

**EAST AYRSHIRE COUNCIL****SOUTHERN LOCAL PLANNING COMMITTEE****MINUTES OF MEETING HELD ON FRIDAY 24 SEPTEMBER 1999 AT 1000 HOURS IN PATNA COMMUNITY CENTRE, DOONSIDE AVENUE, PATNA**

**PRESENT:** Councillors Jimmy Kelly, Eric Jackson, Julie Faulds, William Menzies, Provost Jimmy Boyd and Councillors Eric Ross, Elaine Dinwoodie, Robert Taylor and Jimmy Carmichael.

**ATTENDING:** Roddy Wallace, Head of Administration; David Morris, Development Promotion Manager; Pamela Clifford, Senior Planning Officer; and Ian Gemmell, Administrative Officer.

**APOLOGIES:** Councillors Tommy Farrell and George Smith.

**CHAIR:** Councillor Jimmy Kelly, Vice-Chair.

**CONSIDERATION OF PLANNING APPLICATIONS****1. APPLICATION NO 99/0071/0L: HOPE HOMES (SCOTLAND) (Item 9. Page 237, 99/02)**

There was re-submitted a report dated 17 August 1999 (circulated) by the Head of Planning and Building Control on an application for outline planning consent in respect of a proposed plot for a house at 72 Main Street, Patna.

It was noted that Members of the Committee had attended a site visit prior to the meeting.

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: Refusal for the following reasons:- (1) The proposed development is to be serviced by a substandard access track and is therefore contrary to East Ayrshire Council's Roads Division policy which requires the provision of an access road, footpaths and streetlighting to Roads Division standards when servicing 3 or more dwellings; (2) The proposed development if approved would result in an increase in vehicular traffic along a single access track and would therefore be detrimental to vehicular and pedestrian safety; and (3) The proposed development would have a detrimental impact on the existing tree which is protected by a Tree Preservation Order affecting the amenity and character of the general area.

No objectors were present or represented.

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

**2. APPLICATION NO 98/0017/LB: EAST AYRSHIRE COUNCIL**

There was submitted a report dated 9 September 1999 (circulated) by the Head of Planning and Building Control on an application for listed building consent for the proposed partial demolition of a Category C(S) Listed Building, former United Sessions Church, 14 New Bridge Street, Cumnock.

The Senior Planning Officer reported that 3 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 notification to Historic Scotland under the Listed Buildings and Buildings in Conservation Areas (Scotland) Act 1997, 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) Any debris from the site falling into the Glaisnock Water shall be removed to the satisfaction of the Planning Authority; (3) All wastes, including any special waste arising from the proposed demolition works shall be properly disposed of at a licensed waste disposal site; (4) Any salvageable sandstone shall be retained and stored for future possible use in any proposed redevelopment or refurbishment of the listed building; (5) The developer shall secure the implementation of an archaeological watching brief, to be carried out by an archaeological organisation, acceptable to the Planning Authority, during the development work. The retained archaeological organisation shall be afforded access at all reasonable times and allowed to record and recover items of interests and finds. Terms of reference for the watching brief shall be supplied by West of Scotland Archaeology Service. The name of the archaeological organisation retained by the developer shall be given to the Planning Authority and to the West of Scotland Archaeology Service in writing not less than 14 days before development commences; and (6) The rear elevation wall of the box church, where exposed following the demolition of the rear extension, shall be made good to the satisfaction of the Planning Authority; Condition (1) being imposed to comply with Section 16 of the Planning (Listed Building and Conservation Areas) (Scotland) Act 1997; Condition (2) in the interests of amenity and to prevent pollution of the watercourse; Condition (3) in the interests of amenity and public safety; Condition (4) in the interests of amenity; Condition (5) to ensure any archaeological interests are adequately recorded or retrieved before their destruction; and Condition (6) to prevent further deterioration of the fabric of the Listed Building.

No objectors were present or represented.

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

### **3. APPLICATION NO 99/0311/FL: MR ROBERT KYLE**

There was submitted a report dated 10 September 1999 (circulated) by the Head of Planning and Building Control on an application for full planning consent for the erection of an extension to the hotel and car park with improved access and infilling/grading of ground around the hotel, with imported materials all at Lochside House Hotel, off A76, New Cumnock/Cumnock Road.

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 proposed development shall be carried out in accordance with the application form, location plan received on 30 April 1998 and the amended plans and letter received by the Planning Authority on 12 August 1999, 8 September and 14 September 1999; (3) Notwithstanding the submitted plans, the roof tiles, windows and doors are not hereby approved. Details/samples of roof tiles, doors and windows to be used in the proposed extension and the existing building shall be

submitted to and approved by the Planning Authority before any development commences on site; (4) 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; (5) Prior to any construction work on site, the front fence adjacent to A76 and on the western side of the main access to Lochside House Hotel shall be moved outwith the visibility splay area of 2.5m x 215 metres. These visibility splays shall be maintained with no object greater than 1 metre in height allowed within these areas; (6) The gradient of the access road shall not exceed 1 in 25 metres for a distance of 6 metres from the nearside edge of the trunk road carriageway and the first 20 metres shall be surfaced in a bituminous surface prior to the use of the extension; (7) The throat width of the access shall be 5.5 metres and continued for a distance of 100 metres from the edge of the trunk road. The bellmouth shall be constructed and have kerbed radii of 10.5 metres prior to the use of the extension; (8) 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; (9) A landscaping scheme, including the treatment of the car park area and the infill areas 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 car park has been completed. The scheme shall include details of the provision to be made for the maintenance of soft and hard landscaped areas and shall be maintained thereafter in accordance with these details. Any trees to be removed shall be replaced by trees of similar size or species as agreed in writing with the Planning Authority; (10) The main entrance doors shall be designed to allow disabled persons ease of access to the premises by the opening mechanism and the width of the entrance doors; (11) At no times during the construction of the extension shall the works being undertaken adversely affect the value of the wetland habitat of the adjacent Listed Wildlife Site; (12) All car park spaces shall be delineated on site, prior to the commencement of the use of the hotel as extended; and (13) Notwithstanding the submitted plans, three car parking spaces shall be provided and marked for the exclusive use of disabled persons adjacent to the Lochside House Hotel main entrance; 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 (8) in the interests of visual amenity; Conditions (5), (6), (7) and (12) in the interests of road safety; Condition (9) to ensure that adequate provision of public open space is provided, to an adequate standard, and that it is subsequently maintained, in the interests of visual amenity; Condition (10) to allow ease of access to the premises by all members of the public; Condition (11) to protect the wetland habitat of the adjacent Listed Wildlife Site; and Condition (13) to allow ease of access to the premises by disabled persons.

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

#### **4. APPLICATION NO 99/0342/FL: MR IMRAN BARI**

There was submitted a report dated 9 September 1999 (circulated) by the Head of Planning and Building Control on an application for full planning consent in respect of proposed alterations to the shop front at 6 Kilmarnock Road, Mauchline.

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: Refusal, for the following reasons:- (1) The Council considers that the alterations to the shop front of the hot food takeaway/restaurant premises, in terms of window design and use of uPVC in the construction of the windows, are insensitive to and inappropriate for a prominent building within Mauchline Outstanding Conservation Area. Consequently the development is contrary to Policy ENV3 of the Finalised Cumnock and Doon Valley District Wide Local Plan and Policies 5(a), 5(b) and 11(b) of the Council's Adopted Development Control Policies relating to Listed Buildings and Buildings within Conservation Areas which state:- `Policy ENV3: The Council will ensure through the development control process that any proposed development in conservation areas is in keeping with the character and appearance of the areas in terms of size, scale, design, siting, materials used and finish'; `Policy 5(a): Shopfronts and fascias should respect the size, scale, design and materials of the buildings of which they form part and take account of their effect on the street scene'; `Policy 5(b): Alterations to shopfronts within Conservation Areas and those forming part of a listed building should be carried out in natural, traditional materials in keeping with the character of the building or area. Anodised aluminium reflective acrylic sheeting or other harsh, shiny materials will be actively discouraged'; and `Policy 11(b): Replacement Windows: All replacement windows must be of timber construction with window frames being painted in colours to be agreed with the Planning Authority'.

The objector was not present or represented.

It was agreed to approve the application as the alterations to the premises were not considered to be insensitive to and inappropriate for the prominent building within Mauchline Outstanding Conservation Area.

## **5. APPLICATION NO 99/0337/AD: MR IMRAN BARI**

There was submitted a report dated 9 September 1999 (circulated) by the Head of Planning and Building Control on an advertisement application in respect of the erection of an illuminated box sign and neon lighting sign in a window at 6 Kilmarnock Road, Mauchline.

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: Refusal for the following reasons:- (1) The Council considers that the internally illuminated box fascia sign and the neon lighting window sign, in terms of their size, design, method of illumination and use of finishing materials, are insensitive to, an inappropriate for use within Mauchline Outstanding Conservation Area. Consequently, the proposal is contrary to Policy ENV3 of the Finalised Cumnock and Doon Valley District Wide Local Plan and Policies 7(a) and 7(b) of the Council's Adopted Development Control Policies relating to the display of advertisements which state:- `Policy ENV3: The Council will ensure through the development control process that any proposed development in conservation areas is in keeping with the character and appearance of the areas in terms of size, scale, design, siting, materials used and finished'; `Policy 7(a): Signs in Conservation Areas and on listed building should be sensitive to the character of the area or building with respect to colours used, materials and design'; and `Policy 7(b): Where express listed

building consent or consent under the Advertisement Regulation is required for the display of a sign, the Council will normally discourage internally illuminated projecting, fascia or pole signs and signs with plastic lettering or reflective acrylic sheeting'.

The objector was not present or represented.

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

**CLAIM FOR EXPENSES AGAINST EAST AYRSHIRE COUNCIL BY HOPE HOMES (SCOTLAND) REGARDING THE REFUSAL OF PLANNING CONSENT (99/0206/FL) FOR PROPOSED ALTERATIONS TO PLOTS 3, 4, 7, 8, 9 AND 10 AND CAR PARK FOR PRIVATE DWELLINGS, AYR ROAD, PATNA**

6. There was submitted and noted a report dated 9 September 1999 (circulated) by the Head of Planning and Building Control which informed the Committee that the Scottish Executive Inquiry Reporters Unit had declined to uphold a claim for expenses against the Council by Hope Homes (Scotland) in connection with the refusal of the above planning application.

The meeting terminated at 1032 hours.