

EAST AYRSHIRE COUNCIL**DEVELOPMENT SERVICES COMMITTEE****MINUTES OF SPECIAL MEETING HELD ON TUESDAY 17 SEPTEMBER 1996 AT 1530 HOURS IN THE MEETING ROOM, COUNCIL HEADQUARTERS, LONDON ROAD, KILMARNOCK**

PRESENT: Councillors George Turnbull, Drew McIntyre, Wilma Doyle, Ronald Brailsford, Daniel Coffey, David Fulton and Robert McDill.

ATTENDING: David Montgomery, Chief Executive; Fiona Lees, Depute Chief Executive; Stephen Chorley, Director of Development Services; Jim Bottom, Principal Planning Officer - Development Promotion; Joan Kendall, Principal Solicitor; Julie Armstrong, Senior Administrative Officer; Pamela Clifford, Planning Officer - Development Promotion; and Stuart Nelson, Administrative Officer.

APOLOGIES: Councillors Irene Reeves, Douglas Reid, John Knapp, Eric Ross, David Sneller, Jimmy Boyd, George Smith and Tommy Farrell.

CHAIR: Councillor George Turnbull, Chair.

PLANNING APPLICATION**1.1 APPLICATION NO KL/W/OL/85/236C: MR DUNCAN WELSH (Item 17.7, Page 1181)**

There was re-submitted a report dated 30 August 1996 (circulated) by the Director of Support Services presenting for determination an application for outline planning permission for proposed erection of agricultural dwellinghouse for farm worker, West Broadmoss Farm, Stewarton. The planning application was placed before the Northern Area Local Committee on Thursday 1 August 1996 and referred to the Development Services Committee for determination, in accordance with the Scheme of Delegation for planning applications with a recommendation that the application be approved, contrary to the terms of NPPG 3, Land for Housing, Policy CAT 1A of the Strathclyde Structure Plan and Policy HR2 of the Kilmarnock and Loudoun Finalised District Plans on the basis:-

- (i) that the boundaries of the existing farm were insufficiently secure and the erection of a new dwellinghouse would rectify the current situation;
- (ii) that access to the existing farm house was particularly difficult due to the poor condition of the shared access road surface, narrow width and excessive length;
- (iii) that the existing property was in close proximity to overhead electric power cables carried by pylons;
- (iv) of the undernoted conditions:-
 - (a) occupancy of the dwellinghouse limited to agricultural worker and family;
 - (b) suitable design of the dwellinghouse commensurate to its location in the countryside; and
 - (c) a standard condition requesting the submission of a reserved matters application.

The planning application was placed before the Development Services Committee on 5 September 1996 when it was agreed that consideration be deferred for a site visit which had been held earlier that day.

The Director of Development Services confirmed that 2 letters of representation had been received, details of which were contained within the report and gave the recommendation of the Head of Planning and Building Control: Refusal for the following reasons, viz:- (1) the proposed development would constitute the erection of a new dwelling in the countryside which would constitute sporadic development and is therefore contrary to the terms of NPPG 3, Land for Housing; (2) the proposed dwelling, by virtue of its location, would have an adverse environmental impact and would therefore be contrary to Policy CAT 1A of the Strathclyde Structure Plan; and (3) the proposed dwelling would be sited in a conspicuous location and isolated from any building group and would therefore be contrary to Policy HR 2 of the Kilmarnock and Loudoun Finalised District Plan.

It was agreed:-

- (i) to approve the application for outline planning permission contrary to Council policy for the reasons indicated by the Local Planning Committee; and
- (ii) to remit to the Director of Development Services to determine appropriate conditions to the outline planning permission.

1.2 APPLICATION NO KL/E/OL/79/384Q: DAWN DEVELOPMENTS (Item 17.4, Page 1176)

There was submitted a report dated 13 September 1996 (circulated) by the Director of Development Services presenting for consideration an application for outline planning permission for restaurants with fast food drive thru, car showrooms and servicing facilities and leisure development consisting of cinema, bowling, sports club on land bounded by the River Irvine, Queens Drive and Little Bellsland Road, Kilmarnock.

The Director of Development Services:-

- (i) provided further information on the implications of this application for the future operations of Glenfield and Kennedy as contained within the report;
- (ii) reported that 2 objections and one representation had been received, details of which were contained within the report; and that one further letter of objection relating to bingo or undefined leisure issues had been received such elements which had been deleted from the application;
- (iii) summarised the planning considerations in respect of the application; and
- (iv) gave the recommendation of the Head of Planning and Building Control: 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; (3) the proposed development shall be carried out in accordance with the application form and plan received on 23 February 1996 and the amended plan and letters received by the Planning Authority on 7 August, 9 August and 12 August 1996; (4) that the indicative layout submitted along with the application is for information

purposes only and shall not be treated as forming part of the issued consent; (5) 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 building(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; (6) notwithstanding the Use Classes (Scotland) Order 1989, a further application for planning consent is to be sought from 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; (7) details to be submitted under Condition 3 shall include details of facilities for public transport and coaches and a Safety Audit shall be produced; (8) before work on the site is commenced details of the following matters shall be submitted to and agreed by, and thereafter implemented to the satisfaction of the Planning Authority (a) measures to ensure the avoidance of flooding of the site of the proposed development and to prevent any consequential flooding effects on other land and buildings in the vicinity and (b) details of soil and ground conditions including details of any contaminants to be removed; (9) that prior to the commencement of works on the site the applicants shall satisfy themselves as to the stability of the site; (10) the details to be submitted under Condition 3 shall allow for provision of semi-mature trees, shrubs and planting particularly within the site along the Queens Drive frontage, and adjacent to Little Bellsland Road and the River Irvine; (11) the details to be submitted under Condition 3 shall include details of the treatment of the boundary with the remainder of Glenfield and Kennedy; (12) notwithstanding the approved plans, the reduction, refurbishment and upgrading of the Glenfield and Kennedy buildings shall be completed to the satisfaction of the Planning Authority before the commencement of any development on site; (13) prior to the commencement of trading of any of the new units, the roundabouts at the junction of Lawson Street and Welbeck Street and the junction of Queen's Drive and Hurlford Road shall be upgraded to the satisfaction of the Planning Authority in the first case, kerb line alterations to accommodate an inscribed circle diameter of 26.5 metres and in the second case alterations to existing kerbs on the west leg of Queen's Drive shall be provided; and (14) no demolition of any buildings or site works affecting existing car parking and road access areas will take place until such demolition or site works have received the appropriate written consent of the Planning Authority; Conditions (1) and (2) being imposed to comply with Section 39 of the Town and Country Planning (Scotland) Act 1972; Condition (3) to ensure that the development is carried out in accordance with the approved details; Conditions (4) and (5) is in outline only; Condition (6) to ensure that Planning Authority retains control over future development of the site in the interest of the vitality and viability of town centre; Conditions (7) and (13) in the interests of road safety; Condition (8) in the interests of public safety and residential amenity; Condition (9) in the interests of public safety; Conditions (10), (11) and (12) in the interests of visual amenity; and Condition (14) to allow for the continued operation of adjacent industrial enterprises.

It was agreed:-

- (i) to approve the application subject to the conditions and for the reasons detailed; and
- (ii) to confirm that applications for development for non-industrial uses of an area of ground located adjacent to the development site, as identified in Annex C of the report, would be refused.

ROADS CAPITAL PROGRAMME 1996/97: EXPENDITURE ON ROAD GRITTERS

2. There was submitted a report dated 12 September 1996 (circulated) by the Director of Development Services seeking authorisation to approve transfer £24,000 from the capital lighting budget included within the current year's roads capital programme, to capital expenditure on road gritters.

It was agreed to remit to the Director of Development Services to make arrangements that £24,000 be transferred from Capital Expenditure in Cohen Lighting Column replacement to Capital Expenditure on road gritters.

The meeting terminated at 1545 hours.