

EAST AYRSHIRE COUNCIL**SOUTHERN LOCAL PLANNING COMMITTEE****MINUTES OF SPECIAL MEETING HELD ON MONDAY 16 MARCH 1998 AT 1500 HOURS IN DRONGAN COMMUNITY CENTRE, MILMANNOCH AVENUE, DRONGAN**

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

ATTENDING: David Morris, Development Promotion Manager, Ken Robinson, Principal Administrative Officer and Ian Gemmell, Administrative Officer.

APOLOGIES: Councillors Sneller, Boyd and Jackson.

CHAIR: Councillor Eric Ross (Chair).

CONSIDERATION OF PLANNING APPLICATIONS**1.1 APPLICATION NO 97/0862/FL: MRS F AHMED (Item 1.4, Page 2993)**

There was re-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 change of use of an outbuilding to form a dwellinghouse at the rear of Cronberry Stop Restaurant, A70 Cumnock-Muirkirk Road, Cronberry. It was noted that the Members present had examined the site prior to the meeting.

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) 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 received on 21 November 1997 and the amended plans received by the Planning Authority on 11 December 1997; (3) 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) 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 10 metres and the surfacing re-instated to the satisfaction of the Planning Authority; (5) 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) Two off road parking spaces shall be provided for the proposed dwellinghouse; (7) No surface water from the development shall be allowed to discharge onto the public road; (8) 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 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; 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 approve the application subject to the conditions and for the reasons detailed.

1.2 APPLICATION NO 97/0608/FL: MISS E APLEYARD (Item 1.3, Page 2992)

There was re-submitted a report dated 4 February 1998 (circulated) by the Head of Planning and Building Control on an application for full planning consent for the erection of a one and a half storey dwellinghouse at Main Street, Sorn. It was noted that the Members present had examined the site prior to the meeting.

The Development Promotion Manager reported that one petition containing 39 signatures and one individual letter, 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) 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 received on 18 August 1997 and the amended plans received by the Planning Authority on 21 January 1998; (3) That prior to commencement of works on the site, the applicant shall satisfy himself as to the suitability of the site for construction purposes; (4) No trees shall be felled, lopped or have roots cut on the site without the written consent of the Planning Authority; (5) The windows and doors of proposed dwellinghouse shall be of timber construction; (6) 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) The vehicular access to the site shall be to the requirements and satisfaction of the Roads Division and the Planning Authority; (8) 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) Two off-street car parking spaces shall be provided within the development site; (10) The access shall be paved for a minimum distance of 2 metres as measured from the heel of the public footpath; (11) Any access gates shall open inwards away from the public road; (12) 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; 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; 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; Condition (12) the grant of listed building consent for an access is a pre-requisite of the appropriate implementation of this planning consent.

The Committee then heard the objector, Mr McMahon, who spoke in support of his objections. The applicant's Agent was present at the meeting but did not speak.

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

1.3 APPLICATION NO 97/0909/0L: MR S WILSON (Item 1.2, Page 2992)

There was re-submitted a report dated 4 February 1998 (circulated) by the Head of Planning and Building Control on an outline planning application for the erection of a dwellinghouse at Millbrae, Drongan. It was noted that the Members present had examined the site prior to the meeting.

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 development was considered contrary to Policy CAT1A of the Strathclyde Structure Plan which stated that proposals for development within the Countryside Around Towns would require to be justified on basis of specific locational need and no such justification had been established; (2) The proposed development was 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 stated that in areas designated as Countryside Around Towns there would be a presumption against residential and other developments in the countryside, except where there was a proven, specific locational need. No specific locational need had been proven; (3) The proposed development was 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 was unacceptable in terms of highway safety as the achievable visibility splays at the site were considered inadequate; and (4) 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.

The Committee noted a verbal report by the Development Promotion Manager that a letter had been received from Drongan Community Council, withdrawing their original letter of representation and now stating that it would be wrong to refuse the application as the whole character of the area had changed in a short time, and that the site was close to an area designated for development.

It was agreed to refer the application to the Development Services Committee with the recommendation for approval for the reasons (i) that the medical grounds submitted by the applicant constituted a specific locational need and was not therefore contrary to policy; and (ii) that the Roads policy in respect of access visibility splays should not be applicable as in this case the use of an existing access was involved.

The meeting terminated at 1600 hours.