visual amenity and to ensure that adequate visibility can be achieved in the interests of public road safety; Condition (6) To ensure that adequate visibility can be provided in the interests of public road safety; Conditions (7), (10), and (11) In the interests of public road safety; Condition (8) To ensure that adequate car parking is provided in the interests of public road safety; Condition (9) To ensure that service, delivery and other goods vehicles access and egress the site in a forward gear only in the interests of public road safety; Condition (12) To ensure that adequate provision of public open space is provided, to an adequate standard, and that it is subsequently maintained, in the interests of residential and visual amenity; and Condition (14) In the interests of public safety.

It was agreed:-

- (i) that Condition (3) above be amended to include a specific prohibition of the storage of vehicles outwith buildings, the wording of such condition to be determined by the Head of Planning and Building Control in consultation with the Local Member; and
- (ii) to approve the application subject to the amended conditions and for the reasons detailed.

1.8 APPLICATION NO 01/0014/FL: MR MUNGO BRYSON - HOLMFARM ROAD, CATRINE

There was submitted an executive summary and report dated 19 March 2001 (both circulated) by the Head of Planning and Building Control on an application for full planning consent for the proposed erection of a dwellinghouse and garage at Holmfarm Road, Catrine.

The Senior Development Promotion Officer reported and the Committee noted the contents of a letter dated 10 April 2001 from the applicant in support of his application.

The Senior Development Promotion Officer further reported that two letters of objection had been received, details of which were given in the report; 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:- The erection of an additional dwellinghouse in this location would be contrary to Policy RES4 of the East Ayrshire Local Plan Finalised Version in that it would result in additional vehicular and pedestrian traffic using this private, unadopted road which suffers from poor forward visibility and is without street lighting or footpaths and would not be in the best interests of good planning or public safety.

No Hearing took place as the objectors were not present or represented.

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

1.9 APPLICATION NO 01/0082/FL: HOPE HOMES SCOTLAND - LAURENCEKIRK WYND, BARONY ROAD, AUCHINLECK (Item 3, Page 1711, 99/02)

Councillor Carmichael took no part in the discussion or determination of the following application.

There was resubmitted an executive summary and report dated 16 March 2001 (both circulated) by the Head of Planning and Building Control on an application for full planning consent for the proposed change of house types and the erection of an additional dwellinghouse on plots 7-22 and the erection of an additional garage on plot 4 at Laurencekirk Wynd, Barony Road, Auchinleck.

The Committee were reminded that a Hearing in respect of this application had been concluded at the meeting of the Southern Local Planning Committee held on 30 March 2001, when the Committee had continued consideration of the matter to allow the Head of Planning and Building Control to seek further information.

The Senior Development Promotion Officer reported the contents of a letter which had been received from West of Scotland Water providing additional information requested by the Head of Planning and Building Control in relation to the sewerage system serving the proposed development; 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:- (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 by the Planning Authority on 1 February 2001 as amended by the revised site layout plan, received by the Planning Authority on 23 February 2001, the house plans for the Jackton house type

received by the Planning Authority on 23 February 2001, the house plans for the Kirkdale house type received by the Planning Authority on 5 March 2001 and the plans for the garage in respect of Plot 4, received by the Planning Authority on 6 March 2001; (3) The access to the site from the B7036 Barony Road shall be by means of a standard footway crossing constructed in accordance with the East Ayrshire Council Roads Development Guide 1996; (4) Prior to the occupation of any dwellinghouses, a visibility splay area shall be formed and thereafter maintained such that there shall be no obstruction to visibility over one metre in height within a visibility splay of 4.5m by 60m at the proposed access to the site from the B7036 Barony road; (5) All roads and footways within the site shall be constructed in accordance with the East Ayrshire Council Roads Development Guide 1996; (6) Prior to the occupation of any of the dwellinghouses, a visibility splay area shall be formed and thereafter maintained such that there shall be no obstruction to visibility over one metre in height within a visibility splay of 2.5m by 35m at the internal road junction within the site; (7) The access to each plot shall be by means of a standard footway crossing constructed in accordance with the East Ayrshire Council Roads Development Guide 1996; (8) All individual driveways within the site shall be suitably surfaced to ensure that no surface water discharges or loose material is carried out on to the public road; (9) The gradient of each driveway shall not exceed 1:10; (10) Any detached garage to be erected within the site shall be set back a minimum of six metres from the rear of the footway; (11) Any access gates shall open inwards only, away from the public road; (12) Any public utility apparatus located within the road verge adjacent to the B7036 shall be protected beneath the proposed access to the site to the satisfaction of the Planning Authority; (13) A landscaping scheme including details for the treatment and maintenance of the boundary of the site and areas of public open space shall be submitted to and approved by the Planning Authority prior to the commencement of any development. The landscaping shall be implemented not later than the next appropriate planting season after the development has been carried out. The landscaping shall be maintained in accordance with the approved maintenance regime at all times thereafter; (14) Notwithstanding any specification on the approved plans or application form, and before any work is commenced on site, samples of all external construction materials to be used shall be submitted to and approved by the Planning Authority; (15) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992, or any other order or enactment replacing this, all detached garages erected within the site shall have pitched roofs and shall be externally constructed in materials to match the dwellinghouses to which they relate; (16) Notwithstanding any specification on the approved plans or application form and before any work commences on site, details of the height, location and construction of all fences, walls and other means of enclosure shall be submitted to and approved by the Planning Authority. An unclimbable fence, 1.8m high, shall be constructed along the northern boundary of the site, adjacent to existing railway line; (17) Any screen fencing to be erected shall not project forward beyond the front building line of any of the dwellinghouses; (18) Before any work is commenced on site, details of a 1.8m high screen fence to be erected in the position indicated in blue on the approved plan (Ref No 01/22/01) shall be submitted to and approved by the Planning Authority. Thereafter, the screen fence as approved shall be erected on site prior to the occupation of any of the dwellinghouses; and (19) During the construction of the dwellinghouses, no building or other operations shall take place on the site outwith the hours of 0800 to 1900

Monday to Saturday, nor at any time on a Sunday; Condition (1) being imposed to comply with Section 58 of the Town and Country Planning (Scotland) Act 1997; Condition (2) to ensure the proposed development is carried out in accordance with the approved details; Conditions (3), (4), (5), (6), (7), (8), (9), (10) and (11) in the interests of public road safety; Condition (12) to ensure the protection of the public utility apparatus; Condition (13) to ensure that adequate landscaping is provided, to an adequate standard, and that it is subsequently maintained, in the interests of residential and visual amenity; Conditions (14), (15) and (17) in the interests of visual amenity; Condition (16) in the interests of visual amenity and public safety; and Conditions (18) and (19) in the interests of residential amenity.

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

The meeting terminated at 1107 hours.

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