

**EAST AYRSHIRE COUNCIL****SOUTHERN LOCAL PLANNING COMMITTEE****MINUTES OF MEETING HELD ON FRIDAY 8 SEPTEMBER 2000 AT 1000 HOURS  
IN THE BARRHILL CENTRE, BANK AVENUE, CUMNOCK**

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

**ATTENDING:** Bill Walkinshaw, Administration Manager; David Mitchell, Legal Manager; Pamela Clifford, Senior Planning Officer; Hugh Melvin, Technical Planning Officer; and Ian Gemmell, Administrative Officer.

**APOLOGIES:** Councillors Tommy Farrell and Jimmy Carmichael.

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

**ITEM WITHDRAWN**

1. The Chair reported and it was noted that Item 1.4 on the agenda: "Application No 00/0312/AD - Proposed Erection of Sign Board at corner of Station Road/Cumnock Road, Mauchline : Burns Crystal" had been withdrawn from the Agenda.

**CONSIDERATION OF PLANNING APPLICATIONS****2.1 APPLICATION NO 00/0112/FL: MR J MCGARVA: BURNSIDE, NEW CUMNOCK  
(Item 1.10, Page 1165, 99/02)**

There was resubmitted an executive summary and a report dated 27 July 2000 (circulated) by the Head of Planning and Building Control on an application for full planning consent for the proposed erection of a dwellinghouse at Burnside, New Cumnock.

It was reported and noted that members had attended a site visit prior to the meeting.

The Technical Planning Officer summarised the planning considerations in respect of the application and recommended to the Head of Planning and Building Control refusal for the following reasons:- (1) the proposed development would constitute the erection of a new dwelling which would not be appropriate in terms of design, to the particular location in which it is proposed, and would therefore not be in accordance with Policy RES14 of the East Ayrshire Local Plan, Finalised Version; (2) the windows and reconstituted stone of the proposed dwellinghouse would be contrary to the Council's Development Control Policies relating to New Houses in the Countryside, as outlined in Appendix 17 of the Finalised Cumnock and Doon Valley District Wide Local Plan; and (3) the proposed development would set an undesirable precedent for unsympathetic designs of dwellinghouses within the countryside.

It was agreed:-

- (i) to approve the application as it was considered that the proposed development would improve the visual amenity of the area; and

- (ii) that appropriate conditions be determined by the Head of Planning and Building Control, in consultation with the Chair.

## **2.2 APPLICATION NO 00/0170/FL: MR KANG : 30 MAIN STREET, OCHILTREE**

There was submitted an executive summary and a report dated 30 August 2000 (circulated) by the Head of Planning and Building Control on an application for the painting of a shop front and shutters at 30 Main Street, Ochiltree.

The Senior Planning Officer reported that one objection had been received, details of which were given in the report, summarised the planning considerations in respect of the application gave the recommendation that the Head of Planning and Building Control: Approval, subject to the following condition:- The development to which this permission relates must be begun within five years from the date of this permission, this condition being imposed to comply with Section 58 of the Town and Country Planning (Scotland) Act 1997.

No Hearing took place as the objector was not present or represented.

It was agreed to defer consideration of the application to enable a site visit to take place.

## **2.3 APPLICATION NO 00/0373/FL: MRS DEVERELL, SKELDON CARAVAN PARK, HOLLYBUSH**

There was submitted an executive summary and a report dated 30 August 2000 (circulated) by the Head of Planning and Building Control on an application for the proposed removal of Condition No 2 on Planning Consent No CD/93/0237/DPP for the occupation of the dwellinghouse limited to the proprietor of or a person in full time employment at Skeldon Caravan Park or the dependants of such a person residing with him/her, at Risborough Cottage, Skeldon Caravan Park, Hollybush.

The Senior Planning Officer reported that one letter of objection and supporting statement had been received, details of which were given in the report, summarised the planning considerations in respect of the application and gave the recommendation that the Head of Planning and Building Control: Approval.

No hearing took place as the objector was not present or represented.

It was agreed to approve the application.

## **2.4 APPLICATION NO 00/0434/FL : MR & MRS SMITH : 87 WELTON ROAD, MAUCLINE**

There was submitted an executive summary and a report dated 30 August 2000 (circulated) by the Head of Planning and Building Control on an application for full planning consent for a proposed extension to form a utility room, dining room and shower room at the rear of the house at 87 Welton Road, Mauchline.

The Senior Planning Officer reported that one letter of objection, one letter of representation and one letter in support of the application 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 reason: the proposed extension in terms of its height and length would be detrimental to the established residential amenity of neighbouring property.

No hearing took place as the objector was not present or represented.

It was agreed to defer consideration of the application to enable a site visit to take place.

## **2.5 APPLICATION NO 00/0301/FL : KINGS HOMES LTD : BURNSLAND NURSERY, MAUCLINE**

There was submitted an executive summary and a report dated 30 August 2000 (circulated) by the Head of Planning and Building Control on an application for full planning consent in respect of the erection of five new detached dwellings at plots 17, 22, 30, 35 and 39 Burnsland Nursery, Mauchline.

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 and plans received on 5 May 2000 and the block plans received by the Planning Authority on 4 July 2000; (3) notwithstanding the approved plans, the external wall finish materials are not hereby approved. Details/samples of the external wall finish materials shall be submitted to and approved by the Planning Authority before any development commences on site; and (4) prior to works commencing on site, the developer shall submit to the Planning Authority for approval, a sample of the roof finish materials of the proposed dwellinghouse which shall match the roof finishes of the existing dwellinghouses within the Burnsland Nursery residential development; (5) no surface water shall be allowed to discharge onto the public road; (6) prior to the occupation of the dwellinghouse, two off-road car parking spaces shall be provided within the curtilage of the dwellinghouse; (7) prior to the occupation of the dwellinghouse, the private driveway for the proposed dwellinghouse shall be paved for a minimum distance of two metres from the rear of the public footway to avoid overcarry of loose material onto the public road; (8) notwithstanding the approved plans the minimum width of the driveway shall be 2.75 metres; (9) notwithstanding the approved plans, prior to the occupation of the dwellinghouse, the footway along the site frontage shall be completed to basecourse level; (10) notwithstanding the submitted plans, the existing hedge along the eastern boundary shall be retained, and no works shall take place which directly or indirectly damage either the hedge or its route system; (11) any access gates shall open inwards away from the public road; (12) visibility splays of 2 metres x 20 metres shall be formed and maintained at the driveway access point with no obstruction greater than 1.0 metre in height allowed within these areas; (13) prior to the occupation of any house the visibility sightline splays of 4.5 metres x 60 metres shall be provided at the junction with B705 Catrine Road; (14) 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 site; 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; and Conditions (3), (4) and (14) in the interests of visual amenity; Conditions (5), (7), (8), (9), (11) and (13) in the interests of public road safety; Conditions (6) in the interests of residential amenity; Condition (10) in the interests of visual and residential amenity; and Condition (12) in the interest of public safety.

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

**2.6 APPLICATION NO 00/0331/AD : RAMSAY AND JACKSON : JUNCTION C51/A76(T)**

There was submitted an executive summary and a report dated 30 August 2000 (circulated) by the Head of Planning and Building Control on an application for the proposed erection of an advertisement hoarding at Junction C51/A76 (T).

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 sign, in terms of its size and location, would be contrary to the Council's Development Control Policies relating to the display of Advertisements, as outlined in Appendix 17 of the Cumnock and Doon Valley District Wide Local Plan; specifically in relation to Policy 9(c); the size of the sign exceeding the permitted dimensions; and (2) the proposed development would set an undesirable precedent for similar advance signs, to the detriment of visual amenity.

It was agreed to defer consideration of this application to a future meeting to allow the Head of Planning and Building Control the opportunity consult with the applicant regarding the details of his application in relation to the Council's Development Control Policies relating to the display of advertisements.

**2.7 APPLICATION NO 00/0474/FL : HOPE HOMES SCOTLAND : SHIELD MEADOW PHASE III, DRONGAN**

There was submitted an executive summary and a report dated 30 August 2000 (circulated) by the Head of Planning and Building Control on an application for full planning consent in respect of a proposed development comprising sixteen private dwellinghouses at Sheild Meadow, Phase III, Drongan.

The Senior Planning Officer summarised the planning considerations in respect of the application and gave the recommendations 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 7 July 2000 as revised by the site plan as proposed received by the Planning Authority on 22 August 2000; (3) 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 site; (4) notwithstanding the plans hereby approved, and the provisions of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992, or any order or enactment replacing this, any garages associated with the development shall be of permanent construction and finished in the same materials as the dwellinghouses to which they relate and shall be set back a minimum distance of 6 metres from the rear of the footway; (5) access to the site shall be taken via internal roads which comply with East Ayrshire Council Roads Development Guide 1996; (6) prior to the occupation of each house, the private driveway shall be paved for a minimum distance of 2 metres from the rear of the footway/edge of the public road carriageway to avoid overcarry of loose material onto the public road; (7) any gates shall require to open inwards

away from the public road; (8) visitor and car parking spaces for each dwellinghouse shall be provided in accordance with the requirements of East Ayrshire Council Roads Development Guide 1996; (9) no construction work and preparation works shall take place on site before 0700 hours and after 1800 hours on Mondays to Fridays, before 0800 hours and after 1200 hours on Saturdays and any time on Sundays; (10) prior to works commencing on site, the applicant shall submit to and have approved by the Planning Authority details of the treatment of the play area and play equipment to be installed within the site including the intended arrangements to be made for maintenance. The play area and play equipment shall be installed prior to completion of the last house within this phase of the development; (11) prior to the occupation of any adjacent houses, a 1.8 metre high screen fence shall be erected along the northern and north-western boundaries of the site adjacent to the existing housing, and eastern boundary and along the side and rear boundaries of the play area, details of its design and location shall be submitted to and approved by the Planning Authority before development commences on site; (12) notwithstanding the approved plans, a fence or wall shall be erected around the visitor car parking adjacent to the play area and along the frontage of the play area except where to allow access. Details of its design, height and location shall be submitted to and approved by the Planning Authority before development commences on site and shall be erected prior to the use of the play area; and (13) junction visibility splay areas of 2.5 metres by 35 metres shall be required at all internal road junctions with no object greater than 1 metre in height allowed within these areas; 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) in the interest of visual amenity; Condition (4) in the interests of visual amenity and road safety; Conditions (5), (6), (7), (8), (12) and (13) in the interests of road safety; Conditions (9) and (11) in the interests of residential amenity; and Condition (10) to ensure the play area is provided to an adequate standard, installed on site and thereafter maintained.

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

## **2.8 APPLICATION NO 00/0471/0L : MR R GILLILAND : GLAISNOCK BELT, CUMNOCK**

There was submitted an executive summary and a report dated 30 August 2000 (circulated) by the Head of Planning and Building Control on an application for outline planning permission for the erection of a dwellinghouse at Glaisnock Belt, Over Glaisnock, Cumnock.

The Senior Planning Officer summarised the planning considerations in respect of the application and gave the recommendations of the Head of Planning and Building Control : Refusal for the following reasons; (1) the proposed development would constitute the erection of a new dwellinghouse in the countryside which:- (a) does not have a specific locational need; (b) is not an addition to a defined group of houses; and (c) does not form part of a group of houses with a dual residential and workplace function; The proposal would therefore not be in accordance with Policies SD4 and RES14 of the East Ayrshire Local Plan Finalised Version; and (2) the proposed development would result in the loss of mature trees and would therefore not be in accordance with Policy RES16 of the East Ayrshire Local Plan, Finalised Version.

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

**2.9 APPLICATION NO 99/0611/OL : MS A WALLACE : KERSE SQUARE, POLNESSAN, PATNA**

There was submitted an executive summary and a report dated 30 August 2000 (circulated) by the Head of Planning and Building Control on an application for outline planning permission for the erection of a single dwelling and associated garage at Kerse Square, Polnessan, Patna.

The Senior Planning Officer reported the undernoted additional recommended conditions:- (6) no trees within the site shall be felled, lopped, have roots cut or be the subject of any other works without the written consent of the Planning Authority; and (7) the indicative layout plan submitted along with the application is for information only and shall not be treated as forming part of the issued consent; Condition (6) in the interests of visual amenity and Condition (7) as the application is in outline only.

The Senior Planning Officer summarised the planning considerations in respect of the application and gave the recommendations of the Head of Planning and Building Control : Approval subject to the following further conditions; (1) in the case of 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; (c) the means of drainage and sewerage 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) there shall be no commencement of development on site prior to all obstructions of over one metre in height within the visibility sightline splay areas of 2.5 metres by 90 metres having been removed. These sightlines shall be maintained thereafter to the satisfaction of the Planning Authority; (5) details to be submitted under Condition 3(d) and 3(f) shall include the following road alterations:- (a) a 2 metre wide pedestrian refuge/verge to be provided along the frontage of the site; and (b) an internal vehicular turning area to be formed; 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) to achieve the required visibility sightline splay areas in the interests of road safety; and Condition (5) in the interests of road safety.

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

## **2.10 APPLICATION NO 99/0751/OL : SCOTTISH COAL COMPANY LIMITED : BARONY ROAD, AUCHINLECK**

### **2.10.1 Declaration of Interest**

Councillor Menzies declared an interest in this matter and took no part in the discussion or determination of the application

### **2.10.2 Consideration of Item**

There was submitted an executive summary and a report dated 5 September 2000 (circulated) by the Head of Planning and Building Control on an application for outline planning consent for the development of business and industrial units including factory outlet, provision of car parking, access of landscaping at former Barony Colliery (South), Barony Road, Auchinleck.

The Senior Planning Officer reported that one 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 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 following matters hereby reserved:- (a) the layout of the site and details of the 'coppice' tree planting; (b) the size, height, design and external appearance of the proposed buildings; (c) the means of drainage and sewerage 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; and (j) submission of a ground contamination report detailing any such contamination and proposed remediation measures; (4) this permission relates only to development of uses contained within Classes 4, 5 and 6 of the Town and Country Planning Use Classes (Scotland) Order 1997; (5) 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; (6) notwithstanding the approved plans, each factory outlet shall be restricted to a maximum of 200m<sup>2</sup> gross floorspace and shall in each case be ancillary to the production unit whose goods it is retailing. Goods sold within the factory outlets shall be limited exclusively to those goods manufactured in the production units to which they relate; (7) before development commences, written approval from the Planning Authority must be obtained for the content and implementation of the following road safety measures:- (a) access street lighting at the junction with Barony Road; (b) bus shelters on Barony Road at the existing bus bays; (c) cycle lockers at Auchinleck Railway Station; (d) traffic calming at Mill Street, Ochiltree; (e) footway and cyclepath to Auchinleck; (f) footway along Pennylands Road; and (g) pedestrian phase at traffic lights at Pennylands railway bridge; which will be phased in accordance with implementation of the development on site; (8) before development commences on site, West of Scotland Water shall have confirmed in writing that there is in place appropriate off-site drainage and

sewerage infrastructure sufficient to accommodate the development granted by this consent; and (9) the use/uses hereby approved shall operate without detriment to adjoining properties by reason of noise, dirt, grit, smell or general disturbance; Conditions (1) and (2) being imposed to comply with Section 59 of the Town and Country Planning (Scotland) Act 1997; Conditions (3) and (5) as the application is in outline only; Conditions (4) and (6) to enable the Planning Authority to retain control over the future development of the site in the interests of local planning policies; Condition (7) to ensure that road safety measures in proportion with the development to be implemented are undertaken at the development site; Condition (8) to ensure adequate drainage and sewerage infrastructure for the development; and Condition (9) to safeguard the amenity of the area.

No hearing took place as the objector was not present or represented.

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

The meeting terminated at 1117 hours.