

**EAST AYRSHIRE COUNCIL****DOON VALLEY LOCAL PLANNING COMMITTEE****MINUTES OF SPECIAL MEETING HELD ON FRIDAY 27 SEPTEMBER 1996  
AT 1400 HRS ON SITE AT AYR ROAD, PATNA AND THEREAFTER AT  
PATNA COMMUNITY CENTRE, DOONSIDE AVENUE, PATNA**

**PRESENT:** Councillors John Smith, George Turnbull, Robert Taylor and Tommy Farrell.

**ATTENDING:** David Queripel, Senior Development Promotion Officer and Ian Gemmell, Administrative Officer.

**APOLOGY:** Councillor David Fulton.

**CHAIR:** Councillor John Smith, Chair.

**SITE VISIT**

1. The Committee convened on site at Ayr Road, Patna and viewed the site at this location which was the subject of an application for planning permission for the erection of 10 dwellinghouses with associated parking under application No CD/96/0093/DPP. The members of the Committee then proceeded to Patna Community Centre in order to consider this application and other business.

**CONSIDERATION OF PLANNING APPLICATIONS****1.1 CD/96/0093/DPP: HOPE HOMES (SCOTLAND) LTD**

There was resubmitted a report dated 31 May 1996 (circulated) by the Head of Planning and Building Control on a planning application for the erection of 10 dwellinghouses with associated parking at Ayr Road, Patna.

The Senior Development Promotion 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, 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 approved site layout and plans submitted on 24 April 1996, and the revised site layout plans received by the Planning Authority on 24 May 1996; (3) The two metre wide footpath along the frontage of the site shall be completed prior to the occupation of any of the dwellings hereby approved; (4) All accesses to Ayr Road including those required by Condition (3) shall be by means of a pavement crossing; (5) Sight lines of 2.5m x 60m free from obstruction greater than one metre in height shall be provided at the access of the communal parking area with Ayr Road and of 2m x 20m free from obstruction greater than one metre in height at the access of all individual parking spaces onto Ayr Road, shall be provided and permanently maintained; (6) Notwithstanding the submitted plans, the render and roof tiles are not hereby approved. Details/samples of the render and roof tiles shall be submitted to and approved by the Planning Authority before any development commences on site; and (7) Notwithstanding the submitted plans, the walls and fences (including any retaining walls) are not hereby approved. Details/samples of the walls and fences shall be submitted to and approved by the Planning Authority

before any development commences on site; Condition (1) being imposed to comply with Section 38 of the Town and Country Planning (Scotland) Act 1972; Conditions (2), (3), (4) and (5) in the interests of road safety; and Conditions (6) and (7) in the interests of visual amenity.

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

#### **1.2 APPLICATION NO 96/O112/FL: COUNTRY CARE NURSING HOMES (Item 4, Page 982)**

There was submitted and noted a report dated 14 August 1996 by the Head of Planning and Building Control intimating that the above planning application, consideration of which had been continued by the Committee pending a site visit, had been withdrawn.

#### **1.3 APPLICATION NO 96/0152/FL: MR AND MRS J WILSON**

There was submitted a report (circulated) by the Head of Planning and Building Control on a planning application for the erection of dog kennel and runs, Station Cottage, Littlemill Road, Coalhall.

The Senior Development Promotion Officer reported that a 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, 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, and thereafter maintained to the satisfaction of the Planning Authority, in accordance with the application form and plans submitted on 22 May 1996; (3) The proposed development shall be used primarily for the breeding of dogs for the applicants' own benefit and shall not be used as commercial dog boarding kennels; and (4) Within three months of the date of the consent, a septic tank and soak-away arrangements shall be constructed for the kennels, all to the satisfaction of the Scottish Environmental Protection Agency and the Planning Authority; Condition (1) being imposed to comply with Section 38 of the Town and Country Planning (Scotland) Act 1972; Condition (2) to ensure that the development is carried out and maintained in accordance with the approved details; Condition (3) to maintain effective planning control over the site; and Condition (4) to ensure that the site is adequately drained.

Noted that the applicant had attended and that the objector was not present.

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

#### **1.4 APPLICATION NO 96/0192/FL: MR N FORBES**

There was submitted a report dated 13 August 1996 (circulated) by the Head of Planning and Building Control on a planning application for the erection of a dwellinghouse with integral garage at High Main Street, Dalmellington.

The Senior Development Promotion 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, 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 and plans submitted on 13 June 1996 as revised by the amended plan received by the Planning Authority on 12 July 1996; (3) A visibility splay of 2.0/60m shall be formed and maintained at the site access. No obstruction greater than one metre in height shall be allowed in this area; (4) The driveway shall be level with the adjacent public footway for a distance of at least two metres from the rear of this footway; (5) The driveway shall be paved for a distance of at least two metres from the rear of the public footway; (6) Any gates shall open away from the public road; (7) No surface water or foul discharge from the site shall enter the public road drainage system; (8) Vehicular access to the site shall be taken from the position indicated on the approved plans; (9) Any alterations to statutory undertakers' apparatus shall be carried out to the complete satisfaction of the respective statutory undertakers; (10) That the provision of British Telecom and Scottish Power apparatus shall be by means of underground duct only; Condition (1) being imposed to comply with Section 38 of the Town and Country Planning (Scotland) Act 1972; Condition (2) to ensure that the development is carried out in accordance with the approved details; Conditions (3), (4), (7) and (8) in the interests of road safety; Condition (5) to prevent the overcarry of loose materials onto the public road; Condition (6) to prevent any obstruction to pedestrian or vehicular traffic on the public road; Condition (9) in order to protect statutory undertakers' apparatus; and Condition (10) in the interests of visual amenity.

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

### **1.5 APPLICATION NO 96/0048/FL: MR WILLIAM MURDOCH**

There was submitted a report dated 8 August 1996 (circulated) by the Head of Planning and Building Control on an application for detailed planning permission for a one storey dwellinghouse at Burnton Cottage, Lesterhill, Dalrymple.

The Senior Development Promotion 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, 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 an 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 a specific locational need for the dwellinghouse in order to justify approval of the application; (6) The Council had 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.

Councillor Taylor, seconded by Councillor Smith, moved that the application 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, 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.

Councillor Turnbull, seconded by Councillor Farrell, moved as an amendment that the application be refused for the reasons outlined in the report by the Head of Planning and Building Control.

On a division by a show of hands, there voted for the amendment two and for the motion two. There being an equality of votes, the Chair exercised his casting vote in favour of the motion, which was declared to be carried.

The meeting terminated at 1430 hrs.