

**EAST AYRSHIRE COUNCIL**

**IRVINE VALLEY LOCAL PLANNING COMMITTEE**

**MINUTES OF SPECIAL MEETING HELD ON 27 MAY 1996 AT 1400 HOURS  
AT PLANNING APPLICATION SITE (NO KL/E/OL/80/115D) CESSNOCK  
ROAD/MAUCHLINE ROAD, HURLFORD AND THEREAFTER AT  
THE LOUNGE, HURLFORD COMMUNITY CENTRE, HURLFORD**

**PRESENT:** Councillors David Fulton, David Macrae, Kim Nicoll, George Tumbull and Robert McDill.

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

**CHAIR:** Councillor David Fulton, Chair.

**PLANNING APPLICATION SITE VISIT**

1. In accordance with the decision of the Committee on 15 May 1996, the Committee visited the site and thereafter met in the Lounge, Hurlford Community Centre, Hurlford to consider the undernoted planning application:-

**PLANNING APPLICATION NO KL/E/OL/80/115D: MR AND MRS DOCHERTY  
(Item 2.2, Page 849)**

There was resubmitted report dated 1 May 1996 (circulated) by Head of Planning and Building Control on a planning 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 that the objection had since been re-affirmed, (ii) reported that amended plans had been received in respect of the application, and (iii) summarised the planning considerations in respect of the application and gave the recommendation of the Head of Planning and Building

Control: Refusal as the site was too small for the development proposed and was contrary to Policy HU3 (C) of the Finalised District Plan as it was viewed as overdevelopment of the site. Furthermore, the proposed development would detract from the residential and visual amenity of the area.

The Committee heard the applicant and his agent in support of the application. Members then asked questions of the applicant and his agent.

It was agreed to grant the application on the grounds that (i) the site was not too small

for the development proposed; (ii) the application was not overdevelopment of the site, and the proposal was thus not contrary to Policy HU3 (C) of the Finalised District Plan, and (iii) the proposed development would not detract from the residential and visual amenity of the area and subject to the following conditions:-(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) the driveways and car parking at each plot shall be to East Ayrshire Council's Roads Division stipulations, and where appropriate have a construction and finish not to damage any tree root systems; and (4) any development and construction process on the site must be an acceptable distance from the trees as imposed by the Planning Authority and trees should be protected during the construction process; (5) appropriate reserved matters which it is delegated to Head of Planning and Building Control to include into the outline planning consent which details will require to be considered by the Planning Authority at the full planning application stage. Conditions (1) and (2) being imposed to comply with Section 39 of the Town and Country Planning (Scotland) Act 1972 Conditions (3) and (4) being imposed to ensure the retention of the maximum number of trees, and their protection from damage, in the interest of visual amenity. and Condition (5) being imposed because the application was in outline only.

The meeting terminated at 1450 hours.