

EAST AYRSHIRE COUNCIL

CUMNOCK AREA LOCAL PLANNING COMMITTEE

MINUTES OF MEETING HELD ON WEDNESDAY 11 DECEMBER 1996 AT 1400 HOURS IN MAUCHLINE COMMUNITY CENTRE, KILMARNOCK ROAD, MAUCHLINE

PRESENT: Councillors George Smith, Jim Kelly, David Sneller, Jimmy Boyd and Jim Carmichael.

ATTENDING: Dave Morris, Development Promotion Manager, Planning and Building Control); Ken Robinson, Principal Administrative Officer; Hugh Melvin, Planning Assistant; and Stuart Nelson, Administrative Officer.

APOLOGIES: Councillors Eric Ross and Eric Jackson.

CHAIR: Councillor George Smith, Vice-Chair.

CONSIDERATION OF PLANNING APPLICATIONS

1.1 APPLICATION 96/05712/FL: MR JOHN STEELE

There was submitted a report dated 25 November 1996 (circulated) by the Head of Planning and Building Control on a retrospective application for the removal of Condition 2 of the planning consent granted in respect of application CD/95/OO90/DPP to allow for concrete tiles to be used on the roof of the dwellinghouse at Briaghe Sealladh, Benston Road, Cumnock, in lieu of slate.

The Development Promotion Manager confirmed that no objections had been received to the proposal and that three letters of support had been received in respect of the proposed development; 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) retention of the unauthorised roof tiles used on the roof finish of the dwellinghouse would be contrary to the provisions of policies RES 16 and ENV 12 of the Finalised Cumnock and Doon Valley District Wide Local Plan; and (2) the use of a modern concrete roof tile on the dwellinghouse is considered to be out of keeping and unsympathetic to both the nature of the rural area in which the dwellinghouse is located and the character and appearance of the adjacent dwellinghouse on Plot 1.

It was agreed to approve the application, the Members of the Committee being satisfied that the works carried out did not contravene policies RES 16 and ENV12 of the Finalised Cumnock and Doon Valley District Wide Local Plan and is neither out of keeping nor unsympathetic to the rural area within which the dwellinghouse is located or the character and appearance of the adjacent dwellinghouse.

1.2 APPLICATIONS CD/96/OOI4/LBC and CD/96/OOI5/COU: MR T KELLY (Item 1.2, Page 1443)

There was submitted a report dated 26 November 1996 (circulated) by the Head of Planning and Building Control on applications for (a) full planning consent in respect

of the proposed change of use and alterations to part of the public house known as

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"Poosie Nansies", Loudoun Street, Mauchline, to form three dwellinghouses (application CD/96/0015/COU); and (b) listed building consent in respect of the aforementioned proposals, the property concerned being a Category B Listed Building located within Mauchline Outstanding Conservation Area (application CD/96/001 4/LBC).

The Development Promotion Manager reported that no response had been received by the Head of Planning and Building Control from the applicant in respect of the provision of adequate dedicated car parking facilities to serve the proposed development; summarised the planning considerations in respect of the applications; and gave the recommendation of the Head of Planning and Building Control: Refusal for the following reasons in respect of each of the two applications, viz:- (1) the proposed development does not provide satisfactory accommodation within the application site for the parking of domestic vehicles; and (2) the proposed development would aggravate existing car parking difficulties in the area.

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

1.3 APPLICATION 96/0531/OL: STRAWSON HOLDINGS

There was submitted a report dated 25 November 1996 (circulated) by the Head of Planning and Building Control on an application for outline planning consent in respect of the proposed development for residential purposes of land at Wellwood Street, Muirkirk.

The Development Promotion Manager 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) before any development commences on the site, the further approval of the Planning Authority shall be obtained in respect of the following matters hereby reserved, namely:- (a) the layout of the site; (b) the size, height, design and external appearance of the proposed dwellinghouse(s)/building(s); (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; (i) finished site levels/floor levels, the details referred to in (a) - (i) to be the subject of prior consultation with the Planning Authority; (4) 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; (5) the front building line of the proposed development should be collinear with the existing properties lying adjacent to the application site; (6) prior to any works commencing on site, all plots shall be pegged out and their boundaries identified on site; (7) the details to be submitted under Condition 3, above, shall allow for car parking spaces or garages to be provided within the layout to East Ayrshire Council Roads Division

standards and to the satisfaction of the Planning Authority; and (8) the detailed plans for the layout of the site to be submitted under Condition 3, above, shall provide for the widening of Wellwood Street to 6 metres with the formation of 2 metres wide

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footpath along the entire frontage of the application site to East Ayrshire Council Roads Division specifications and to the satisfaction of the Planning Authority, Conditions (1) and (2) being imposed to comply with Section 39 of the Town and Country Planning (Scotland) Act 1972; Condition (3) because the approval is in outline only; Condition (4) in the interest of public safety; Condition (5) in the interest of visual amenity; Condition (6) in the interest of residential amenity; Condition (7) to ensure that adequate provision is made for car parking and to prevent the generation of on-street car parking in the interest of road safety; and Condition (8) in the interests of pedestrian and public road safety.

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

1.4 APPLICATION 96/0505/FL: MR P HEARTFIELD

There was submitted a report dated 21 November 1996 (circulated) by the Head of Planning and Building Control on an application for full planning consent in respect of the proposed provision of a taxi office and shop, including the erection of an aerial for two way radio at former shop premises and garages, Tower Street, Cumnock.

The Development Promotion Manager confirmed 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 (2) permission is granted for a limited period of two years from the date hereof, and the use shall be discontinued at the expiration of this period unless a further permission is granted; (3) the maximum number of taxis and private hire cars operating from the proposed taxi office shall not exceed 6 without the prior written consent of the Planning Authority; (4) the proposed development shall be carried out in accordance with the application form received on 25 September 1996 and the amended plans received by the Planning Authority on 23 October 1996; (5) the operational conduct of the proposed taxi premises shall be such as to prevent disturbance to nearby residential properties, to the satisfaction of the Planning Authority; (6) the applicant shall install security cameras, both internal and external, at the proposed taxi office as indicated in the applicants letter to the Planning Authority dated 7 November 1996; Condition (1) being imposed to comply with Section 38 of the Town and Country Planning (Scotland) Act 1972; Conditions (2) and (3) to enable the Planning Authority to monitor and review the situation in the interests of the residential amenity of the area; Condition (4) to ensure that development is carried out in accordance with the approved details; Condition (5) in the interests of residential amenity; and Condition (6) in the interests of amenity.

It was agreed to approve the application subject (a) to the conditions and for the reasons detailed; and (b) to condition (7) that at no time shall taxis or private hire cars associated with the applicant's business be parked within the immediate vicinity

of the proposed taxi office, this condition (7) being stipulated in the interests of residential amenity.

Councillor Sneller left the meeting following determination of the preceding item.

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1.5 APPLICATION 96/0477/OL: STRAWSON HOLDINGS

There was submitted a report dated 25 November 1996 (copy enclosed) by the Head of Planning and Building Control on an application for outline planning consent in respect of the proposed development for residential purposes of land lying to the North of Barony Road, Auchinleck.

The Development Promotion Manager 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) before any development commences on the site, the further approval of the Planning Authority shall be obtained in respect of the following matters hereby reserved, namely:- (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; (i) finished site levels/floor levels, the details referred to in (a) - (i) above to be the subject of prior consultation with the Planning Authority; (4) prior to the commencement of works on the site, the applicant shall satisfy himself as to the suitability of the site for construction purposes; (5) the details to be submitted under Condition 3 above shall allow for car parking spaces or garages to be provided within the layout to East Ayrshire Council Roads Division standards and the satisfaction of the Planning Authority; (6) the proposed road layout for the site shall be to the specification and requirements of East Ayrshire Council's Roads Division and to the satisfaction of the Planning Authority; (7) 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 or at such other time as may be considered appropriate by the Planning Authority; (8) the landscaping/open space relating to this development as part of Condition 7 above shall be laid out simultaneously with the development, or each phase thereof, and shall be maintained thereafter in accordance with maintenance schemes to be submitted to and approved by the Planning Authority; Conditions (1) and (2) being imposed to comply with Section 39 of the Town and Country Planning (Scotland) Act 1972; Condition (3) because the approval is in outline only; Condition (4) in the interest of public safety; Condition (5) to ensure that adequate provision is made for car parking and to prevent the generation of on-street car parking in the interest of road safety; Condition (6) in the interests of public road safety; Condition (7) 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; and Condition (8) to ensure that public open space areas are laid out in a proper manner in the interests of residential amenity.

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

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1.6 APPLICATION CD/96/0097/MIN: LAW MINING LIMITED (Item 17.4, Page 1176)

There was submitted a report dated 27 November 1996 (circulated) by the Head of Planning and Building Control on revised proposals including alternative access arrangements in respect of a proposed development for the extraction of coal, sand and gravel by opencast method at Tardoes Farm, Muirkirk.

The Development Promotion Manager confirmed that one letter of objection had been received, which raised no new points of objection in relation to the amended proposals; summarised the planning considerations in respect of the amended proposals; and gave the recommendation of the Head of Planning and Building Control: That the Committee agree to the revised proposal and agree to the substitution of the original plans with the submitted amended plans, with no change in the terms of the Section 50 Agreement and planning conditions previously agreed by the Development Services Committee at its meeting on 5 September 1996.

It was agreed to adopt the recommendation.

The meeting terminated at 1430 hours.