

EAST AYRSHIRE COUNCIL**SOUTHERN LOCAL PLANNING COMMITTEE****MINUTES OF MEETING HELD ON FRIDAY 16 JUNE 2000 AT 1000 HOURS IN
MAUCHLINE COMMUNITY CENTRE, KILMARNOCK ROAD, MAUCHLINE**

PRESENT: Councillors Tommy Farrell (Chair), Eric Jackson, George Smith, Julie Faulds, William Menzies, Elaine Dinwoodie, Robert Taylor and Jimmy Carmichael.

ATTENDING: David Morris, Development Promotion Manager; Bill Walkinshaw, Principal Administrative Officer; Pamela Clifford, Senior Planning Officer; Karen McLeod, Solicitor and Ian Gemmell, Administrative Officer.

APOLOGIES: Councillor Jimmy Kelly, Provost Jimmy Boyd and Councillor Eric Ross.

CHAIR: Councillor Tommy Farrell, Chair.

CONSIDERATION OF PLANNING APPLICATIONS**1.1 APPLICATION NO 00/0264/FL: HOPE HOMES, SCOTLAND**

There was submitted an executive summary and report dated 6 June 2000 (circulated) by the Head of Planning and Building Control on an application for full planning consent for the erection of 43 private dwellings (amendment to consent no. 98/0499/FL) at Benston Park, Burnton Road, Dalrymple.

The Senior Planning Officer reported amendments to conditions (1) and (18) in the report. (Conditions 2 and 19 below)

The Senior 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:- (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 14 April 2000 and the amended plans and fax letter received on 1 and 2 June 2000 respectively; (3) Notwithstanding the submitted plans, details of the design and construction of all fences and walls to be erected on site shall be submitted to and approved by the Planning Authority before any development commences on the site; (4) Notwithstanding the submitted plans, and the provision of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992, any garages associated with the development shall be of permanent construction and finished in the same materials as the dwellinghouses to which they relate and shall be set back a minimum distance of 6 metres from the rear of the footway; (5) Prior to works commencing on site, the applicant shall submit to and have approved by the Planning Authority details of the design, finish and appearance of the play area, pond/amenity area and play equipment to be installed within the play area. The play area and equipment and footpath link to the existing housing and pond/amenity area shall be installed prior to the occupation of any houses within Phase 2 of the development whichever comes first; (6) Prior to works commencing on site the maintenance arrangements for the play area, play equipment, amenity area/pond and all fencing and walls on site shall be submitted to and approved by the Planning Authority; (7) Notwithstanding the approved plans, the play area and amenity area/pond shall each be surrounded by a

1.8 metre high screen fence. Details of their design, location and of their future maintenance arrangements shall be submitted to and approved by the Planning Authority prior to work commencing on site and fences shall be constructed prior to the occupation of any of the houses; (8) No construction or preparation works shall take place on site before 0800 hours and 1800 hours on Mondays to Fridays, before 0800 hours and after 1200 hours on Saturdays and at any time on Sundays; (9) No mechanical excavation shall take place within 500mm of British Gas Transco Plant; (10) Notwithstanding the approved plans, details of the design of the pumping station and boundary treatment shall be submitted to and approved by the Planning Authority prior to the commencement of development on site; (11) The existing hawthorn hedging along the south and north-eastern boundaries of the site shall be retained intact and maintained thereafter to the satisfaction of the Planning Authority. Where the hawthorn hedge has been removed, new hawthorn hedging shall be planted to the satisfaction of the Planning Authority. Any reduction in the height of the hawthorn hedging shall be agreed in writing with the Planning Authority prior to such works being implemented; (12) Prior to the occupation of any houses, a 1.5 metre wide kerbed pedestrian footway shall be formed along the frontage of the site adjacent to the B742 to link with the footway at Primpton Avenue. The existing street lighting shall require to be extended to include the footpath link into the development and drainage shall be provided; (13) drainage of the B742 public road along the rear of the proposed houses shall be provided prior to the occupation of these houses; (14) Prior to the occupation of the houses the private driveways shall be paved for a minimum distance of 2 metres from the rear of the footway/edge of the public road carriageway to avoid overcarry of loose material onto the public road; (15) Prior to the use of temporary access, visibility splay areas of 2.5 metres by 90 metres shall be provided for the temporary access to the B742 with no object greater than 1 metre in height allowed within the splay areas to be formed; (16) The temporary access and associated parking shall be removed prior to the occupation of Showhouse No 2 as a residential property; (17) a one metre high mesh fence shall be constructed along the southern boundary of the site adjacent to the hawthorn hedge; (18) A 1.8 metre high screen fence shall be erected along the rear boundaries, which are parallel to Primpton Avenue, of Plots 43, 13 and 12. Details of its design and location shall be submitted to and approved by the Planning Authority prior to commencement of development on site, the fence shall be constructed prior to the occupation of Plots 12, 13 and 43; (19) Such maintenance arrangements as are submitted further to Conditions (5), (6) and (11) above shall allow for a frequency of grass cutting and fencing and wall maintenance equivalent to that practised by East Ayrshire Council's Outdoor Services Section; Condition (1) being imposed to comply with Section 58 of the Town and Country Planning (Scotland) Act 1997; Condition (2) to ensure that development is carried out in accordance with the approved details; Conditions (3), (10) and (11) In the interests of visual amenity; Condition (4) in the interests of visual amenity and road safety; Condition (5) to ensure that the areas of public open space are provided within the development in the interests of local planning policies; Condition (6) to ensure that the play area is maintained to an adequate standard; Conditions (7),(8) (18) and (19) in the interests of residential amenity; Condition (9) in the interests of public safety; Conditions (12) (13) (14) and (15) In the interests of road safety; Condition (16) as the access and parking area are of a temporary nature only; Condition (17) to prevent access to Burnton Road by pets and children.

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

1.2 APPLICATION NO 00/0257/FL: MR T GRAHAM

There was submitted an executive summary and report dated 7 June 2000 (circulated) by the Head of Planning and Building Control on an application for full planning consent for the proposed use of an existing garage for commercial purposes (repair vehicles) at Lanochsyde, Whitehill Farm, Ochiltree.

The Senior Planning 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: (1) The proposed development is not a sympathetic business development associated with rural activities and would therefore not be in accordance with Policy IND 10 of the East Ayrshire Local Plan, Finalised Version; (2) The proposed development is not specifically related to a rural activity and would therefore not be in accordance with Policy IND7 of the Adopted Mauchline-Drongan-Ochiltree Local Plan; (3) The proposed development would set an undesirable precedent for the operation of similar uses within the countryside, to the general detriment of the rural environment.

It was agreed, as given the location and with satisfactory conditions regarding hours of operation and noise nuisance and a Section 75 Legal Agreement regarding sightline requirements, the business could operate without detriment to road safety and nearby householders, and in view of the scale of the operation there would be limited precedent set for other such proposals, to refer the application to the Development Services Committee for determination, with a recommendation for approval, appropriate conditions to be recommended by the Head of Planning and Building Control.

1.3 APPLICATION NO 00/0201/FL: HOPE HOMES

There was submitted an executive summary and report dated 6 June 2000 (circulated) by the Head of Planning and Building Control on an application for full planning consent for the erection of 2 single storey bungalows (Plots 25 & 30) for private use at Plots 25 & 30 Shield Meadow, Drongan.

The Senior Planning Officer reported the following additional Condition:- "the proposed development shall be carried out in accordance with the application form and plans received by the Planning Authority on 21 March 2000 and the site layout plan received by the Planning Authority on 5 June 2000. Reason: to ensure that the development is carried out in accordance with the approved details".

The Senior 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:- (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 21 March 2000 and the site layout plan received by the Planning Authority on 5 June 2000; (3) Notwithstanding the submitted plans, the roof tiles, render and facing brick are not hereby approved. Details/samples of roof tiles, facing brick and render shall be submitted to, and approved by, the Planning Authority before any development commences on site; (4) Notwithstanding the plans hereby approved, and the provisions of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992, any garages associated with the development shall be of

permanent construction and finished in the same materials as the dwellinghouses to which they relate and shall be set back to a minimum distance of 6 metres from the rear of the footway; (5) Prior to the occupation of each house, the first two metres of the driveway shall be surfaced in order to prevent deleterious materials being deposited onto the public road; (6) Any gates shall require to open away from the public road to prevent obstruction; (7) No construction work shall take place on site before 0700 hours and after 1800 hours on Mondays to Fridays, before 0800 hours and after 1200 hours on Saturdays, and at any time on Sundays; 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; Condition (3) in the interests of visual amenity; Condition (4) in the interests of visual amenity and road safety; Conditions (5) and (6) in the interests of road safety; Condition (7) in the interest of residential amenity.

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

1.4 APPLICATION NO 00/0247/FL: MR A MOHAMMED

There was submitted an executive summary and report dated 7 June 2000 (circulated) by the Head of Planning and Building Control on an application for the change of use from shop to Hot Food Take-Away and external alterations at 13 Glencraig Street, Drongan.

The Senior Planning 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 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 applicant shall provide suitable litter receptacles both within and outwith the proposed premises. The external receptacles shall be in place prior to the commencement of business and removed and emptied after each day's trading to the satisfaction of the Planning Authority; Condition (1) being imposed to comply with Section 58 of the Town and Country Planning (Scotland) Act 1997; Condition (2) to ensure that the Planning Authority can retain control over the development of the site in the interest of visual and residential amenity.

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

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

1.5 HEARING PROCEDURE

The Principal Administrative Officer outlined the Hearing Procedure at this stage of the meeting in respect of the forthcoming Hearings.

1.6 APPLICATION NO 00/0059/FL: SILK HILL LTD

There was submitted an executive summary and report dated 7 June 2000 (circulated) by the Head of Planning and Building Control on an application for full planning consent for the erection of 10 no. houses plus associated drainage and roadworks (relocation of existing bollards in Station Road) at the former A & W Pollock Works and adjacent site, Station Road, Mauchline.

The Senior Planning Officer reported the following additional Condition "There shall be no commencement of development on site until such time as West of Scotland Water have confirmed in writing that there is in place appropriate off-site drainage and sewerage infrastructure sufficient to accommodate the houses granted by this consent. Reason: to ensure adequate drainage and sewerage infrastructure for the proposed development".

The Senior Planning Officer reported that three 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 received on 6 January 2000 and the amended plans received by the Planning Authority on 24 March 2000;
- (3) Notwithstanding the submitted plans, the render, facing brick and roof tiles are not hereby approved. Details/samples of render, facing brick and roof tiles shall be submitted to and approved by the Planning Authority before any development commences on the 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 site;
- (5) The 1.8 metre close boarded fence submitted on 24 March 2000 shall be erected along the rear boundaries of all ten house plots, along the northern boundary of Plot 2 and along the southern boundary of Plot 1 prior to the occupation of each house;
- (6) Prior to the occupation of the houses, junction visibility splay areas of 2.5 metres by 35 metres shall be required at all internal road junctions with no object greater than 1 metre in height allowed within these areas;
- (7) Any existing public utility apparatus located in the verge shall be protected beneath the proposed road;
- (8) No surface water shall be allowed to discharge onto the public road;
- (9) Prior to the occupation of any house, two car parking spaces shall be provided for each dwelling;
- (10) Prior to the occupation of the houses, three visitor car parking spaces shall be provided for the development as a whole. Details of their location shall be submitted to and approved by the Planning Authority prior to the commencement of development on site;
- (11) Prior to the occupation of any houses, their private driveway shall be paved for a minimum distance of 2 metres from the rear of the footway to avoid overcarry of loose material onto the public road;
- (12) Any gates require to open inwards away from the public road;
- (13) Prior to the occupation of any houses, the bollards located at the end of Station Road shall require to be replaced at the end of the extended road. The bollards should be replaced in the event of their being damaged or removed;
- (14) During demolition and construction of the development, there shall be no through traffic access from Station Road to Barskimming Road;
- (15) Notwithstanding the submitted plans, the rear dormer windows on House Plots 4 and 5 shall have obscure glass;
- (16) No mechanical excavation shall be carried out within 500mm of Transco Plant;
- (17) Details of an entrance feature and treatment of the western boundary adjacent to Plots 3 and 10 shall be submitted to and approved by the Planning Authority and constructed on site prior to the occupation of Plots 3 and 10;
- (18) There shall be no commencement of development on site until such time as West of Scotland Water have confirmed in writing that there is in place appropriate off-site drainage and sewerage infrastructure sufficient to accommodate the houses granted by this consent; 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 approved details; Conditions (3) (4) and (17) in the interests of visual amenity; Conditions (5) and (15) In the interests of residential amenity; Conditions (6) (7) (8) (9) (10) (11) (12) (13) (14) in the interests of road safety; Condition (16) in the interests of public safety; Condition (18) to ensure adequate drainage and sewerage infrastructure for the proposed development.

The Committee then heard objectors Mr John Miller and Mr Smillie, who spoke in support of their objections, and Mr Jonathan Brown and Mr Reg Hodgins representing the applicants, who spoke in support of the application. Members asked questions of the objectors and the applicants representative, and the applicants representatives and the objectors responded to the issues raised, all in accordance with the agreed Hearing procedure.

It was agreed to approve the application subject to the conditions and for the reasons detailed and to the amendment of Condition No (5) to read as follows:-

- (5) notwithstanding the details contained in the plans submitted on 24 March 2000, the fence to be erected along the rear boundaries of all 10 plots shall be vertically boarded and of solid appearance, and shall be erected prior to commencement of development on site. The fence where it abuts Grassmilees Farm shall be of sufficient height as to prevent poultry from entering the site from Grassmilees Farm. At no time shall the boundaries of the site be not defined by an appropriate means of enclosure to the satisfaction of the Planning Authority.

1.7 APPLICATION NO 00/0185/FL: MR S HUNTER

There was submitted an executive summary and report dated 6 June 2000 (circulated) by the Head of Planning and Building Control on an application for full planning consent for a proposed change of use to include car sales and portacabin/office and new domestic access at Tower Garage, Kilmarnock Road, Mauchline.

The Senior Planning 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: (i) 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) Permission is granted for a limited period of 2 years from the date hereof, and the use shall be discontinued and the land restored to its former condition in accordance with a scheme to be agreed by the Planning Authority, at the expiration of this period unless a further permission is granted; (3) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992, and the Town and Country Planning (Use Classes) (Scotland) Order 1997, this permission relates to the use of the premises for car sales and the further express permission of the Planning Authority shall be required in respect of any other use which would be authorised by the said Order; (4) Eight customer car parking spaces shall be provided within the site. Details of their location shall be submitted to and approved by the Planning Authority prior to the commencement of development on site. The eight car parking spaces shall be marked on site for this use and shall be implemented within one month of the date of this consent; (5) Access and egress from the new access shall be taken in forward gear and any new access agreed shall be located at least 6 metres from the adjacent trunk road carriageway. The gate shall only be capable of opening

away from the road; (6) The new access crossing shall be constructed to East Ayrshire Council Roads Division specification; (7) Prior to the commencement of development on site, a visibility splay area of 2.5 metres x 200 metres shall be provided and maintained on the existing north exit from the garage with no obstruction greater than 1 metre in height allowed within this area; (8) No more than 30 cars shall be displayed for sale on the forecourt at any one time. Prior to commencement of development the applicant shall submit to and have had approved by the Planning Authority details showing the precise location of the car display area within the overall application site; Condition (1) being imposed to comply with Section 58 of the Town and Country Planning (Scotland) Act 1997; Conditions (3) and (8) as the proposed building is of a temporary nature; Condition (3) to enable the Planning Authority to retain control over the use of the site in the interest of residential amenity; Conditions (4) (5) (6) and (7) in the interests of road safety; and (ii) that the issue of the decision notice be withheld until the Solicitor to the Council has satisfactorily concluded a formal agreement under Section 75 of the Town and Country Planning (Scotland) Act 1997 with the applicants and neighbouring proprietors in relation to achieving, and the future maintenance of, the required visibility sight-line splay areas.

The Committee then heard Mr Adam Birch representing the objectors, who spoke in support of the objections and Mr Stephen Hunter, the applicant who spoke in support of the application. Members asked questions of the objectors representative and the applicant, and the applicant and the objectors representative responded to the issues raised, all in accordance with the agreed Hearing procedure.

It was agreed:-

- (i) to approve the application subject to the conditions and for the reasons detailed; and
- (ii) that the issue of the decision notice be withheld until the Solicitor to the Council had satisfactorily concluded a formal agreement under agreement under Section 75 of the Town and Country Planning (Scotland) Act 1997 with the applicants and neighbouring proprietors in relation to achieving, and the future maintenance of, the required visibility sight-line splay areas.

1.8 APPLICATION NO 00/0230/FL: MR A MCLEAN

Councillor Jackson declared a non-pecuniary interest in this item and took no part in the discussion or determination of the application.

There was submitted an executive summary and report dated 6 June 2000 (circulated) by the Head of Planning and Building Control on an application for full planning consent for the erection of a garage for business vehicles, siting of storage unit and erection of 2.4 metre high fence at Plot 2, Barskimming Road, Mauchline.

The Senior Planning 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) Notwithstanding the plans hereby approved, the external surface of the walls shall be rendered or roughcast in a colour to be agreed in writing with the Planning Authority prior to the commencement of the development; (3) Notwithstanding the plans hereby approved, the colour of the roofing material shall

be agreed in writing with the planning Authority prior to the commencement of the development; (4) Notwithstanding the provisions of the Town and Country Planning (Use Classes) (Scotland) Order 1997, the use of the garage shall be limited only to the storage of vehicles and materials; Condition (1) being imposed to comply with Section 58 of the Town and Country Planning (Scotland) Act 1997; Conditions (2) and (3) in the interests of visual amenity; Condition (4) to safeguard the residential amenity of the area.

The Committee then heard objectors Mr and Mrs Allan, who spoke in support of the objections, and Mr A McLean, the applicant, who spoke in support of the application.

Members asked questions of the objectors and the applicant, and the applicant and the objectors responded to the issues raised, all in accordance with the agreed Hearing procedure.

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

1.9 APPLICATION NO 00/0239/FL: CASTLETON HOMES

There was submitted an executive summary and report dated 7 June 2000 (circulated) by the Head of Planning and Building Control on an application for an amendment to previous application No 98/0779/FL for the action of 17 houses to provide 4 additional houses and revised road layout at Barony Road, Auchinleck.

The Senior Planning Officer reported the following additional condition:- "Notwithstanding the submitted plans, details of treatment of the western boundary of the site adjacent to No 12 Barony Road shall be submitted to and approved by the Planning Authority prior to commencement of the development on site and implemented prior to the occupation of any house. Reason: in the interests of residential amenity".

The Senior Planning 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 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 April 2000 as revised by the layout plan received by the Planning Authority on 2 June 2000 and the fax letter and fencing details submitted on 6 June 2000; (3) A landscaping scheme including the treatment of the boundary of the site shall be submitted to and approved by the Planning Authority prior to commencement of any development on the site. The landscaping scheme shall be implemented not later than the next appropriate planting season after the development has been carried out; (4) Notwithstanding the submitted plans, details of the design and construction of all fences and walls to be erected on site shall be submitted to and approved by the Planning Authority before any development commences on site. An unclimbable fence, 1.8 metres high shall be constructed along the northern boundary of the development site; adjacent to the existing railway line; (5) Prior to works commencing on site, the applicant shall submit to, and have approved by the Planning Authority details of the proposed play area within the site. The play area shall be installed prior to the occupation of Plot 12; (6) Prior to works commencing on site, the applicant shall submit to, and have had approved by the Planning Authority details of a Maintenance Programme, including costing, for all amenity open spaces and the proposed play area within the

development site. Such programme shall cover a period of no less than 10 years and all costs associated with the Maintenance Programme shall be borne by the applicant; (7) Junction visibility splay area of 2.5 metres by 35 metres shall be provided at all internal road junctions with no object greater than 1 metre in height being allowed within these areas; (8) Junction visibility splay areas of 4.5 metres by 60 metres shall be provided at the new junction with Barony Road with no fencing, buildings or other features greater than 1m in height being allowed within these areas; (9) Any existing public utility apparatus located in the road verge shall be protected beneath the proposed access to the development site; (10) Prior to the occupation of any houses, two off-road car parking spaces shall be provided for each dwellinghouse with a further 6 additional spaces for visitor parking being provided. Details of the visitor car parking spaces shall be submitted to and approved by the Planning Authority prior to the commencement of development; (11) All private access driveways shall be paved for a minimum distance of two metres from the rear of the footway to avoid overcarry of loose material onto the public road; (12) Any access gates shall open inwards away from the public road; (13) No mechanical excavation shall be carried out within 500mm of Transco plant; (14) No surface water shall discharge onto the public road; (15) Traffic calming measures shall be provided within the application road layout. Details of these measures shall be submitted to and approved by the Planning Authority prior to the occupation of any houses; (16) No trees shall be felled, lopped, have roots cut, or be the subject of any other works without the prior written consent of the Planning Authority; (17) Notwithstanding the approved plans, any trees and shrubs planted adjacent to the boundary with the railway line shall be positioned to a minimum distance from the boundary of no less than their predicted mature height; and (18) Notwithstanding the submitted plans, details of treatment of the western boundary of the site adjacent to No 12 Barony Road shall be submitted to and approved by the Planning Authority prior to commencement of the development on site and implemented to the occupation of any house. 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; Condition (3) 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; Condition (4) in the interests of visual amenity and public safety; Condition (5) to ensure that the play area is provided to an adequate standard; Condition (6) to ensure that the amenity open spaces and play area within the development site is maintained to an adequate standard; Conditions (7), (8), (14), and (15) in the interest of road safety; Conditions (9), (11), (13) and (17) in the interests of public safety; Conditions (10) and (18) in the interests of residential amenity; Condition (12) in the interest of public road safety; and Condition (16) in the interests of visual amenity.

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

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

1.10 APPLICATION NO 97/0887/FL: JAMES WILSON & SON LTD (Item 1, Page 3906, 96/99)

There was submitted an executive summary and report dated 7 June 2000 (circulated) by the Head of Planning and Building Control on an application for full planning consent for the erection of 3 No. 1^{1/2} storey dwellinghouses at Auchencloigh Farm, Auchencloigh, by Galston.

The Senior 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:- (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 amended application form received on 22 December 1999 and the amended plans received by the Planning Authority on 17 March 2000; (3) 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; (4) Notwithstanding the submitted plans, the reconstituted stone and slate tiles are not hereby approved. Details/samples of stone, slate tiles and timber lining shall be submitted to and approved by the Planning Authority before any development commences on site; (5) Notwithstanding the plans hereby approved, the external surface of the walls shall be wet dash rendered in a colour to be agreed in writing with the Planning Authority prior to the commencement of development and the mullions on the ground and first floor, front elevations shall be constructed of smooth cement rendered brick having its forward surface on the same plane as the wall within which they are located; (6) Notwithstanding the plans hereby approved, front boundary walls, no greater than one metre in height and finished in a material to match the proposed dwellinghouses shall be constructed along the frontage of each plot; (7) Notwithstanding the approved plans, details of the treatment of the rear and side boundaries of the site shall be submitted to and approved by the Planning Authority prior to commencement of development on site and implemented prior to the occupation of any houses; (8) Notwithstanding the plans hereby approved, and the provisions of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992, any garages associated with the development shall be of permanent construction and finished in the same materials as the dwellinghouses to which they relate and they shall be set back a minimum of 6 metres from the rear of the footway; (9) The existing private roads from the old schoolhouse and along the full site frontage shall be brought up to an adoptable standard prior to the occupation of the third house; (10) Prior to the occupation of each house, three car parking spaces shall be provided for each dwellinghouse within their curtilage; (11) The developer shall form a 2 metre wide footway along the frontage of the site, prior to the occupation of each house; (12) Prior to the occupation of each house, visibility sightline splay areas of 2 metres by 20 metres shall be formed and maintained at each access with no obstruction greater than 1 metre allowed within these areas; (13) Prior to the occupation of each house, the private driveway shall be paved for a minimum distance of 2 metres from the rear of the footway to avoid overcarry of loose material onto the public road; (14) Any gates shall open inwards away from the public road; (15) No surface water shall be allowed to discharge on to the public road; (16) Prior to the occupation of the third house, a turning head shall be provided on the site; Condition (1) being imposed to comply with Section 58 of the Town and Country Planning (Scotland) Act 1997; Condition (2) to ensure that development is carried out in accordance with the approved details; Condition (3) in the interests of public safety; Conditions (4) (5) (7) and (8) in the interests of visual amenity; Condition (6) in the interests of visual amenity and road safety; Conditions (9) (10) (11) (12) (13) (14) (15) and (16) in the interests of road safety.

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

1.11 APPLICATION NO 99/0886/FL: MR R WALLACE

There was submitted an executive summary and report dated 9 June 2000 (circulated) by the Head of Planning and Building Control on an application for full planning consent for the erection of a house and detached garage at Mosswell, New Cumnock.

The Senior Planning Officer reported that one 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 received on 21 December 1999 and the amended plans received by the Planning Authority on 20 March 2000; (3) 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; (4) Notwithstanding the submitted plans, the stone, render, roof tiles are not hereby approved. Details/samples of the stone, render, roof tiles, windows and doors shall be submitted to and approved by the Planning Authority before any development commences on the site; (5) Notwithstanding the plans hereby approved, the external surface of the walls shall be rendered in a colour to be agreed in writing with the Planning Authority prior to the commencement of development; (6) The mullions proposed between windows shall be of brick construction and rendered to match the surrounding wall finish; (7) The door proposed on the east elevation shall be of timber construction; (8) Notwithstanding the approved plans, the footway crossing to the A76 shall be upgraded. Details of the upgrading shall be submitted to and approved by the Planning Authority before development commences on site shall be implemented prior to the occupation of the house; and (9) The mullions indicated between windows shall be constructed as per the elevation plans submitted on 20 March 2000; Condition (1) being imposed to comply with Section 58 of the Town and Country Planning (Scotland) Act 1997; Condition (2) and (9) to ensure that development is carried out in accordance with the approved details; Conditions (3), (4), (5), (6) and (7) in the interests of visual amenity; and Condition (8) in the interests of road safety.

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

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

The meeting terminated at 1112 hours.