

EAST AYRSHIRE COUNCIL**NORTHERN AREA LOCAL PLANNING COMMITTEE****MINUTES OF MEETING HELD ON FRIDAY 14 APRIL 2000 AT 1000 HOURS IN
DARVEL TOWN HALL, EAST MAIN STREET, DARVEL**

PRESENT: Councillors David Macrae, Kathleen Hall, Ann Hay, Stephanie Young, Jim Raymond, Finlay MacLean and Robert McDill.

ATTENDING: Dave Morris, Development Promotion Manager (Development Services); David Mitchell, Principal Solicitor (Chief Executive's); Julie Armstrong, Senior Administrative Officer (Corporate Services); and Gillian Hamilton, Administrative Officer (Corporate Services).

APOLOGIES: Councillors Brian McNeil and Harry Wilson.

CHAIR: Councillor David Macrae, Chair.

CONSIDERATION OF PLANNING APPLICATIONS**1.1 PROCEDURE**

The Chair established that the Hearing procedure was understood by all participants.

1.2 APPLICATION NO 96/0333/OL: MR A PATERSON

There was submitted an executive summary sheet and report dated 5 April 2000 (both circulated) by the Head of Planning and Building Control on an outline planning application for proposed residential development and formation of serviced residential site including removal of former railway embankment and provision of roads and services including improvement to A71 junction at Low Greenbank - Phase 3, East Main Street, Darvel.

It was noted that members of the Committee had attended a site visit in respect of this application prior to the meeting.

The Development Promotion Manager reported (a) the receipt of 46 letters of objection, including one from a consultee, details of which were contained within the report and (b) on an extension to Condition (4) of the report regarding details of the structural stability of the former railway embankment, namely the addition of condition (j); summarised the planning considerations in respect of the application and gave the recommendations of the Head of Planning and Building Control: (i) Approval, subject to the following conditions, viz:- (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 proposed development shall be carried out in accordance with the application form and plan submitted on 1 August 1996 as revised by the location plan and road layout plans received by the Planning Authority on 2 February 2000; (4) the further approval of the Planning Authority shall be obtained in respect of the undermentioned matters hereby reserved. The development of each individual plot shall not commence until all these reserved matters have been approved, with the exception of those matters

entirely within the other plots on the site: (a) the overall site layout/the internal layout of the house plots; (b) the size, height, design and external appearance of the proposed dwellinghouse(s); (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; and (j) the grading of the retained elements of the embankment in a safe manner; (5) prior to the commencement of development, details shall be submitted to and approved by the Planning Authority showing the provision of steps and railings down the slopes of the embankment and also allowing for the continuation at all times of the walking route currently running along the embankment. The details shall confirm the manner of linkage to the proposed new footpath and they shall be implemented prior to the commencement of development on site such that there is no break in the availability of the walking route; (6) the details to be submitted further to Condition 4 shall include full details of all measures to be taken by the developer to safeguard the application site from flooding. These details shall confirm that it is feasible to reduce to an acceptable level, the possibility of the site itself flooding. They shall also clearly preclude any possibility of the development or associated flood prevention measures causing an increased potential for flooding on land outwith the site; (7) the foul drainage shall be connected to the public sewer; (8) the initial area of cutting as indicated on the plans received on 2 February 2000 shall provide infill for the area identified in Drawing Nos. A2303/101 and A2303/103. No further material comprised within the existing embankment shall be moved off or within the site until details have been submitted to and approved by the Planning Authority confirming the manner and extent of operations in that respect; (9) levels of parking throughout the proposed development shall be in accordance with East Ayrshire Roads Division's Guidelines; (10) notwithstanding the submitted plan and prior to the commencement of any other development on site, the visibility splay areas of 4.5m x 90m west bound and 4.5m x 80m east bound shall be provided at the junction of the access to the development with the public road with no obstruction to visibility greater than 1m in height being allowed within these areas; and (11) prior to any development proceeding a 2m footway shall be installed to Roads Division standard from the existing junction of George Young Drive with East Main Street, to the bus terminal west of the junction: Conditions (1) and (2) being imposed to comply with Section 59 of the Town and Country Planning (Scotland) Act 1997; Condition (3) to ensure that the development is carried out in accordance with the approved details; Condition (4) the approval is in outline only; Condition (5) in the interests of public and road safety and to maintain the existing walking route; Condition (6) to ensure that any potential flooding problems caused by this proposed development are adequately addressed and mitigated; Condition (7) in the interest of public safety; Condition (8) in the interests of road safety and visual amenity; and Conditions (9), (10) and (11) in the interest of road safety; and (ii) that Planning consent shall not be issued until a formal Agreement under Section 75 of the Town and Country Planning (Scotland) Act 1997 had been satisfactorily concluded by the Solicitor to the Council with the applicants. Such an agreement shall secure the details referred to in Section 8 of the report.

The Committee then heard Mr Mair, Mr Cox, Mr Greig and Mr Quigley, objectors, in support of their objections. The applicant having been given the opportunity, declined to speak all in accordance with the Hearing Procedure. The Development Promotion Manager provided further comment on the issues raised.

Councillor McDill, seconded by Councillor Young moved that the application be refused on the grounds that the proposed development would be detrimental to the visual amenity of the area.

Councillor Macrae, seconded by Councillor Raymond moved as an amendment that (i) the application be approved subject to the conditions and for the reasons detailed; and (ii) Planning Consent shall not be issued until a formal agreement under Section 75 of the Town and Country Planning (Scotland) Act 1997 had been satisfactorily concluded by the Solicitor to the Council with the applicants. Such an agreement shall secure the details referred to in Section 8 of the report.

On a division of a show of hands, the motion was by carried by 5 votes to 2.

Councillors Macrae and Raymond dissented from the decision.

1.3 APPLICATION NO 99/0782/FL: MR A PATERSON

There was submitted an executive summary sheet and report dated 5 April 2000 (both circulated) by the Head of Planning and Building Control on a full planning application for proposed conversion, extension and alternations to outbuildings to form 6 dwellings and alterations/extensions to existing farmhouse at East Heads Farm, by Newmilns.

The Development Promotion Manager reported the receipt of two letters of objection, details of which were contained within 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 plans submitted on 22 October 1999 as revised by the plan of the main building as existing received by the Planning Authority on 25 January 2000 and the block plan, building B, elevations - Buildings C-G, ground floor plan - Buildings C-G received by the Planning Authority on 10 March 2000. The proposed development shall also be in accordance with the letter dated 21 March 2000 and the structural report received by the Planning Authority on 28 January 2000; (3) the passing places indicated on the attached location plan shall be constructed to Roads Division standard and shall be completed prior to the use hereby approved commencing. A Roads Construction Consent shall be obtained prior to commencement of any work on site; (4) notwithstanding the submitted plans visibility splay areas of 2.5 metres by 70 metres shall be provided at the junction of the access to the development with the public road with no obstruction to visibility greater than 1 metre in height being allowed within these areas; (5) the first 2 metres of each access shall be surfaced in order to prevent deleterious materials being deposited onto the public road; (6) notwithstanding the plan(s) hereby approved, any septic tank provided to serve the development shall be sited in such a position as will enable it to be emptied by the tanker; (7) the foul drainage discharge shall comply with the terms of the Control of Pollution Act 1974; (8) this approval relates to the extension, alteration and conversion of a farmhouse and outbuildings to form dwellinghouses and not to the erection of new dwellinghouses in the countryside; (9) the formation of windows and doors shall be undertaken in such a manner as to ensure the retention of the remainder of the existing walls to at least eaves level; (10) the developer shall contact the Head of Planning and Building Control immediately upon completion of all downtakings and PRIOR to the commencement of any new building works; this to enable an inspection of the site.

Further works shall recommence only once this inspection has taken place; (11) notwithstanding the submitted plans the mullions on the ground floor windows shall be constructed and finished in the same material and shall share the same plane as the house walls; (12) notwithstanding the plan(s) hereby approved the roof shall be covered in natural slates; and (13) notwithstanding the submitted plans the private open space allowance for Unit D shall be increased by 20 sq m. This increase for Unit D shall not be to the detriment of the required open space allowances for the other units: 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; Conditions (3), (4) and (5) in the interest of road safety; Conditions (6) and (7) in the interest of public safety; Condition (8) to ensure that the development relates to the conversion, rather than the new construction of dwellinghouses; Conditions (9) and (10) to ensure that the development relates to the rehabilitation, rather than the new construction of dwellinghouses; Conditions (11) and (12) in the interests of visual amenity; and Condition (13) in the interest of residential amenity.

The Committee then heard Mrs Cameron, objector, in support of her objections and Mr Paterson, the applicant, in support of the application, all in accordance with the Hearing Procedure. The Development Promotion Manager provided further comment on the issues raised.

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

1.4 APPLICATION NO 99/0447/FL: DR AND MRS J BEITH

There was submitted an executive summary sheet and report dated 5 April 2000 (both circulated) by the Head of Planning and Building Control on a full planning application for proposed erection of dwellinghouse at 46 Main Road, Fenwick.

It was agreed to defer consideration of the application to a future Committee to allow members the opportunity to attend a site visit.

1.5 APPLICATION NO 00/0169/AD: PRIMELIGHT ADVERTISING LTD

There was submitted an executive summary sheet and report dated 5 April 2000 (both circulated) by the Head of Planning and Building Control on an application for advertisement consent for proposed erection of one wall mounted advertising display unit at 2 Grougar Road, Crookedholm.

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 proposed sign would have detrimental effect on the visual amenity and general character of the area and would represent an inappropriate, unnecessary and overprominent form of signage; and (2) the proposed sign would represent an over-proliferation of advertisements at the application site to the detriment of the building itself and the surrounding area.

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

The meeting terminated at 1050 hours.