

EAST AYRSHIRE COUNCIL

IRVINE VALLEY LOCAL PLANNING COMMITTEE

**MINUTES OF MEETING HELD ON WEDNESDAY 15 MAY 1996 AT
1400 HOURS IN CROOKEDHOLM COMMUNITY CENTRE,
GROUGAR ROAD, CROOKEDHOLM**

PRESENT: Councillors David Fulton, Kim Nicoll, George Turnbull and Robert McDill.

ATTENDING: Ken Robinson, Principal Administrative Officer; Dave Morris, Development Promotion Manager; Anna F Gallacher, Solicitor and Jennifer Morrison, Administrative Officer.

APOLOGY: Councillor David Macrae.

CHAIR: Councillor David Fulton, Chair.

**PROCEDURE FOR INFORMAL HEARINGS AT LOCAL PLANNING
COMMITTEES**

1. There was submitted a report dated 2 May 1996 (circulated) by Head of Planning and Building Control on the practice to be observed in respect of informal hearings at Local Planning Committees.

It was agreed to note and implement the procedure.

PLANNING APPLICATIONS

2.1 KL/E/RM/77/161J: MR R McFARLANE

There was submitted a report dated 1 May 1996 (circulated) by the Head of Planning and Building Control on a planning application for reserved matters for the proposed erection of 11 dwellinghouses at Kirkland Road, Darvel.

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) Notwithstanding the plans hereby approved a plan showing the drainage scheme for the development shall be submitted to and approved by the Planning Authority prior to the commencement of the development; (2) Notwithstanding the submitted plans, samples of all external finishing materials and the block paviors for the cul-de-sac shall be submitted to and approved by the Planning Authority prior to the commencement of development; (3) Notwithstanding the plans hereby approved, the development shall incorporate the following:- (i) corner radii at the junction of the

short cul-de-sac with Kirkland Road of 6 metres, the cul-de-sac of 5.5 metres width, (ii) the driveway accesses onto Kirkland Road meeting the road at right angles, (iii) garages located a minimum of 6 metres from the heel of the footway, (iv) the first 2 metres of the driveway accesses onto Kirkland Road surfaced to prevent any loose material being deposited onto the road. No surface water shall issue from the plots onto Kirkland Road; (4) No houses fronting onto Kirkland road shall be occupied until the alterations to the footpaths and the access

to the cul-de-sac are completed. No houses within the cul-de-sac shall be occupied until the road is completed to base course level and the road drainage system is installed. The road wearing surface (block paviers to be agreed) shall be completed immediately upon all the houses within the cul-de-sac being occupied; (5) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992, no extensions or garages shall be erected on the site (unless a further specific planning application is submitted to and approved by the Planning Authority); Condition (1) being imposed to ensure that suitable arrangements for the disposal of sewage are provided; Condition (2) in the interests of visual amenity; Condition (3) in the interests of highway safety, Condition (4) to ensure the proper phasing of the development and Condition (5) to enable the Planning Authority to retain control over future development on the site in the interests of residential amenity and visual amenity.

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

2.2 APPLICATION NO KL/E/OL/80/115D - MR & MRS DOCHERTY

There was submitted a report dated 1 May 1996 (circulated) by the Head of Planning and Building Control on application for outline planning permission for the proposed erection of four dwellings and garages at junction of Cessnock Road/Mauchline Road, Hurlford.

The Development Promotion Manager (i) confirmed that one objection had been received, details of which were given in the report, and (ii) reported that amended plans had been received in respect of the application.

It was agreed to continue consideration of this application to a future meeting at which time a site visit would take place.

2.3 APPLICATION NO KL/E/LB/75/286K - MR I GILMOUR

There was submitted a report dated 1 May 1996 (circulated) by Head of Planning and Building Control on an application for Listed Building Consent for the proposed formation of roller shutter door to gable wall, build up existing openings and demolition of internal walls at 2 Castle Street, Newmilns.

The Development Services 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 1989 and 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 plans hereby approved, the roller shutter door and railings to

the proposed stair shall be painted black within one month of their installation; (3) Notwithstanding the plans hereby approved, the external walls of the proposed staircase shall be rendered to match the walls of the existing building; Condition (1) being imposed to comply with Section 54A of the Town and Country Planning (Scotland) Act 1972 and Conditions (2) and (3) in the interests of visual amenity and the appearance of the listed building.

It was agreed to grant the application subject to the notification of Historic Scotland under the Listed Buildings and Buildings in Conservation Areas (Scotland) Regulations 1989 and subject to the conditions and for the reasons detailed.

2.4 APPLICATION NO KL/E/FL/95/206G - THE LANDS IMPROVEMENT GROUP

There was submitted a report dated 1 May 1996 (circulated) by Head of Planning and Building Control on an application for full planning permission for the proposed new Wallace Sword Ride at Loudoun Castle Park, Galston.

The Development Promotion Manager (i) reported the terms of a further letter received from the Scottish Civic Trust and a further two letters received from the applicant and (ii) 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 development would be contrary to Policy EN22 of the Finalised District Plan in that the Wallace Sword Ride, by virtue of its scale and consequential intrusion into the landscape is detrimental to the Area of High Landscape Value within which the site is located; (2) The proposed development would be detrimental to both the designed landscape of Loudoun Castle Estate and the setting of listed buildings within the Loudoun Castle Estate; and (3) The proposed development would set an undesirable precedent for the erection of structures within the walled garden that by virtue of their scale are detrimental to the Area of High Landscape Value, the designed landscape of Loudoun Estate and the setting of listed buildings within the Loudoun Castle Estate.

The Committee heard the applicant's representatives in support of the application. Members then asked questions of the applicant's representatives.

It was agreed to grant the application on the grounds that the application had to be considered in the context of other applications already approved. The fairground was already visible from the A71 and thus this additional attraction would not represent a significant and further intrusion into the landscape or the setting of the castle, and the proposal was thus not contrary to Policy EN22 of the Finalised District Plan.

On a point raised by Councillor Nicoll agreed that the Head of Legal investigate whether the informal hearing procedure could be amended so that application consultees could be afforded, in addition to applicants and objectors, the right to be heard at Local Planning Committees.

The meeting terminated at 1430 hours.