

**EAST AYRSHIRE COUNCIL**

**SOUTHERN LOCAL PLANNING COMMITTEE**

**MINUTES OF MEETING HELD ON TUESDAY 11 NOVEMBER 1997 AT 1000 HOURS IN NETHERTHIRD COMMUNITY CENTRE, RYDERSTON AVENUE, NETHERTHIRD, CUMNOCK**

**PRESENT:** Councillors Eric Ross, James Kelly, James Boyd, George Smith, James Carmichael and John Smith.

**ATTENDING:** Donald McVicar, Departmental Strategy Officer, Support Services; Hugh Melvin, Acting Senior Development Promotion Officer; and Ian Gemmell, Administrative Officer.

**APOLOGIES:** Councillors David Sneller, Robert Taylor, Tommy Farrell and Eric Jackson.

**CHAIR:** Councillor Eric Ross, Chair.

**CONSIDERATION OF PLANNING APPLICATIONS**

**1.1 APPLICATION NO 97/0289/AD: MR R MILLS (Item 1.2, Page 2487)**

There was submitted a report dated 20 October 1997 (circulated) by the Head of Planning and Building Control on an application for express consent under the Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984 in respect of the erection of a wall mounted signboard at 51 Townhead Street, Cumnock.

The Acting Senior Development Promotion Officer summarised the planning considerations in respect of the application, intimated that, in accordance with the decision of the Committee on 16 September 1997, further discussions had been held with the applicant with a view to possible amendments to his proposals, but that no indication had been given by the applicant of any proposal to alter the layout of the signage. The Acting Senior Development Promotion Officer gave the recommendation of the Head of Planning and Building Control: Refusal for the following reasons, viz:- (1) The proposed gable signboard, being located on the gable elevation of the shop premises, is contrary to Policy Shop 7 of the Finalised Cumnock and Doon Valley Local Plan which states that the display of advertisements must comply with the Council's Development Control policies pertaining to advertisements, i.e. (i) Position on Building: Advertisements on the gable of buildings will not normally be allowed except where necessary for the identification of the premises; and (2) The signboard, as erected and displayed on site, is detrimental to the visual and residential amenity of the residential properties located immediately adjacent to the application site.

Noted that the applicant was not present.

The Committee was of the opinion that the proposal was not contrary to Policy as the signboard was acceptable for identification purposes and was not detrimental to the visual and residential amenity of the adjacent properties, and it was agreed that the application be granted subject to the standard conditions in respect of express

consent under the Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984.

## **1.2 APPLICATION NOS 97/0627/FL AND 97/0629/LB: MR JOHN CAMPBELL**

There was submitted a report dated 20 October 1997 (circulated) by the Head of Planning and Building Control on applications for the removal of Condition No 1 from planning consent 97/0069/FL and removal of Condition No 1 from Listed Building consent 97/0048/LB; both in relation to the Dumfries Arms Hotel, Glaisnock Street, Cumnock.

The Acting Senior Development Promotion Officer 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 reasons, viz:- (1) The installation of PVC replacement windows in the Category B Listed Building is considered to be detrimental to the character, appearance and architectural quality of the listed building and is therefore contrary to Policies ENV 1 and 4 of the Finalised Cumnock and Doon Valley District Wide Local Plan; (2) The use of PVC windows in the Category B Listed Building is contrary to Policy 11(b) of the Council's adopted Development Control Policies relating to Listed Buildings and Buildings within Conservation Areas which states "All replacement windows must be of timber construction with window frames being painted in colours to be agreed with the Planning Authority"; and (3) The installation of PVC replacement windows in the Category B Listed Building is considered to have an adverse impact on the visual character and amenity of Cumnock Conservation Area and the proposal is therefore contrary to Policy ENV 2 of the Finalised Cumnock and Doon Valley District Wide Local Plan.

The Committee then heard the applicant Mr John Campbell, who spoke in support of his application. No objectors were present.

It was agreed that the application be referred to the Development Services Committee for determination, in accordance with the Scheme of Delegation for planning applications, with a recommendation that the application be approved, contrary to Council policy and contrary to the recommendation of the Head of Planning and Building Control, for the following reasons:- (1) It was accepted that there had been a misunderstanding between the applicant or his agent and the applicant's contractor with respect to the type of windows to be installed; (2) That a high level of expenditure had already been incurred on the building in general, including the replacement of windows; and (3) The fact that the construction of a new PVC conservatory in the same building had been approved, the Committee taking the view that, in the interests of consistency, the use of similar materials should be approved for use within the remainder of the building.

The meeting terminated at 1047 hours.