

EAST AYRSHIRE COUNCIL**SOUTHERN LOCAL PLANNING COMMITTEE****MINUTES OF MEETING HELD ON TUESDAY 13 MAY 1997 AT 1000 HOURS IN
PATNA COMMUNITY CENTRE, DOONSIDE AVENUE, PATNA**

PRESENT: Councillors Eric Ross, James Kelly, Robert Taylor, Eric Jackson, Tommy Farrell and George Smith.

ATTENDING: Alan Neish, Head of Planning and Building Control; David Morris, Development Promotion Manager; Colin F Tannock, Principal Building Control Officer; Pamela Clifford, Senior Planning Officer; Ian Gemmell, Administrative Officer; and Christine Baillie, Administrative Assistant.

APOLOGIES: Councillors David Sneller, James Carmichael, Jimmy Boyd and John Smith.

CHAIR: Councillor Eric Ross, Chair.

CONSIDERATION OF PLANNING APPLICATIONS**1.1 APPLICATION NO. 97/0233/FL: MR A JABAAR**

There was submitted a report dated 24 April 1997 (circulated) by the Head of Planning and Building Control on a planning application for the erection of solid roller shutters at 197 Main Street, 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: Refusal for the following reasons, viz:- (1) the roller shutters, as erected on the hot food takeaway premises, being galvanised, solid roller shutters with external box housings, were contrary to Policy SHOP7 of the Finalised Cumnock and Doon Valley District Wide Local Plan which states that roller shutters must comply with the Council's development control policies pertaining to roller shutters, i.e. (i) all roller shutter boxes shall be stored internally behind the fascia of premises where physically possible; (ii) in town centre locations open grid (lattice) roller shutters with solid kick bars shall be permitted; and (iii) shutters shall be finished with anodised or polyester powder coating or similar finish to compliment the shop frontage; and (2) the roller shutters, as erected, were detrimental to the visual amenity of the streetscape of Main Street in Auchinleck.

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

1.2 APPLICATION NO. 97/0163/AD: MR A JABAAR

There was submitted a report dated 29 April 1997 (circulated) by the Head of Planning and Building Control on a planning application for the erection of a projecting box sign, signboard and neon sign at 197 Main Street, Auchinleck.

The Development Promotion Manager reported a Roads Division Consultation, 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 proposed gable signboard being located on the gable of the shop premises is contrary to Policy SHOP7 of the Finalised Cumnock and

Doon Valley District Wide Local Plan which states that the display of advertisements must comply with the Council's development control policies pertaining to advertisements, ie (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 proposed fascia box sign, being attached to a projecting roller shutter box housing, is inappropriately sited and would be detrimental to the visual amenity of the streetscape of Main Street in Auchinleck.

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

1.3 APPLICATION NO. 97/0177/FL: MR WILLIAM J DICKSON

There was submitted a report dated 29 April 1997 (circulated) by the Head of Planning and Building Control on a planning application for the formation of access and vehicle parking area at 2 Holm Road, New Cumnock.

The Development Promotion Manager reported that one letter of objection had been received, and gave details of the objection, reported a response from the Director of Housing, 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 and plans submitted on 19 March 1997 as revised by the driveway plan received by the Planning Authority on 28 April 1997; and (3) access to the site shall be taken via a footway crossing to East Ayrshire Roads Division Specification and no surface water shall be discharged from the site onto the public road. Condition (1) being imposed to comply with Section 38 of the Town and Country Planning (Scotland) Act 1972; Condition (2) to ensure that the development is carried out in accordance with the approved details; and Condition (3) in the interests of road safety.

The Committee then heard the objector, Mr A Mackie who spoke in support of his objections. The applicant was not present.

It was agreed to continue consideration of this application to a Special Meeting, following a site visit.

1.4 APPLICATION NO. 97/0218/FL: MISS JUNE CAMERON

There was submitted a report dated 29 April 1997 (circulated) by the Head of Planning and Building Control on an application for planning permission for the proposed change of use to form eight self catering rooms and laundry extension at 3 Main Street, Dalrymple.

The Development Promotion Manager reported that a 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, viz:- (1) the development to which this permission relates must be begun within five years from the date of this permission; (2) notwithstanding the approved plans the chimney on the front elevation shall be reinstated in red sandstone to match the sandstone of the front elevation; (3) notwithstanding the approved plans further details of the method of cleaning of the stonework on the front elevation shall be submitted to and approved by the Planning Authority before development

commences on site; (4) notwithstanding the approved plans, details of the treatment of the site boundary with 5 Main Street, Dalrymple, shall be submitted to and approved by the Planning Authority before development commences on the site; (5) notwithstanding the approved plans, six car parking spaces shall be provided for the exclusive use of the users of the proposed development and shall be provided prior to the commencement of the occupation of the proposed building. Details of the location of the car parking spaces shall be submitted to and approved by the Planning Authority before development commences on site; (6) no trees shall be felled, lopped or have roots cut on the site without the written consent of the Planning Authority; and (7) 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, and shall be implemented not later than the next appropriate planting season after the development has been carried out. Condition (1) being imposed to comply with Section 38 of the Town and Country Planning (Scotland) Act 1972; Conditions (2), (3) and (6) in the interests of visual amenity; Condition (4) in the interests of residential amenity; Condition (5) in the interests of road safety; and 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.

The Committee then heard the objector's agent, Mrs Helen Martin who spoke in support of the objections, and the applicant's agent, Mr A McCaw who spoke in support of the application, all in accordance with the agreed Hearing procedure.

It was agreed to continue consideration of this application to a Special Meeting of this Committee, following a site visit.

1.5 APPLICATION NO. 97/0007/LB: MESSRS J DICK AND J CAMPBELL

There was submitted a report dated 21 April 1997 (circulated) by the Head of Planning and Building Control on an application for Listed Building Consent in respect of the proposed complete demolition of existing Listed Building at Bankend Farmhouse at Ayr Road, Cumnock.

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 notification of Historic Scotland under the Listed Buildings and Buildings in Conservation Areas (Scotland) Regulations 1987.

It was agreed to approve the application subject to the condition detailed.

1.6 APPLICATION NO. 97/0101/FL: JRD PARTNERSHIP (NORTHKIRK LIMITED)

There was submitted a report dated 21 April 1997 (circulated) by the Head of Planning and Building Control on a planning application for the erection of 32 dwellinghouses at Bankend Farm, at Ayr Road, Cumnock.

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: (i) 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 for and plans submitted on 6 February 1997 as

revised by the amended layout plan and house type plans received by the Planning Authority on 27 March 1997; (3) prior to works commencing on site, the developer shall submit samples of the facing brick and roof tiles to the Planning Authority for approval; (4) 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) notwithstanding the plans hereby approved, and the provisions of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992, any future garages associated with the residential development shall be of permanent construction and finished in the same materials as the dwellinghouses to which they relate; (6) a visibility splay of 4.5m x 90m shall be provided at the junction of the site development road with the public road, Ayr Road, and that no obstruction to visibility greater than 1m in height shall be allowed within this splay area; (7) within six months of the completion or occupation of the last dwellinghouse within the development site, or on the written request of the Planning Authority, the developer shall complete all roads and footpaths to adoptable standards to the complete satisfaction of the Planning Authority and the Roads Authority; (8) access driveways shall be paved for a minimum distance of 2m as measured from the heel of the footpath serving the development; (9) any access gates shall open away from the public road; (10) no surface water or foul discharge from the site shall be allowed to enter the public road drainage system; (11) during construction operations on site, the developer shall undertake all reasonable precautions necessary to ensure that the operations shall not adversely affect the safety or security of pupils of the adjacent Cumnock Academy; and (12) notwithstanding Condition (4) above, the developer shall submit details of the proposed boundary treatment at the Ayr Road junction with the proposed residential road. This shall be in the form of a boundary wall feature, constructed in sandstone salvaged from the demolition of Bankend Farmhouse. Such details shall be submitted to and approved by the Planning Authority prior to works commencing on site. Condition (1) being imposed to comply with Section 38 of the Town and Country Planning (Scotland) Act 1972; Condition (2) to ensure that the development is carried out in accordance with the approved details; Conditions (3) and (10) in the interests of amenity; Conditions (4), (5) and (12) in the interests of visual amenity; Condition (6) in the interests of public road safety; Condition (7) in the interests of residential amenity; Condition (8) to prevent any overcarry of loose material onto the development road; Condition (9) in the interests of pedestrian and road safety; and Condition (11) in the interests of public safety, and (ii) the planning decision notice to be withheld until a formal decision had been made by Historic Scotland on application reference number 97/0007/LB, where it was notified to them under the Town and Country Planning (Listed Buildings and Buildings in Conservation Areas) (Scotland) Regulations 1987,

It was agreed (i) to approve the applications, subject to the conditions and for the reasons detailed, and to apply a further condition in relation to the timescale for the completion of roads and streetlighting services to the development, the wording of the additional condition to be determined by the Head of Planning and Building Control in consultation with the Chair of this Committee, and (ii) that the planning decision notice to be withheld until a formal decision had been made by Historic Scotland on application reference number 97/0007/LB, where it was notified to them under the Town and Country Planning (Listed Buildings and Buildings in Conservation Areas) (Scotland) Regulations 1987.

1.7 APPLICATION NO. 97/0067/FL: BARONY UNIVERSAL PRODUCTS PLC

There was submitted a report dated 30 April 1997 (circulated) by the Head of Planning and Building Control on a planning application for the proposed addition of tank to tank farm and building of fire wall at Unit 2, Barony Road Industrial Estate, 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) that the development to which this permission relates must be begun within five years from the date of this permission; and (2) the installation of the proposed kerosene tank shall be such as to meet the requirements of the Health and Safety Executive and the Planning Authority. Condition (1) being imposed to comply with Section 38 of the Town and Country Planning (Scotland) Act 1972; and Condition (2) in the interests of public safety.

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

1.8 APPLICATION NOS. 97/0148/FL AND 97/0149/CA: MR J PEARSON

There was submitted a report dated 1 May 1997 (circulated) by the Head of Planning and Building Control on planning applications (a) for the proposed partial demolition of building and erection of eight flatted dwellings; and (b) the proposed partial demolition of building: both at vacant gap site at Kilmarnock Road/The Knowe, Mauchline.

The Development Promotion Manager summarised the planning conditions 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) that 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 roofs of the proposed residential blocks shall be finished in natural slate or a slate type tile. Samples of the material to be used shall be submitted and approved by the Planning Authority prior to any development commencing on site; (3) prior to the works commencing on site, the developer shall submit samples of the paviers to be used in the surfacing of the proposed private access road and pedestrian areas to the Planning Authority for approval; (4) a footway shall be provided along The Knowe, formed to East Ayrshire Council's Roads Division standards to the satisfaction of the Planning Authority. The footway will require to be an absolute minimum width of 1.2m and be kerbed and surfaced to the satisfaction of the Roads Division; (5) access to the site shall be taken via a dropped kerb footway crossing to East Ayrshire Council's Roads Division standards to the satisfaction of the Planning Authority; (6) any relocation of streetlighting as required as a result of the proposed development shall be carried out to the requirements and satisfaction of East Ayrshire Council's Roads Division at the expense of the developer; (7) the developer shall, during the construction phase of the proposed development, ensure that The Knowe is free from obstruction in so far as is practicable; (8) no direct vehicular access shall be made onto the A76 Trunk Road; (9) the existing commercial vehicle footway crossing, both kerbs and asphalt surface, shall be reinstated across the Kilmarnock Road frontage of the site, to East Ayrshire Council's Roads Division standards and to the satisfaction of the Planning Authority; (10) the parking provision

as shown on the approved plans shall be provided for the development, ie the six proposed refurbished lock-ups and the two car parking spaces; (11) all demolition materials shall be permanently removed from the site and disposed of in a licensed waste disposal facility to the completion satisfaction of the Planning Authority; and (12) should redevelopment proposals not immediately follow the demolition of the building, the cleared site shall be suitably graded and left in a neat and tidy condition, to the complete satisfaction of the Planning Authority. Condition (1) being imposed to comply with Section 38 of the Town and Country Planning (Scotland) Act 1972; Conditions (2) and (3) in the interests of visual amenity; Conditions (4) and (5) in the interests of public road safety; Condition (6) in the interests of public safety; Condition (7) in the interests of residential amenity; Conditions (8) and (9) in the interests of Trunk Road safety; Condition (10) to ensure sufficient off-road parking is provided within the site; and Conditions (11) and (12) in the interests of amenity.

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

1.9 APPLICATION NO. 97/0172/FL: MR J SUTHERLAND

There was submitted a report dated 1 May 1997 (circulated) by the Head of Planning and Building Control on a planning application for the erection of a private garage at 45 Hamilton Avenue, Mauchline.

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: Refusal for the following reasons, viz:- (1) the erection of the proposed garage and 2m high timber fence, at the locations shown on the submitted plan, would have a detrimental effect on the open plan character of the Hamilton Avenue cul-de-sac and have a detrimental effect on the residential amenity of adjacent dwellings within the cul-de-sac; (2) the proposed development would detract from the residential/visual amenity of the area; and (3) the proposed development would, in the opinion of the Planning Authority, create an undesirable precedent for similar developments within the Hamilton Avenue cul-de-sac, to the detriment of the residential and visual amenity of the area.

It was agreed to refuse the application for the reasons stated.

The meeting terminated at 1045 hours.