

EAST AYRSHIRE COUNCIL**SOUTHERN LOCAL PLANNING COMMITTEE****MINUTES OF MEETING HELD ON THURSDAY 21 MAY 1998 AT 1530 HOURS IN
OCHILTREE COMMUNITY CENTRE, MAIN STREET, OCHILTREE**

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

ATTENDING: Bill Walkinshaw, Principal Administrative Officer; Pamela Clifford, Senior Planning Officer and Ian Gemmell, Administrative Officer.

APOLOGIES: Councillors Eric Ross and John Smith.

CHAIR: In the absence of the Chair and Vice Chair of the Committee, Councillor Tommy Farrell was appointed to take the Chair.

**FUTURE MEETINGS OF THE SOUTHERN LOCAL PLANNING COMMITTEE:
PERIOD TO 16 APRIL 1999**

1. There was submitted a report dated 5 May 1998 (circulated) by the Director of Support Services requesting the Committee to determine in advance the venues for each of its ordinary meetings to 16 April 1999.

It was agreed that the venues for the ordinary meetings of the Southern Local Planning Committee for the period to 16 April 1999 would be as follows:-

Friday 26 June 1998 - Mauchline Community Centre

Friday 7 August 1998 - Auchinleck Community Centre

Friday 28 August 1998 - Drongan Community Centre

Friday 9 October 1998 - New Cumnock Community Centre

Friday 20 November 1998 - Catrine Community Centre

Friday 22 January 1999 - Patna Community Centre

Friday 5 March 1999 - Cumnock Community Centre

Friday 16 April 1999 - Muirkirk IFE Wing

CONSIDERATION OF PLANNING APPLICATIONS

The Administrative Officer advised of the procedure for Hearings at Local Planning Committees.

2. **APPLICATION NO 98/0102/FL: MR V MCMILLAN (Item 1.3, Page 3214)**

There was submitted a report dated 14 May 1998 (circulated) by the Head of Planning and Building Control on an amended application for full planning consent for the construction of a rear dormer extension and attic conversion at 41 Avisyard Avenue, Craighens, Cumnock, the application having been previously considered by the Committee at their meeting on 9 April 1998 continued to allow the applicant the opportunity to submit amended proposals.

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, viz:- (1) The proposed dormer extension is contrary to the Council's adopted development control policies relating to Householder Developments which state: "1(C) Dormer Window Extensions: Dormers shall be set at a minimum of 0.5 metre away from the roof ridge in order that the roof line remains unaltered."; (2) The proposed dormer extension would be detrimental to the amenity of the residential area in which it is located in that it is obtrusive and will dominate the rear elevation of the existing two storey end-terrace dwellinghouse; (3) The proposed development, if approved, would create an undesirable precedent for similar inappropriate and obtrusive dormer extensions in the locality.

It was agreed as the proposal was not considered to be detrimental to the amenity of the area and was not obtrusive, to approve the application subject to conditions to be determined by the Head of Planning and Building Control.

2. APPLICATION NO 98/0205/FL: NATIONAL CHILDREN'S HOMES ACTION FOR CHILDREN (SCOTLAND)

There was submitted a report dated 13 May 1998 (circulated) by the Head of Planning and Building Control on an application for full planning consent for the erection of a Respite Care Centre at Millbank, Cumnock.

The Senior Planning Officer reported that two letters of objection and one letter of representation 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) The proposed development shall be carried out in accordance with the application form and the amended plans received by the Planning Authority on 15 April 1998; (3) Prior to works commencing on site, the applicant shall submit samples of the facing brick and the roof tile to be used in the external finish of the proposed respite care centre building to the Planning Authority for approval. The roof tile to be used shall be of a high quality slate substitute to reflect the appearance of slate; (4) Prior to works commencing on site, the applicant shall submit details of the proposed timber fencing to be erected on the boundaries of the application site to the Planning Authority for approval; (5) The existing hedges located on the northern and eastern boundaries of the site and the existing trees within the application site shall be retained. The existing trees shall not be lopped, topped or felled without the prior written consent of the Planning Authority; (6) No demolition, site clearance or building operations shall be commenced until chestnut pale fencing of a height not less than 1.2 metres has been erected around the trees shown on the approved plans as being retained on the site. The fencing shall enclose either a radius of 5 metres from the trunk of the tree, or a distance equal to the spread of the crown of the tree whichever is the greater. Such fencing shall be maintained during the course of development, and no storage, site structure, parking or any other operation shall be permitted within the area thereby enclosed; (7) A footpath access to be in place before use of the building commences shall be provided along Millbank to the proposed respite care centre. Prior to works commencing on site, the applicant shall submit details of the footpath access to the Planning Authority for approval, following consultation with East Ayrshire Council's Roads Division; (8) 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; 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), (4) and (5) in the interests of amenity; Condition (6) to ensure the retention of the maximum number of trees on the site and their protection from damage in the interests of visual amenity; Condition (7) in the interests of pedestrian safety; Condition (8) in the interest of public safety.

The Committee then heard objector Mrs A Hunter, who spoke in support of her objections. The applicant was not present or represented. The Members asked questions of the objector all in accordance with the agreed Hearing procedure.

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

4. APPLICATION NO 98/0163/OL: MR JOHN KELSO

There was submitted a report dated 11 May 1998 (circulated) by the Head of Planning and Building Control on an outline planning application for the erection of a single dwellinghouse at Birnieknowe, Auchinleck.

The Senior Planning Officer reported that three letters of objection had been received, details of which were given in the report, gave details of a letter received from the applicant responding to the objections, 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) 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 undermentioned matters hereby reserved; (a) the layout of the site; (b) the size, height, design and external appearance of the proposed dwellinghouse; (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; (4) Notwithstanding Condition (3) above, prior to the submission of the reserved matters application, the applicant shall consult with the Planning Authority regarding the details of the proposed development; (5) The design of the dwelling to be erected on site shall pay due regard to its location in the rural area and shall be of traditional design, with rendered external walls and the roof finished in slate or slate size tiles with the fenestration of the dwelling incorporating windows which are of timber construction and traditional sash and case appearance. All door and window openings shall incorporate smooth cement bands; (6) Any garage associated with the proposed dwellinghouse shall be either integral with the proposed dwelling, or, if divided from it, shall be of permanent construction, incorporating a pitched roof, and finished in materials to match the finishes of the proposed dwellinghouse; (7) 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; (8) The drainage requirements of the site shall be to the complete satisfaction of the Planning Authority; (9) Access to the site shall be taken via an access crossing to East Ayrshire Roads Division Standards

and to the satisfaction of the Planning Authority; (10) Visibility sightline splay areas of 2.5 metres by 90 metres shall be formed and maintained at the site access with no obstruction to visibility greater than 1 metre in height being allowed within these areas; (11) No surface water shall be allowed to discharge onto the public road; (12) The proposed access driveway shall be paved for a minimum distance of 5 metres from the edge of the public road; (13) Any access gates shall open inwards away from the public road; (14) The details of the proposed access arrangements to be submitted under Control 3(d) above shall include provision for a vehicle turning area within the plot; (15) The septic tank serving the proposed dwellinghouse shall be sited in such a manner as to allow easy access for emptying by tanker; Conditions (1) and (2) being imposed to comply with Section 59 of the Town and Country Planning (Scotland) Act 1997; Condition (3) as the approval is in outline only; Conditions (4), (5), and (6) in the interests of amenity; Condition (7) in the interest of public safety; Conditions (8) and (15) to ensure proper drainage of the site; Conditions (9), (10), (11) and (13) in the interests of public road safety; Condition (12) to avoid overcarry of loose material onto the public road in the interests of public road safety; and Condition (14) to allow vehicular access and egress from the site to be taken in forward gear in the interests of public road safety.

The Committee then heard objector, Mr D Love, who spoke in support of his objections, and the applicant, Mr Kelso, who spoke in support of the application, Members asked questions of the objector and the applicant and the applicant and the objector responded to the issues raised, all in accordance with the agreed Hearing procedure.

It was agreed to continue consideration of the application to a future meeting of this Committee in order that a site visit could take place.

5. APPLICATION NO 98/0181/FL: EDDIE HALL MOTOR ENGINEERS

There was submitted a report dated 12 May 1998 (circulated) by the Head of Planning and Building Control on an application for full planning consent for the change of use from Office and Storage to Commercial Garage and MOT Testing Station, at 42 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: Approval subject to the following conditions, Condition (13) being additional to those contained in the report:- (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 26 March 1998 as revised by the amended block plan received by the Planning Authority on 11 May 1998; (3) Notwithstanding the provisions of the Town and Country Planning (Use Classes) (Scotland) Order 1997, the use of the site shall be limited to the following purposes:- (1) The replacement of plugs, fuses and bulbs; (2) The repair or replacement of tyres; (3) Repair, routine work, maintenance and MOT testing of vehicles brought to the premises for these purposes but excluding:- (a) the making of any article or part of an article, or the altering, repairing, ornamenting, finishing, cleaning, washing, packing, causing or adapting for sale or breaking up or demolition of any article, except so far as may be relevant to the routine works of maintenance referred to above; (b) storage of

vehicles, or any other article, outside the buildings at any time permitted on the site; (c) the display outside the buildings at any time permitted on the site of new or second-hand vehicles; and (d) the sale of new or used vehicles; (4) Notwithstanding the provisions of the (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 as a commercial garage (Class 5) and the further express permission of the Planning Authority shall be required in respect of any other industrial use which falls within the same use class to the use hereby approved; (5) No storage of materials or articles shall take place on the premises outside a building; (6) Any loading and unloading of vehicles which may be required in connection with the use of the building and site shall take place within the curtilage of the site and at no time on the highway; (7) Prior to the operation of the proposed commercial garage, the applicant shall erect a boundary fence along the north-west boundary of the site, the details of which shall be submitted to the Planning Authority for approval; (8) The use hereby approved shall not be carried out before 0830 hrs and after 1800 hrs on Mondays to Fridays, before 0830 hrs and after 1300 hours on Saturdays. No work shall be undertaken on Sundays; (9) Prior to the commencement of operations on site, the applicant shall submit details of any signage to be erected on the building or within the forecourt to the Planning Authority for approval; (10) The applicant shall, within six months of the approval of this application, undertake repair and refurbishment works to the rear elevation of the existing premises, to the satisfaction of the Planning Authority; (11) The shared access shall be bituminously surfaced for a minimum distance of 2 metres from the rear of the public footway; (12) All vehicle parking must be accommodated within the site with parking provided at 1 space per service bay plus an additional two staff spaces; and (13) A vehicle turning area shall be provided within the site, 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 development is carried out in accordance with the approved details; Condition (3) in the interests of residential amenity; Condition (4) to enable the Planning Authority to retain control over the use of the site in the interests of residential amenity; Conditions (5) and (6) to safeguard the residential amenity of the area and in the interest of highway safety; Conditions (7), (8), (9) and (10) in the interests of residential amenity; Condition (11) to avoid breaking up the public footway at its boundary with the private access; Condition (12) to avoid interference with trunk road traffic; and Condition (13) in the interests of road safety to ensure that vehicles can enter and leave the site in a forward gear.

No objectors were present or represented and the applicant did not wish to speak.

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

6. APPLICATION NO 98/0037/FL: MR JAMES TEMPLETON

There was submitted a report dated 13 May 1998 (circulated) by the Head of Planning and Building Control on an application for full planning consent for the erection of a dwellinghouse on an area of land adjacent to the railway by Low Clews, Mauchline.

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 dwelling shall only be occupied by a person locally employed or locally last employed in agriculture, or in forestry, or a descendant of such person residing with him (or a widow, or widower, of such person); (3) The proposed development shall be carried out in accordance with the application form and plans submitted to the Planning Authority on 19 January 1998; (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 drainage of the site shall be to the satisfaction of the Planning Authority; (6) The proposed septic tank serving the dwellinghouse shall be sited in such a position as will enable it to be emptied by tanker; (7) Access to the proposed site shall be taken via a standard field access crossing to East Ayrshire Council's Roads Division standards and to the satisfaction of the Planning Authority; (8) Any roadside ditch or public utility apparatus shall be piped and protected under the proposed site access to the satisfaction of the Planning Authority; (9) The junction of the site access with the public road shall be bituminously surfaced for a distance of 6 metres from the edge of the public road; (10) Visibility sightline splay areas of 4.5 metres by 90 metres shall be provided and maintained at the site access with no obstruction to visibility greater than 1 metre in height being allowed within these areas; (11) No surface water shall be allowed to discharge onto the public road; (12) Two car parking spaces shall be provided within the plot; (13) Any access gates shall open inwards away from the public road and shall be set back a minimum of 6 metres from the edge of the public road; (14) A vehicle turning area shall be provided within the plot as shown on the approved plans; (15) Any proposed tree or shrub planting adjacent to the common boundary between the proposed plot and the adjacent railway line shall be planted in such a manner as to be located at a distance from the common boundary greater than the predicted mature height of such tree or shrub plantings; (16) Notwithstanding the submitted plans, the use of stone is not hereby approved and details/samples of the stone shall be submitted to and approved by the Planning Authority before any development commences on the site; (17) 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; Condition (1) being imposed to comply with Section 58 of the Town and Country Planning (Scotland) Act 1997; Condition (2) as the proposed development constitutes the construction of a dwellinghouse in the countryside which would otherwise be refused; Condition (3) to ensure that the development is carried out in accordance with the approved details; Conditions (4) and (15) in the interests of public safety; Conditions (5) and (6) to ensure proper drainage of the site; Conditions (7), (9), (10), (11) and (13) in the interest of public road safety; Condition (8) to protect existing road drainage systems and public utilities; Condition (12) in the interests of residential amenity; Condition (14) to allow access and egress from the site to be taken in forward gear in the interests of public road safety; and Conditions (16) and (17) in the interests of visual amenity.

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

7. APPLICATION NO 98/0161/FL: MR & MRS T GRAHAM

There was submitted a report dated 13 May 1998 (circulated) by the Head of Planning and Building Control on an application for full planning consent in respect of a proposed extension to form a new lounge, bedroom, kitchen, double garage and new access and bridge at Burnbank Cottage, Stair, by Mauchline.

The Senior Planning Officer reported that two letters of objection and one letter of representation 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 appearance of all materials to be used in the construction of the extension shall match the materials of the original building; (3) 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; (4) The garage shall not be used for commercial purposes, other than those being incidental to the occupant's enjoyment of this residential property; (5) Notwithstanding the submitted plans the following road alterations shall be carried out prior to the occupation of the extension all to satisfaction of the Planning Authority; (a) the existing access on the Mauchline Road to be closed off; (b) access to the site to be taken via a dropped kerb access crossing; (c) the access to be surfaced for a distance of 5 metres from the edge of the road to avoid overcarry of loose material onto the road; (d) The visibility sightline splay areas of 2 metres by 20 metres to be formed and maintained at the access with no obstruction greater than 1 metre in height allowed within these areas; (6) Notwithstanding the submitted plans, the double garage doors are not hereby approved, the proposed garage doors shall be side hung timber doors and details of their design shall be submitted to and approved by the Planning Authority before development commences on site; Condition (1) being imposed to comply with Section 58 of the Town and Country Planning (Scotland) Act 1997; Condition (2) in the interest of visual amenity; Condition (3) in the interest of public safety; Condition (4) to safeguard the residential amenity of the area; Condition (5) in the interests of road safety; Condition (6) in the interests of visual amenity.

Neither the objector nor the applicant were present or represented.

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

8. APPLICATION NO 98/0200/CA: TRUSTEES OF THE LATE R G MCINTYRE

There was submitted a report dated 11 May 1998 (circulated) by the Head of Planning and Building Control on an application for conservation area consent in respect of the demolition of a sawmill at Sorn Castle Estate, Sorn.

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 notification of Historic Scotland under the Planning (Listed Building and Conservation Areas) (Scotland) Act 1997, and 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) Where possible, all suitable stone and other materials shall be salvaged from the demolition material and set aside and stored for future use within Sorn Castle Estate; (3) All non-salvagable materials shall be permanently removed from the site and disposed of in a licensed

waste disposal facility, 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 provide a source of material for repair and maintenance of listed buildings or buildings within the Conservation Area of Sorn Castle Estate; Condition (3) in the interests of amenity.

It was agreed to approve the application subject to the conditions and for the reasons detailed, and subject to an additional condition to be imposed for the protection of a building of historic interest in the vicinity of the sawmill, the terms of which to be determined by the Head of Planning and Building Control.

9. APPLICATION NO 98/0127/FL: HOPE HOMES SCOTLAND LIMITED

There was submitted a report dated 14 May 1998 (circulated) by the Head of Planning and Building Control on an application for full planning consent for the erection of 15 houses at Manse Road, Ochiltree.

The Senior Planning Officer reported that three letters of objection and four letters of representation 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 2 March 1998 as revised by the site layout and front elevation plans received by the Planning Authority on 5 and 21 May 1998; (3) The following road alterations shall be carried out to the satisfaction of the Planning Authority; (a) The Manse Road along the frontage of the site to be widened to 5.5 metres and 2 metre footway to be provided; (b) Visibility sightline splay of 4.5 metres x 60 metres to be provided at the junction with Manse Road; (c) Four visitor car parking spaces to be provided; (4) Notwithstanding the submitted plans, the roof tiles, colour of the render, facing brick and pavements are not hereby approved and details/samples of roof tiles, colour of the render, facing brick and pavements shall be submitted to and approved by the Planning Authority before any development commences on the site; (5) 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; (6) The existing hedge along the southern boundary of the site shall be retained intact and maintained thereafter to the satisfaction of the Planning Authority; (7) The developer shall satisfy himself as to the stability of the site for construction purposes; (8) 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 on the dwellinghouses to which they relate; (9) Within six months of the completion or construction of the last dwellinghouse or within a period of 2 years from the commencement of development, whichever is the earlier, the developer shall complete all roads, footpaths and street lighting, including works required by condition 3 above, to adoptable standards to the complete satisfaction of the Planning Authority and the Roads Authority; (10) Notwithstanding the submitted plans the boundary wall at the entrance to the site is not hereby approved and details of an entrance feature shall be submitted to and approved by the Planning Authority before development commences on site; (11)

Details of the arrangements to be made for the maintenance of open space areas, and of the finished treatment of such areas, shall be submitted to and approved by the Planning Authority before the commencement of development. Such maintenance details shall extend to include the maintenance of retained hedging and trees; (12) Details of the arrangement to be made to prevent the transfer of surface water and/or soil or other material from the site onto adjoining property during the construction of the proposed houses shall be submitted to and approved by the Planning Authority before the commencement of development; 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 road safety; Conditions (4), (5), (6) and (10) in the interests of visual amenity; Condition (7) in the interests of public safety; Condition (8) in the interests of visual amenity; and Conditions (9), (11) and (12) in the interests of residential amenity.

The Committee then heard objectors Mr Ian Brown, Mrs H Russell and Mr Donald Hendry who spoke in support of their objections, and Mr Hope, the applicant who spoke in support of the application. Members asked questions of the objectors and the applicant. 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.

10. APPLICATION NO 98/0007/FL: MR A STEVENSON

There was submitted a report dated 12 May 1998 (circulated) by the Head of Planning and Building Control on an application for full planning consent for the construction of an additional fish pond, formation of a new private roadway, siting of a portacabin for sheltering purposes and the installation of security floodlighting and installation of a pump system at Shieldmains Farm, Coalhall.

The Senior Planning Officer reported that five letters of objection had been received, details of which were given in the report, gave details of a further letter received from the Salmon Fishery Board containing their revised objections to the application, 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, Conditions (13) and (14) being additional to those contained in the report:- (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 12 January 1998 as revised by the amended plans and water pump details received by the Planning Authority on 19 February 1998 and 30 March 1998; (3) Notwithstanding the submitted details, the new pond shall be filled when river flow rates are above Q95, ie greater than 160 litres/second and the topping up of the ponds shall not exceed 3.8 litres/second to the satisfaction of the Planning Authority; (4) A suitable guarding shall be provided at the abstraction point in order to protect resident fish, details of its design shall be submitted to and approved by the Planning Authority and shall be implemented before the fish pond is filled; (5) Notwithstanding the approved plans a passing place for vehicles shall be provided along the new access road, prior to the commencement of development and details of its location shall be submitted to and approved by the Planning Authority; (6) Notwithstanding the

approved plans, the existing access at the A70 shall be finished with bituminous material to prevent surface water from the site discharging onto the public road, prior to the commencement of development; (7) No excavated materials shall be removed from the site; (8) All car parking shall be provided within the site; (9) No commercial breeding of fish shall take place within the site; (10) The hours of operation of the proposed fishing pond facility shall be the same as those specified in the planning consent no CD/95/0016/DPP; (11) The portacabin shall be used for sheltering purposes only for anglers and the night watchman and it shall not be occupied as a dwellinghouse; (12) Prior to the commencement of development, a fish pass shall be constructed in the weir across the Water of Coyle, details of its location shall be submitted to and approved by the Planning Authority; (13) The bankings of the Water of Coyle surrounding the water pump system shall be reinforced to the satisfaction of the Planning Authority; and (14) The applicant shall implement measures to prevent anglers from throwing fish caught in the fishing pond into the Water of Coyle; 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 maintain the river flow levels and to avoid them being reduced to an unacceptable level, in the interests of public safety and amenity; Conditions (4) and (10) in the interests of the amenity; Conditions (5), (6) and (8) in the interests of road safety; Conditions (7) and (9) to enable the Planning Authority to retain control over the development of the site; Condition (11) as planning permission is granted for a portacabin; Condition (12) to allow the free movement of fish; and Conditions (13) and (14) in the interests of the amenity of the Water of Coyle.

The Committee then heard objector Mr Montgomery, who spoke in support of his objection, and the applicant's Agent and Mrs Stevenson who spoke in support of the application, all in accordance with the agreed Hearing procedure. Members asked questions of the objector and the applicant's Agent and Mrs Stevenson. The applicant's agent and Mrs Stevenson and the objector responded to the issues raised.

It was agreed to continue consideration of the application to a future meeting of this Committee, in order that a site visit could take place.

11. APPLICATION NO 97/0452/FL: MR A STEVENSON

There was submitted a report dated 12 May 1998 (circulated) by the Head of Planning and Building Control on an application for full planning consent for the temporary use of agricultural land for the storage of sand, stone, gravel and for engineering works to Water of Coyle, Shieldmains Farm, Coalhall.

It was agreed to defer consideration of the application to a future meeting of this Committee, in order that a site visit could take place.

The meeting terminated at 1645 hours.