

EAST AYRSHIRE COUNCIL

DEVELOPMENT SERVICES COMMITTEE

MINUTES OF MEETING HELD ON THURSDAY 17 OCTOBER 1996 AT 1400 HOURS IN THE MEETING ROOM, COUNCIL HEADQUARTERS, LONDON ROAD, KILMARNOCK

PRESENT: Councillors George Turnbull, Irene Reeves, Douglas Reid, Ronald Brailsford, John Knapp, Daniel Coffey, David Fulton, Robert McDill, Jimmy Boyd, George Smith and Tommy Farrell.

ATTENDING: Stephen Chorley, Director of Development Services; Robert Paton, Head of Economic Development; Kate McVey, Head of Legal Services; Alan Neish, Head of Planning and Building Control; Bill Walkinshaw, Principal Administrative Officer; John Spooner, Business Development Manager; James Kane, Chief Engineer; David Queripel, Senior Development Promotion Officer; Kerr Chalmers, Technical Officer; and Alex Hewetson, Administrative Officer.

APOLOGIES: Councillors Drew McIntyre, Wilma Doyle, Eric Ross and David Sneller.

CHAIR: Councillor George Turnbull, Chair.

MONITORING REPORTS

1.1 UNEMPLOYMENT STATISTICS

There was submitted and noted a report (circulated) by the Director of Development Services providing recent statistics relating to unemployment figures in Scotland and East Ayrshire in particular as at August 1996.

1.2 PERFORMANCE INDICATORS

There was submitted and noted interim report dated 8 October 1996 (circulated) by the Director of Development Services providing details on the outcome of the statutory Performance Indicators (PIs) for Planning and Roads and Lighting Services for the period 1 April to 30 September 1996.

1.3 BUSINESS GRANT/LOAN SCHEME STATUS REPORT

There was submitted a report dated 3 October 1996 (circulated) by the Director of Development Services on companies which had received grant and loan support during the period 1 April to 30 September 1996.

It was agreed:-

- (i) that similar reports would be submitted at each Committee cycle; and
- (ii) otherwise to note the contents of the report.

1996-97 REVENUE BUDGET: MID-YEAR SAVINGS PACKAGE

2. There was submitted a report dated 8 October 1996 (circulated) by the Director of Development Services seeking authorisation to effect reductions in the Committee's revenue budget for 1996-97 to meet required mid-year savings.

It was agreed:-

- (i) to approve the proposals as detailed within the report detailing savings of (List A £43,000) and (List B £27,500) ; and
- (ii) to refer the report for consideration to the Policy and Resources Committee.

ACTION FOR EMPLOYMENT IN EUROPE - TERRITORIAL PACTS

3. There was submitted a report dated 3 October 1996 (circulated) by the Director of Development Services outlining a proposal by the European Commission to establish a series of pilot projects to demonstrate the benefits of partnership in promoting economic development and recommending that East Ayrshire Council pursue the possibility of being designated as a pilot area.

It was agreed:-

- (i) to remit to the Director of Development Services to seek further information on the likelihood of a programme of Territorial Pacts being established by the Commission; and
- (ii) to promote East Ayrshire as a potential pilot area if the opportunity arose.

A71 ROUTE ACTION PLAN

4. There was submitted a report dated 3 October 1996 (circulated) by the Director of Development Services seeking approval to prepare a Route Action Plan (RAP) for the A71.

It was agreed:-

- (i) to remit to the Director of Development Services to prepare a Route Action Plan for the A71; and
- (ii) to approve the estimated cost of £25,000 for the cost of the surveys for the initial RAP study which would be met from the Roads and Transportation budget.

GRANTS AND SUBSCRIPTIONS TO PARTNERSHIPS AND SPECIAL PROJECTS

5. There was submitted a report dated 2 October 1996 (circulated) by the Director of Development Services seeking approval for levels of grant support to partnerships and special projects falling within the remit of the Development Services Committee; and requesting representation on the management board of the Strathclyde Building Preservation Trust.

It was agreed to award grant/subscriptions to the undernoted organisations:

Scottish Rural Forum	£1,000
Travelaid	£1,000

C With regard to appointment of a Council representative and one substitute to the Strathclyde Building Preservation Trust Councillor Turnbull, seconded by Councillor Farrell, moved a recommendation that the Chair Councillor Turnbull, and Vice-Chair Councillor Ross, respectively, be the Member representative and substitute to the management board of Strathclyde Building Preservation Trust. C

Councillor McDill, seconded by Councillor Coffey, moved as an amendment a recommendation that Councillor Brailsford and Councillor McDill, respectively, be the Member and substitute to the management board at the Strathclyde Building Preservation Trust.

On a division by a show of hands the motion was carried by seven votes to four.

REPLACEMENT OF TOWN/VILLAGE SIGNS IN EAST AYRSHIRE

6. There was submitted a report dated 10 October 1996 (circulated) by the Director of Development Services seeking approval:-

- (i) to extend the East Ayrshire boundary signing;
- (ii) to consult appropriate Local Committees on the location of these additional signs;
- (iii) to replace existing town and village signs; and
- (iv) on the type of town and village signs to be used in East Ayrshire.

It was agreed:-

- (i) that the Council logo should be used on town and village signs;
- (ii) that boundary signs should continue to incorporate the logo of East Ayrshire;
- (iii) that up to 15 further East Ayrshire boundary signs be erected and the appropriate Local Committees be consulted on their location;
- (iv) the sign detailed as Option 2 of Appendix B to the report, retaining the Council logo and deleting the word "Council", be used to replace town and village signs in East Ayrshire and that Local Committees be consulted on the message of up to four words to be incorporated at bottom line;
- (v) that all existing town and village signs (116 in total) be replaced over the financial years 1997/98 and 1998/99 subject to finance being made available from the capital budget; and
- (vi) to remit to the Director of Development Services to submit a further report on existing historical signs and the feasibility of retaining those either singularly or in concord with new signage.

ENHANCEMENT OF TOURISM INFORMATION IN EAST AYRSHIRE

7. There was submitted a report dated 2 October 1996 (circulated) by the Director of Development Services on the potential enhancement to Tourist Information facilities in East Ayrshire and seeking approval for the implementation of a pilot project. An assessment of the relative location of tourist routes and Local Offices was undertaken and there appeared to be potential for locating Neighbourhood Information Points (NIP) in the undernoted Council premises:-

- Cumnock Local Office

- Dalmellington Local Office
- Dean Castle Country Park Visitor Centre
- Irvine Valley
- Mauchline Local Office
- Muirkirk Local Office
- New Cumnock Local Office
- Stewarton Local Office

In order to assess the practicability of locating a NIP within a local office it was proposed to establish a NIP at the New Cumnock Local Office as a pilot project for one season and that the facility be ready for operation during the summer 1997 tourist season.

It was agreed subject to consultation with the relevant Union(s) to locate a pilot Neighbourhood Information Point in the New Cumnock Local Office during the 1997 summer tourist season.

FLOODING IN THE KILMARNOCK AREA - FLOOD PREVENTION CONSULTATION ON NEW BILL

8. There was submitted a report dated 2 October 1996 (circulated) by the Director of Development Services seeking approval of comments to be submitted to the Scottish Office on a draft Bill extending Local Authorities' duties in relation to flood prevention.

It was agreed:-

- (i) to approve the comments on the Draft Bill for submission to the Scottish Office as detailed within the report;
- (ii) to note that the Director of Development Services would circulate to Members of the Committee a summary of the Babbie Group report on flood prevention measures for the River Irvine and Kilmarnock Water; and
- (iii) to remit to the Director of Development Services to submit the Babbie Group report on flood prevention measures for the Irvine Valley and Kilmarnock Water to the next meeting of the Committee.

PUBLIC TRANSPORT IN EAST AYRSHIRE

9. There was submitted a report dated 2 October 1996 (circulated) by the Director of Development Services:-

- (i) advising Members of:-
 - (a) the Strathclyde Passenger Transport Authority (SPTA) policy review (including the criteria for securing subsidised local services);
 - (b) the recent public transport services monitoring report;
 - (c) the new rail service between Kilmarnock and Girvan; and
- (ii) seeking approval for the proposed involvement of Local Committees in dealing with public transport issues.

It was agreed:-

- (i) to note the public transport policy review;
- (ii) that the SPTA should consider the points as detailed in paragraph 2.3 of the report;
- (iii) to note the contents of the SPTA public services monitoring report;
- (iv) to welcome the introduction of the improved rail service between Kilmarnock and Girvan; and
- (v) to remit to the Director of Development Services to arrange for the involvement of Local Committees in dealing with public transport issues.

BUS SHELTER ADVERTISING CONTRACT

- 10.** There was submitted a report dated 2 October 1996 (circulated) by the Director of Development Services seeking authority to authorise Strathclyde Passenger Transport to negotiate a Bus Shelter Advertising Contract for East Ayrshire.

It was agreed to remit to the Head of Roads and Transportation to authorise Strathclyde Passenger Transport to undertake the tender process for a Bus Shelter Advertising contract for East Ayrshire.

TRAFFIC REGULATION LAW - CONSULTATION DOCUMENT

- 11.** There was submitted a report dated 1 October 1996 (circulated) by the Director of Development Services regarding the document "Review of Road Traffic Regulation Law" which had been issued by the Department of Transport for consultation and comment.

It was agreed to note that the proposals would rationalise and improve the Road Traffic Regulation Act by simplifying the legislation and removing unnecessary burdens from Local Authorities.

THE EAST AYRSHIRE COUNCIL (USE OF OFF-STREET PARKING PLACES) (KILMARNOCK) (AMENDMENT) ORDER 1996 (Item 7, Page 541)

- 12.** There was submitted a report dated 2 October 1996 (circulated) by the Director of Development Services seeking approval to make the Traffic Regulation Order required for the increase of parking charges, as detailed within Appendix A to the report.

It was agreed to approve the increase in parking charges as detailed in "The East Ayrshire Council (Use of Off-Street Parking Places) (Kilmarnock) (Amendment) Order 19.

STREET LIGHTING MAINTENANCE CONTRACT 1993/97

- 13.** There was submitted a report dated 9 October 1996 (circulated) by the Director of Development Services seeking authority to extend the existing Street Lighting Maintenance Contract by three months from 31 March 1997 until 30 June 1997.

It was agreed that the existing Street Lighting Maintenance Contract be extended from 31 March 1997 until 30 June 1997.

POSSIBLE SALE OF SHOPS AT 2-8 MAUCLINE ROAD, HURLFORD (Item 14, Page 1251)

14. There was submitted a report dated 1 October 1996 (circulated) by the Director of Development Services intimating that the shops at 2-8 Mauchline Road, currently owned by East Ayrshire Council on the Development Services Committee account were the subject of an enquiry to purchase the Council's interest in them.

It was reported that the Finance and Property Sub-Committee of the Policy and Resources Committee on 3 September 1996 had referred the matter to this Committee for consideration of declaring the properties surplus to requirements.

It was agreed:-

- (i) to declare the property surplus to requirements; and
- (ii) to advise the Director of Support Services accordingly.

EAST AYRSHIRE LOCAL PLAN: PROGRESS REPORT

15. There was submitted a report dated 9 September 1996 (circulated) by the Director of Development Services providing details of the proposed timetable for the preparation of the East Ayrshire Local Plan and making recommendations on various issues relating to housing and industrial policy.

It was agreed:-

- (i) to endorse the action taken to date in the preparation of the East Ayrshire Local Plan;
- (ii) to note the Department's proposals for formatting the Local Plan and the proposed timetable for the preparation of the Plan;
- (iii) to approve the preparation of a portfolio of industrial sites and a classification of industrial land as detailed within Sections 5.4 and 5.5 of the report;
- (iv) to approve the approach proposed relating to the housing land supply as detailed within Section 5.7 of the report; and
- (v) to remit to the Director of Development Services to submit reports to relevant Local Committees at the next cycle.

PLANNING APPLICATIONS

16.1 APPLICATION NO 96/0386/FL - ELTIMATE LIMITED

There was submitted a report dated 26 September 1996 (circulated) by the Director of Development Services in respect of the following:-

Application No 96/0386/FL: Full Planning Application for Preparation Works and Erection of Chipboard Manufacturing Plant with Storage, Offices, Staff Amenities, Roads and Parking, Perimeter Fencing, Landscaping and Log Storage at the Former Barony Colliery Site, Barony Road, Auchinleck.

It was agreed to continue consideration of the application to a Special Meeting of the Committee to allow a formal public Hearing in accordance with the procedures agreed by Council to hear the objectors and applicants.

16.2 APPLICATION NO 96/0408/FL - MILLER MINING

There was submitted a report dated 26 September 1996 (circulated) by the Director of Development Services for consent to amend Condition 33 of planning consent reference: CD/95/0268/MIN: to permit routing of HGV's from the site entrance south

along the Boig Road to Knockshinnoch Disposal Point as per Plan PHX7 REV A; at Hall of Auchencross Opencast Coal Site, by New Cumnock.

It was reported by the Head of Planning and Building Control, that no representations had been received in respect of the application.

Recommendation by Head of Planning and Building Control: Approval subject to the following conditions, viz:- (1) the amendment to Condition 33 of planning consent CD/95/0268/MIN dated 22 July 1996 shall be amended to read:- Condition (33): that the operational conduct of the site shall be as indicated in the Written Statement which forms part of the application and to include Preferred Haulage Route Plan PHX7 REV A; (2) the amendment to the Section 50 legal agreement associated with the planning consent CD/95/0268/MIN to allow coal traffic to travel south along the C36 Boig Road to Knockshinnoch Coal Disposal Point; and (3) the planning consent and the amendment to the legal agreement be conditional on agreement being reached with the Council's Roads Division regarding the upgrading of the Boig Road south to the junction of C36 Boig Road and B741 and the surveying of the embankment adjacent to the River Nith Bridge to assess its current condition and what effect coal lorry movements may have on its stability.

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

16.3 APPLICATION NO 96/0377/FL - STRATHFORD

There was submitted a report dated 26 September 1996 (circulated) by the Director of Development Services on an application for full planning permission for proposed creation of motor vehicle showrooms, service area and body shop with associated storage area, access and landscaping at Queens Drive, Kilmarnock.

It was reported by the Head of Planning and Building Control:-

- (i) that no representations had been received;
- (ii) the application did not require to be forwarded to the Secretary of State as a significant departure from the development plan; and
- (iii) that the Secretary of State had directed that the Council should not issue an outline consent on a larger site including the site subject to the application until further notification from the Secretary of State.

Recommendation by Head of Planning and Building Control: Approval subject to (i) an appropriate Direction being received in relation to the outline from the Secretary of State; and (ii) 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 submitted on 19 August 1996 as revised by the amended plans received by the Planning Authority on 24 and 26 September 1996; (3) details of all road improvements shown on amended plans of 26 September 1996 shall be implemented to the satisfaction of the Planning Authority; (4) notwithstanding the approved plans, details of all external materials shall be submitted to and approved by the Planning Authority before development commences on site; (5) notwithstanding the Use Classes (Scotland) Order 1989 or any order revoking and re-enacting that order, further application for planning for planning consent is to be granted by the Planning Authority before any other use is undertaken which lies within the same Use Class or before any change to another class (in the said order)

as would normally be permitted; (6) notwithstanding the approved plans, the junction with Queens Drive shall have a radius of not less than 10.5 metres and the entrance into the dealership from the access road shall have a radius of not less than 9.0 metres and a junction sightline of 9m x 120m with Queens Drive shall be provided; (7) notwithstanding the approved plans, details of the areas for customer parking and of the car display area shall be submitted to and approved by the Planning Authority before development commences on site; (8) notwithstanding the approved plans details of the appearance of the car wash and bin/skip store shall be submitted to and approved by the Planning Authority before development commences on site; (9) any loading and unloading of vehicles which may be required in connection with the use of the building and site shall take place within the curtilage of the site and at no times on the highway; (10) no materials shall be burned on the site at any time; (11) the stacking of materials on the site at no time shall exceed 2 cars; (12) 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; The scheme shall allow for the provision of semi-mature trees, ornamental trees, shrubs and planting particularly within the site, along the Queens Drive frontage and the boundary with the Rugby Club. Any trees removed without consent of the Planning Authority or seriously damaged at any time thereafter shall be replaced by trees of similar size of species as may be agreed in writing with the Planning Authority; (13) details of the treatment of the rear boundary of the site including the erection of fences or walls shall be submitted to and approved by the Planning Authority before development commences on site; (14) details of the temporary access to the development during construction of the roundabout shall be submitted to and approved by the Planning Authority before development commences on site for the roundabout; (15) details of the site levels of the car parking area in relation to Queens Drive shall be submitted to and approved by the Planning Authority before development commences on site; (16) before the work on the site is commenced details of the soil and ground conditions including details of any contaminants to be removed shall be submitted to, agreed by and thereafter implemented to the satisfaction of the Planning Authority; (17) the developer shall satisfy themselves to the stability of the site; Condition (1) being imposed to comply with Section 38 of the Town and Country Planning (Scotland) Act 1972; Conditions (2) and (3) to enable the Planning Authority to retain control over the development of the site; Conditions (4), (8) and (12) in the interest of visual amenity; Condition (5) to ensure that the Planning Authority retains control over the future development of the site in the interests of the vitality and viability of the town centre; Conditions (6), (7) and (14) in the interests of road safety; Conditions (9) and (10) in the interests of highway safety; Condition (11) in the interests of highway safety and visual amenity; Condition (13) in the interests of visual amenity and the future development of the site; Condition (15) in the interests of public safety and visual amenity; and Conditions (16) and (17) in the interests of public safety.

It was agreed to grant the application subject to:-

- (i) an appropriate Direction from the Secretary of State; and
- (ii) to the conditions and for the reasons detailed.

16.4 APPLICATION NO 96/0344/FL - B A PROPERTIES LIMITED

There was submitted a report dated 2 October 1996 (circulated) by the Director of Development Services on a full planning application for change of use from manufacturing unit to licensed leisure club providing snooker and pool facilities at 21 Rigg Street, Stewarton.

It was reported by the Head of Planning and Building Control that one letter of objection containing 2 objections had been received details of which were contained within the report.

Recommendation by 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) notwithstanding the provisions of the (General Permitted Development) (Scotland) Order 1992, and the Town and Country Planning (Use Classes) (Scotland) Order 1989, this permission relates to Licensed Leisure Club providing snooker and pool facilities and the further express permission of the Planning Authority shall be required in respect of any other use which falls within the same use class to the use hereby approved; (3) the use hereby approved shall not be carried out before 9.00 a.m. and after 11.00 p.m. on Monday to Thursday and 12.00 (midnight) on Friday to Sunday; (4) a scheme for car parking shall be submitted to and approved by the Planning Authority before any such development commences on the site. The car park shall be defined in accordance with this scheme and implemented before the use hereby approved commences; (5) a scheme showing the provision to be made for the disposal of refuse shall be submitted to and approved by the Planning Authority before any development commences on the site; Condition (1) being imposed to comply with Section 38 of the Town and Country Planning (Scotland) Act 1972; Condition (2) to enable the Planning Authority to retain control over the use of the site in the interests of residential amenity; Condition (3) to prevent noise and disturbance extending into hours during which other sources of noise have subsided, in the interest of residential amenity; Condition (4) in the interests of residential amenity and road safety; and Condition (5) in the interests of visual and residential amenity.

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

16.5 APPLICATION NO 96/0437/LA - DEPARTMENT OF SOCIAL WORK, EAST AYRSHIRE COUNCIL

There was submitted a report dated 24 September 1996 (circulated) by the Director of Development Services on an application for change of use of two flats from residential to office/telephone control for the East Ayrshire Community Alarm System at Ross Court, Titchfield Street, Galston, because it is development by the Council and it involves the change of use, and is therefore subject to the "Notification of Intention to Develop" Regulations.

It was reported by the Head of Planning and Building Control:-

- (i) that no objections had been received;
- (ii) the application had been advertised as required under the "Notification of Intention to Develop" Regulation which would expire on midnight on 18 October 1996 and would be deemed to be granted by the Secretary of State providing no objections were received or remained outstanding at that time; and
- (iii) should objections remain outstanding or received following the Committee and prior to the expiry of the advert period, then it was recommended that a Special Meeting of the Development Services Committee be convened as a matter of urgency.

Recommendation by Head of Planning and Building Control: Approval subject to the following conditions, viz:- (1) Notwithstanding the provisions of the (General Permitted Development) (Scotland) Order 1992, and the Town and Country Planning (Use Classes) (Scotland) Order 1989, this permission relates to office use/telephone control of the East Ayrshire Community Alarm System the further express permission of the Planning Authority shall be required in respect of any other industrial use which falls within the same use class to the use hereby approved; Condition (1) to enable the Planning Authority to retain control over the use of the site in the interests of residential amenity.

It was agreed to grant the application subject to there being no outstanding objections to the condition and for the reason detailed, and in the event of there being objections, a Special meeting of the Development Services Committee be convened to consider the application.

LOCAL PLANNING APPLICATION

17.1 APPLICATION NO 96/0048/FL - MR WILLIAM MURDOCH (Item 1.5, Page 1324)

There was submitted a report by the Director of Support Services informing the Committee of the outcome of the special meeting of the Doon Valley Local Planning Committee held on 27 September 1996, together with report dated 8 August 1996 by the Head of Planning and Building Control (both circulated).

Recommendation of the Local Planning Committee was that an application for detailed planning permission for a one storey dwellinghouse, Burnton Cottage, Westerhill, Dalrymple, be referred to the Development Services Committee for consideration, in accordance with the Scheme of Delegation for planning applications with a recommendation that the application be approved, contrary to the

recommendation of the Head of Planning and Building Control and contrary to the District Wide Local Plan and the Strathclyde Structure Plan, on the basis that to do so would be consistent with advice offered to the applicant on behalf of the Planning Committee of Cumnock and Doon Valley District Council, that a house at this location would be acceptable provided the proposal was submitted in detail and said details were compatible with the design of the adjacent cottage; which these details were considered to be.

The Head of Planning and Building Control 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 would be contrary to policies CAT1 of the Strathclyde Structure Plan and RES13 of the Cumnock and Doon Valley District Wide Local Plan which presume against residential development in the countryside within areas of Countryside Around Towns; unless there is a proven specific locational need; (2) the proposed development would be contrary to Policy RES11 of the Cumnock and Doon Valley District Wide Local Plan, which presumes against backland development; (3) the proposed development, if approved, would set out undesirable precedent for further sporadic development along unlit minor roads to the detriment of the rural environment, and would be contrary to Policy RES14 of the Cumnock and Doon Valley District Wide Local Plan; (4) the proposed development would be detrimental to the visual amenity and character of the rural environment, and would be contrary to Policy RES14 of the Cumnock and Doon Valley District Wide Local Plan; (5) the applicant had not identified the specific locational need for the dwellinghouse in order to justify approval; (6) the Council has already identified adequate sites for housing development in the Cumnock and Doon Valley District Wide Local Plan, which covers the general area within which the site lies; and (7) the proposed development site constituted a backland development which is contrary to good planning principles.

It was agreed to continue consideration of the application to the next meeting of the Committee to allow a site visit to take place.

The meeting terminated at 1501 hours.