

EAST AYRSHIRE COUNCIL

SOUTHERN LOCAL PLANNING COMMITTEE

**MINUTES OF MEETING HELD ON TUESDAY 17 FEBRUARY 1998 AT 1000
HOURS IN DALMELLINGTON COMMUNITY CENTRE, AYR ROAD,
DALMELLINGTON**

PRESENT: Councillors Eric Ross, James Kelly, George Smith, Jimmy Carmichael, Robert Taylor and John Smith.

ATTENDING: John Bryson, Area Roads Engineer; Bill Walkinshaw, Principal Administrative Officer; Pamela Clifford, Senior Planning Officer; and Ian Gemmell, Administrative Officer.

APOLOGIES: Councillors David Sneller, James Boyd, Tommy Farrell and Eric Jackson.

CHAIR: Councillor Eric Ross (Chair).

CONSIDERATION OF PLANNING APPLICATIONS

1.1 APPLICATION NO. 97/0655/FL: PROPOSED ERECTION OF DWELLINGHOUSE AT 42 TOWNHEAD, DALMELLINGTON: DAVID MILLAR (Item 1.7, Page 2834)

There was submitted a report dated 2 February 1998 (circulated) by the Head of Planning and Building Control on an application for full planning consent for the erection of a dwellinghouse at 42 Townhead, Dalmellington. It was noted that the Members present had examined the site prior to the meeting.

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, viz:- (1) that the development to which this permission relates must be begun within five years from the date of this permission; (2) that the proposed development shall be carried out in accordance with the application form and plans submitted on 29 August 1997 as revised by the amended plans received by the Planning Authority on 20 January 1998; (3) that notwithstanding the plans hereby approved, the developer shall ensure the provision of the following prior to the occupation of the dwelling:- (i) a standard driveway access crossing to East Ayrshire Roads Standards; (ii) a boundary wall either side of the access of a height less than one metre; and (iii) two parking spaces for the new dwelling and one for the existing property. In addition, no water must be allowed to discharge onto a public road and any gates will require to open inwards; (4) that notwithstanding the plans hereby approved, the use of Marley Modern mock bond concrete tiles are not hereby approved. Details of a good quality substitute slate tile shall be submitted and approved prior to the commencement of the dwelling; (5) that notwithstanding the plans hereby approved, the developer shall ensure the retention of the boundary wall along the Castle Street frontage of the site, with the exception of that part of the wall required to be removed for vehicular access and sightline requirements. The developer shall also ensure the retention of the existing hedge along the access lane on the eastern boundary of the site; and (6) that notwithstanding the submitted plans, details of the design and construction of all new 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. Details to be submitted shall include the provision of a 1.8m high close boarded wooden fence along the rear boundary of the site with No. 40 Townhead, Dalmellington. Note: The developer must contact West of Scotland Water Authority for permission to connect to the public sewerage system and public water mains. 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; Condition (3) in the interest of highway safety; Condition (4) in the interest of visual amenity; Condition (5) in the interest of visual amenity and to retain the character of the Dalmellington Conservation Area; and Condition (6) in the interest of residential amenity.

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

1.2 APPLICATION NO. 97/0909/OL: PROPOSED ERECTION OF DWELLINGHOUSE AT MILLBRAE, DRONGAN: S WILSON

There was submitted a report dated 4 February 1998 (circulated) by the Head of Planning and Building Control on an application for outline planning consent for the erection of a dwellinghouse at Millbrae, Drongan.

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) that the proposed development is considered contrary to Policy CAT1A of the Strathclyde Structure Plan which states that proposals for development within the Countryside Around Towns will require to be justified on the basis of specific locational need and no such justification has been established; (2) that the proposed development is contrary to Policy RES 16 of the Adopted Mauchline/Drongan/Ochiltree Local Plan and Policy RES 13 of the Finalised Cumnock and Doon Valley District Wide Local Plan which states that in areas designated as Countryside Around Towns there will be a presumption against residential and other developments in the countryside, except where there is a proven, specific locational need. No specific locational need has been proven; (3) that the proposed development is contrary to both the Council's Development Control policy on Residential Development in the Countryside appended to the Finalised Cumnock and Doon Valley District Wide Local Plan and to the "Roads Development Guide", because the proposed access is unacceptable in terms of highway safety as the achievable visibility splays at the site are considered inadequate; and (4) that if permitted, this proposal would set an undesirable precedent for future development in this area which would eventually result in the ribboning out of development from the western side of the village of Drongan to the detriment of the amenity of the locality.

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

1.3 APPLICATION NO. 97/0608/FL: PROPOSED ERECTION OF ONE AND A HALF STOREY DWELLINGHOUSE, MAIN STREET, SORN

There was submitted a report dated 4 February 1998 (circulated) by the Head of Planning and Building Control on an application for full planning consent in respect of the erection of a one and half storey dwellinghouse at Main Street, Sorn.

The Senior Planning Officer reported that one petition containing 39 signatures and one individual letter, both objecting to the proposed development, 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) that the development to which this permission relates must be begun within five years from the date of this permission; (2) that the proposed development shall be carried out in accordance with the application form received on 18 August 1997 and the amended plans received by the Planning Authority on 21 January 1998; (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) that no trees shall be felled, lopped or have roots cut on the site without the written consent of the Planning Authority; (5) that the windows and doors of proposed dwellinghouse shall be of timber construction; (6) that the drainage of the site shall be to the complete satisfaction of the Scottish Environment Protection Agency and the Planning Authority, with effluent from the site being discharged to the River Ayr via a partial soakaway and with the outlet constructed such that it is submerged at times of low flow in the river; (7) that the vehicular access to the site shall be to the requirement and satisfaction of the Roads Division and the Planning Authority; (8) that the access shall be taken from a footway crossing to East Ayrshire Council's Roads Division specifications and to the satisfaction of the Planning Authority; (9) that two off-street car parking spaces shall be provided within the development site; (10) that the access shall be paved for a minimum distance of two metres as measured from the heel of the public footpath; (11) that any access gates shall open inwards away from the public road; and (12) that the consent hereby granted shall not be implemented in advance of the issue of listed building consent for the formation of an access through the front boundary wall. Note: Separate listed building consent will be required for the partial demolition of the front boundary wall of the site, this forming part of the curtilage of the Category B Listed Sorn School. Condition (1) being imposed to comply with Section 38 of the Town and Country Planning (Scotland) Act 1972; Condition (2) to ensure that development is carried out in accordance with the approved details; Condition (3) in the interest of public safety; Condition (4) in the interest of visual amenity; Condition (5) in the interests of retention of the character and amenity of Sorn Conservation Area; Condition (6) to ensure proper drainage of the site; Conditions (7) and (8) in the interests of public road safety; Condition (9) in the interests of residential amenity; Conditions (10) and (11) in the interests of public road safety; and Condition (12) the grant of listed building consent for an access is a pre-requisite of the appropriate implementation of this planning consent.

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

1.4 APPLICATION NO. 97/0862/FL: CHANGE OF USE OF OUTBUILDING TO FORM DWELLINGHOUSE AT REAR OF CRONBERRY STOP RESTAURANT, A70 CUMNOCK-MUIRKIRK ROAD, CRONBERRY

There was submitted a report dated 2 February 1998 (circulated) by the Head of Planning and Building Control on an application for full planning permission in respect of the change of use of an outbuilding to form a dwellinghouse at the rear of Cronberry Stop Restaurant, A70 Cumnock-Muirkirk Road, Cronberry.

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, viz:- (1) that the development to which this permission relates must be begun within five years from the date of this permission; (2) that the proposed development shall be carried out in accordance with the application form received on 21 November 1997 and the amended plans received by the Planning Authority on 11 December 1997; (3) that prior to commencement of works commencing on site, the developer shall provide a sample of the roof tile to be used in the roof finish of the proposed dwellinghouse to the Planning Authority for approval; (4) that the existing iron railings, which divide the access to the former schoolhouse with access to the Cronberry Stop, shall be removed for a distance of at least ten metres and the surfacing reinstated to the satisfaction of the Planning Authority; (5) that access to the site shall be taken via a single minor commercial access crossing to East Ayrshire Council's Roads Division standards and to the satisfaction of the Planning Authority; (6) that two off road parking spaces shall be provided for the proposed dwellinghouse; (7) that no surface water from the development shall be allowed to discharge onto the public road; and (8) that the foul drainage arrangements for the site shall be to the requirements of the Scottish Environment Protection Agency and to the satisfaction of the Planning Authority. Condition (1) being imposed to comply with Section 38 of the Town and Country Planning (Scotland) Act 1972; Condition (2) to ensure that development is carried out in accordance with the approved details; Condition (3) in the interests of amenity; Condition (4) to rationalise access to the site in the interests of public road safety; Conditions (5), (6) and (7) in the interests of public road safety; and Condition (8) to ensure proper drainage of the site.

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

The meeting terminated at 1010 hours.