

EAST AYRSHIRE COUNCIL**SOUTHERN LOCAL PLANNING COMMITTEE****MINUTES OF MEETING HELD ON FRIDAY 20 NOVEMBER 1998 AT 1000 HOURS
IN DALRYMPLE COMMUNITY CENTRE, BARBIESTON ROAD, DALRYMPLE**

PRESENT: Councillors Eric Ross (Chair), Jimmy Boyd, George Smith, Jimmy Carmichael, Robert Taylor, John Smith and Eric Jackson.

ATTENDING: Alan Neish, Head of Planning and Building Control; Ken Robinson, Principal Administrative Officer; Pamela Clifford, Senior Planning Officer; Stuart Norval, Senior Engineer (Roads); and Ian Gemmell, Administrative Officer.

APOLOGIES: Councillors James Kelly, David Sneller and Tommy Farrell.

CHAIR: Councillor Eric Ross, Chair.

CONSIDERATION OF PLANNING APPLICATIONS**1. APPLICATION NO. 98/0238/FL: HOPE HOMES SCOTLAND**

There was submitted a report dated 10 November 1998 (circulated) by the Head of Planning and Building Control on an application for full planning consent for the erection of ten houses and the construction of traffic calming measures at Primpton Avenue, Dalrymple (amended plans). It was noted that a site visit had taken place prior to the meeting.

The Senior Planning Officer reported that letters of objection had been received from one objector, 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 16 April 1998 as revised by the site plan received by the Planning Authority on 19 October 1998; (3) Prior to the occupation of any houses, the developer shall ensure provision of an appropriate vehicular access to the site. This access shall be taken from Primpton Avenue via a standard minor commercial access crossing to East Ayrshire Council's Roads Division standards 5.5 metres wide (or 4.5 metres wide with a separate pedestrian access) 25 metres from the channel of the B742 as indicated on the approved plan. Details of the construction depths for the access shall be submitted for approval; (4) Prior to the occupation of the third house, the developer shall implement the following traffic calming measures to the satisfaction of East Ayrshire Council's Roads Division and Planning Authority:- (a) two pinch points along Primpton Avenue, details of their design and construction shall be submitted to, and approved by, the Planning Authority; and (b) a red coloured texture flex area (5 metres in length) on the carriageway at the entry to Primpton Avenue; (5) Prior to the occupation of the houses, the 23 car parking spaces shall be delineated on site, and details of this shall be submitted to, and approved by, the Planning Authority. The parking area shall be hard landscaped; (6) Prior to the occupation of the houses, details of the lighting of the courtyard area shall be submitted to, and approved by, the Planning Authority; (7) No surface water shall be allowed to discharge onto the

public road; (8) Sightlines at the access point shall be 2m x 30m with no object greater than one metre in height being allowed within these areas; (9) Prior to the commencement of works on the site, the applicant shall satisfy himself as to the suitability of the site for construction purposes; (10) 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; and (11) A landscaping scheme, including the treatment of the boundary of the site, shall be submitted to, and approved by, the Planning Authority prior to commencement of any development and shall be implemented not later than the next appropriate planting season after the development has been carried out. 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 prevent planning consent being granted for a development which has no appropriate vehicular access; Condition (4) to allow a reduction in the visibility splay requirement to 2m x 30m due to reduced vehicle speeds on Primpton Avenue; Condition (5) in the interests of road safety and visual amenity; Condition (6) in the interests of visual amenity; Conditions (7) and (8) in the interests of road safety; Condition (9) in the interest of public safety; Condition (10) in the interests of visual amenity; and Condition (11) to ensure that adequate provision of public open space is provided, to an adequate standard, and that it is subsequently maintained, in the interest of residential and visual amenity.

The Committee then heard the objector, Mr Crawford, who spoke in support of his objections, and the applicant, Mr Hope, 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 approve the application, subject to the conditions and for the reasons detailed.

2. APPLICATION NO. 98/0641/FL: MR AND MRS McTAGGART

There was submitted a report dated 10 November 1998 (circulated) by the Head of Planning and Building Control on an application for full planning consent for the erection of a conservatory at 16 Main Street, Dalrymple.

The Senior Planning Officer reported that two letters of objection had been received (one of which had been withdrawn), 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; and (2) The proposed development shall be carried out in accordance with the application form and plans submitted on 24 September 1998 and the timber fence details submitted to the Planning Authority on 2 November 1998. Condition (1) being imposed to comply with Section 58 of the Town and Country Planning (Scotland) Act 1997; and Condition (2) to enable the Planning Authority to retain control over the future development of the site in the interests of residential amenity.

It was noted that neither the objectors nor the applicant were present.

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

3. APPLICATION NO. 98/0662/OL: RPS CAIRNS

There was submitted a report dated 5 November 1998 (circulated) by the Head of Planning and Building Control on an application for outline planning consent in respect of a proposed residential development at Site 2, Carnshalloch Avenue, Patna.

The Senior Planning Officer reported that three 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:- (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 dwellinghouses; (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; and (i) finished site levels/floor levels; (4) The details to be submitted under Condition 3(d) shall include the following road alterations:- (a) access to the site to be taken via a standard driveway access crossing to East Ayrshire Council's Roads Division standards with visibility splays of 2 x 20m and no object greater than 1m in height allowed within these areas; (5) 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; and (6) The details to be submitted further to Condition 3 above shall be such as to preclude any flooding of adjacent properties by reason of displacement of surface or other water. 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; Condition (4) in the interests of road safety; Condition (5) in the interest of public safety; and Condition (6) in the interests of residential amenity.

It was noted that Mr W Gill, an objector, was present, but did not wish to speak.

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

4. APPLICATION NO. 98/0501/OL: MR S WILSON

There was submitted a report dated 6 November 1998 (circulated) by the Head of Planning and Building Control on an application for outline planning consent for the provision 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:- (1) 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 insufficient such justification has been established; (2) 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 development in the countryside, except where there is a proven specific locational need. Insufficient specific locational need has been provided; and (3) 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 refer the application to the Development Services Committee under the Scheme of Delegation, with a recommendation for approval as the proposal was not contrary to policy as sufficient specific locational need had been established, and would not set an undesirable precedent as the proposal would not lead to ribboning out of development.

5. APPLICATION NO. 98/0642/FL: MR H STOLTE

There was submitted a report dated 5 November 1998 (circulated) by the Head of Planning and Building Control on an application for full planning consent for the proposed change of use from agricultural land to garden ground and the erection of a 1.8m high boundary fence at 6 Torhill Cottages, Muirkirk.

The Senior Planning Officer reported that two letters of objection had been received from one person, 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; and (2) Notwithstanding the approved plans, no object greater than one metre in height shall be erected within 2.5m of the edge of the public road carriageway. Condition (1) being imposed to comply with Section 58 of the Town and Country Planning (Scotland) Act 1997; and Condition (2) in order to preserve visibility sightlines in the interests of public road safety.

It was noted that the applicant, Mr H Stolte was present but did not wish to speak.

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

6. APPLICATION NO. 98/0669/OL: RPS CAIRNS

There was submitted a report dated 5 November 1998 (circulated) by the Head of Planning and Building Control on an application for outline planning consent in respect of a proposed residential development on land at Kingsway, Barshare, Cumnock.

The Senior Planning Officer reported that two letters of objection, and a petition signed by 50 persons, 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) 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 dwellinghouses; (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; and (i) finished site levels/floor levels; and (4) Prior to the commencement of works on the site, the applicant shall satisfy himself as to the suitability of the site for construction purposes. 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; and Condition (4) in the interest of public safety.

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

7. APPLICATION NO. 98/0670/0L: RPS CAIRNS

There was submitted a report dated 10 November 1998 (circulated) by the Head of Planning and Building Control on an application for outline planning consent in respect of a residential development at Drumbrochan, Muirkirk Road/Holland Crescent, Cumnock.

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) 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(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; and (i) finished site levels/floor levels; (4) The details to be submitted under Condition 3(d) shall include the following road alterations:- (a) a two metre footway to be provided across the frontage of the site adjacent to the A70; (5) 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; and (6) There shall be no commencement of development on site before there has been provided a right turn lane to be taken off the A70 Muirkirk Road within the 30mph traffic restriction area, to facilitate access to the site. 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) and (6) in the interests of road safety; and Condition (5) in the interest of public safety.

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

8. APPLICATION NO. 98/0035/LB: MR D GIBSON

There was submitted a report dated 10 November 1998 (circulated) by the Head of Planning and Building Control on an application for Listed Building Consent for the demolition of the Rear Hall at Lugar Institute, Muirkirk Road, Lugar.

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 Listed Buildings and Buildings in Conservation Areas (Scotland) Regulations 1987, and 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) Following demolition of the rear hall and the adjacent boiler house structure, all salvageable stone shall be retained and stored for future use in the repair and restoration of the remaining part of the Lugar Institute building; (3) All other non-salvageable materials and debris resulting from the demolition of the rear hall shall be removed from the site and disposed of in a licensed waste disposal facility, to the satisfaction of the Planning Authority; (4) The applicant shall secure any openings in the remaining part of the Institute building resulting from the demolition of the rear hall, to the satisfaction of the Planning Authority; and (5) The existing watercourse which lies within the application site shall be kept free of demolition material at all times to the satisfaction of the Planning Authority. Condition (1) being imposed to comply with Section 54A of the Town and Country Planning (Scotland) Act 1972; Condition (2) to provide suitable materials for any future restoration proposals for the Institute building in the interests of preserving the character of the building; Condition (3) in the interests of amenity; Condition (4) to make the listed building secure, wind and watertight to prevent further deterioration of the building; and (5) to prevent pollution of the watercourse.

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

Arising from discussion of the above item, it was noted that a report on the parking facilities in Lugar would be submitted to the appropriate Committee of the Council.

9. APPLICATION NO. 98/0674/OL: RPS CAIRNS

There was submitted a report dated 5 November 1998 (circulated) by the Head of Planning and Building Control on an application for outline planning consent in respect of a proposed residential development on land at Lugar, Braehead Place/Muirkirk Road, Lugar.

The Senior Planning Officer reported that one letter 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:- (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 dwellinghouses; (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; and (i) finished site levels/floor levels; (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; and (5) The details to be submitted under Condition 3(d) shall allow no vehicle access to be permitted to individual properties off A70 Muirkirk Road. 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; Condition (4) in the interest of public safety; and Condition (5) in the interests of road safety.

It was noted that neither the objector nor the applicant were present.

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

10. APPLICATION NO. 98/0586/RM: MR JOHN KELSO

There was submitted a report dated 10 November 1998 (circulated) by the Head of Planning and Building Control on a Reserved Matters planning application in respect of the erection of a new bungalow and garage at Birnieknowe, Auchinleck.

The Senior Planning Officer reported that two separate letters of objection from the same objector 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) Access to the site shall be taken via an access crossing to East Ayrshire Council's Roads Division standards and to the satisfaction of the Planning Authority; (2) Visibility sightline splay areas of 2.5 metres x 90 metres shall be formed and maintained at the access, with no obstruction to visibility greater than one metre in height being allowed within these areas; (3) No surface water shall be allowed to discharge onto the public road C22; (4) The access driveway shall be paved for a minimum distance of five metres from the edge of the public road C22; (5) Any access gates shall open inwards away from the public road C22 and shall be set back a minimum distance of six metres from the edge of the carriageway; (6) A vehicle turning area shall be provided within the site to allow access to and egress from the site to be taken in forward gear; (7) No construction works shall be commenced on the proposed dwellinghouse until the verge regrading works and access junction requirements have been fully implemented to the complete satisfaction of East Ayrshire Council's Roads Division and the Planning Authority; and (8) Prior to works commencing on site, the developer shall submit samples of the external wall render and roof finish materials to the Planning Authority for approval. Conditions (1), (2), (3), (5), (6) and (7) in the interests of public road safety; Condition (4) to avoid any overcarry of loose material onto the public road in the interests of public road safety; and Condition (8) in the interests of amenity.

The Committee then heard objector, Mr Dane Love, who spoke in support of his objections, and Mr J Kelso, the applicant, 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 approve the application, subject to the conditions and for the reasons detailed.

11. APPLICATION NO. 98/0578/FL: MR G BELL

There was submitted a report dated 10 November 1998 (circulated) by the Head of Planning and Building Control on an application for full planning consent in respect of the erection of four houses at Haugh Road, Mauchline.

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.

12. APPLICATION NOS. 98/0533/FL AND 98/0568/LB: LFK INVESTMENTS LIMITED

There was submitted a report dated 4 November 1998 (circulated) by the Head of Planning and Building Control presenting jointly for consideration, an application for full planning consent and an application for Listed Building consent in respect of the proposed re-roofing of a building using Marley Clansman slates at Nether Catrine House, Newton Street, Townhead, Catrine.

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 1100 hours.