

EAST AYRSHIRE COUNCIL

SOUTHERN LOCAL PLANNING COMMITTEE

MINUTES OF SPECIAL MEETING HELD ON TUESDAY 5 AUGUST 1997 AT 1000 HOURS IN THE BARRHILL CENTRE, BANK AVENUE, CUMNOCK

PRESENT: Councillors Eric Ross, James Kelly, Robert Taylor, Eric Jackson, Tommy Farrell, James Carmichael, George Smith and James Boyd.

ATTENDING: Alan Neish, Head of Planning and Building Control; Kenneth W Robinson, Principal Administrative Officer; Pamela Clifford, Senior Planning Officer; and Ian Gemmell, Administrative Officer.

APOLOGIES: Councillors David Sneller and John Smith.

CHAIR: In the absence of Councillor Ross at the commencement of the meeting, Councillor George Smith was appointed to take the Chair.

CONSIDERATION OF PLANNING APPLICATIONS

1.1 APPLICATION NO 97/0515/FL: MR D G McALLISTER

There was submitted a report dated 24 July 1997 (circulated) by the Head of Planning and Building Control on a planning application for the erection of a garden fence at 36 Schaw Avenue, Drongan.

The Senior Planning Officer reported that two 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 the following conditions, viz:- (1) The development to which this permission relates must be begun within five years from the date of this permission; and (2) The proposed development shall be carried out in accordance with the application form and plans submitted on 4 July 1997 as revised by the design of the fence plan received by the Planning Authority on 23 July 1997; Condition (1) being imposed to comply with Section 38 of the Town and Country Planning (Scotland) Act 1972; and Condition (2) to enable the Planning Authority to retain control over the development of the site.

The Committee then heard the objectors, Mr R Johnstone and Mr White who spoke in support of their objections. The applicant was not present.

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

1.2 APPLICATION NO 97/0134/0L: MR A WILSON

There was submitted a report dated 22 July 1997 (circulated) by the Head of Planning and Building Control on an outline planning application for the formation of 5 housing plots at Knockshinnoch Farm, Knockshinnoch Road, Leggat, New Cumnock.

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, 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 or within the expiration of two years from the final approval of all reserved matters, whichever is the later; (3) The proposed development shall be carried out in accordance with the application form received on 6 March 1997 and the amended plans received by the Planning Authority on 9 May 1997; (4) This approval relates to the formation of 5 housing plots; (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 dwellinghouses; (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; and (i) finished site levels/floor levels; (6) The details to be submitted under Condition 3 shall allow for the following road alterations (a) access for each plot to be taken via a footway crossing to East Ayrshire Roads Division standards; (b) a 2 metre wide footway to be constructed along the Knockshinnoch Road to East Ayrshire Roads Division specification; (c) 2 off road parking spaces to be provided for a distance of at least 2 metres as measured from the heel of the public footway; (7) Details submitted under Condition 3 shall provide for dwellings of traditional design incorporating:- (a) a roof covering of slate or a material with an appearance similar to slate appropriate to a rural setting; (b) windows of vertical proportions; (c) an external finish predominately of render or natural stone; (d) incorporation of chimneys; and (8) The developer shall satisfy himself as to the mineral stability of the site; Conditions (1) and (2) being imposed to comply with Section 39 of the Town and Country Planning (Scotland) Act 1972; Condition (3) to enable the Planning Authority retain control over the future development of the site; Condition (4) to ensure that the development is carried out in accordance with the approved details; Condition (5) as the approval is in outline only; Condition (6) in the interest of road safety; Condition (7) in the interests of visual amenity and the character and appearance of the area; and Condition (8) in the interests of public safety.

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

Councillor Ross joined the meeting during discussion of the above item of business.

1.3 APPLICATION NO 97/0266/FL: RAILTRACK

There was submitted a report dated 18 July 1997 (circulated) by the Head of Planning and Building Control on a planning application for the infilling of railway under bridge No 172 and the formation of a vehicle turning area on

each side of the bridge at Borland Road, Borland, near Cumnock.

The Senior Planning Officer reported that two 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 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 to the Planning Authority on 16 April 1997; (3) No works shall commence on site until a formal stopping-up order for Borland Road has been confirmed by East Ayrshire Council as Roads

Authority; and (4) The proposed vehicle turning heads shall be constructed to East Ayrshire Council's Roads Division specifications and to the satisfaction of 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 in accordance with the approved details; Condition (3) to retain effective planning control over the proposed development; and Condition (4) in the interests of public road safety.

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

1.4 APPLICATION NO 97/0289/AD: MR R MILLS

There was submitted a report dated 18 July 1997 (circulated) by the Head of Planning and Building Control on an advertisement application for the erection of a wall mounted signboard at 51 Townhead Street, Cumnock.

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, viz:- (1) the proposed gable signboard, being located on the gable elevation of the shop premises, is contrary to Policy Shop 7 of the Finalised Cumnock and Doon Valley Local Plan which states that the display of advertisements must comply with the Council's Development Control policies pertaining to advertisements, i.e. Position on Building: Advertisements on the gable of buildings will not normally be allowed except where necessary for the identification of the premises; and (2) The signboard, as erected and displayed on site, is detrimental to the visual and residential amenity of the residential properties located immediately adjacent to the application site.

It was agreed to continue consideration of this application to a Special Meeting of this Committee, following a site visit.

1.5 APPLICATION NO 97/0273/FL: HOPE HOMES LIMITED

There was submitted a report dated 21 July 1997 (circulated) by the Head of Planning and Building Control on a planning application for the erection of 12 houses at Primpton Avenue, Dalrymple.

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: 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 21 April 1997 as revised by the site plan received by the Planning Authority on 9 July 1997; (3) Notwithstanding the submitted plans, the facing brick and roof tiles are not hereby approved. Details/samples of facing brick and roof tiles shall be submitted to and approved by the Planning Authority before any development commences on the site; (4) Prior to the commencement of development on the site, the roads, footways and lighting across the frontage of the development site (Primpton Avenue) shall be completed to an adoptable standard to the satisfaction of the Roads Division and Planning Authority; (5) Access to the site shall be taken via footway crossings and the existing footway crossing points and footway reinstated to East Ayrshire Council's Roads Division standards to the satisfaction of the Planning Authority; (6)

Visibility sightline splays of 2.5m x 35m with no object greater than 1 m in height shall be formed and maintained at both accesses onto the public road; (7) No surface water shall issue from the site onto the public road; (8) The developer shall satisfy himself as to the stability of the site; (9) A landscape scheme including the treatment of the boundary of the site/areas for public open space 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; (Note: This consent does not involve the Council in the maintenance of open space and applicants requiring areas of open space); (10) 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; (11) Notwithstanding the approved plans, a boundary feature shall be provided along Burnton Road, details of its design shall be submitted to and approved by the Planning Authority before development commences on site; and (12) The developer shall satisfy himself as to the stability of the site; 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), (10) and (11) in the interests of visual amenity; Condition (4) in the interests of road safety and residential amenity; Conditions (5), (6) and (7) in the interests of road safety; Conditions (8) and (12) in the interests of public 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 interest of residential and visual amenity.

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

1.6 APPLICATION NO 97/0291/FL: MR J MCGINN

There was submitted a report dated 23 July 1997 (circulated) by the Head of Planning and Building Control on a planning application for the erection of an exhaust and tyre centre and car accessory shop at Merlin Park Service Station, Mauchline Road, Auchinleck.

The Senior Planning 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) Prior to any works commencing on site, the applicant shall submit details of the proposed sound-proofing measures to be incorporated in the construction of the proposed premises, to the Planning Authority for approval; (3) Samples of the facing

brick and profiled steel sheeting to be used in the external finishes of the proposed premises shall be submitted to the Planning Authority for approval prior to works commencing on site; (4) Prior to works commencing on site, the applicant shall submit details showing the provision of 10 additional car parking spaces within the site and details of storage areas for used tyres and exhausts, to the Planning Authority for approval; (5) 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 the use of the premises as a tyre and exhaust centre with car accessory shop 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; (6) The stacking of waste on the site at no time shall exceed 2 metres in height; (7) No materials shall be burned on the site at any time; (8) 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; (9) The use hereby approved shall not be carried out before 0830 hours and after 1730 hours on Mondays to Fridays, before 0830 hours and after 1200 hours on Saturdays, and before 1000 hours and after 1400 hours on Sundays; (10) No trees shall be lopped, topped or felled on site without the prior written consent of the Planning Authority; and (11) The existing hedgerow along the eastern boundary of the site shall be retained intact and maintained thereafter to the satisfaction of 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 adequate sound-proofing is provided in the development in the interests of residential amenity; Conditions (3) and (10) in the interests of amenity; Condition (4) to ensure that adequate provision is made for parking and storage facilities; Condition (5) to enable the Planning Authority to retain control over the use of the site in the interests of residential amenity; Condition (6) to safeguard the residential amenity of the area; Conditions (7) and (8) to safeguard the residential amenity of the area and in the interest of highway safety; Condition (9) to prevent noise and disturbance extending into hours during which other sources of noise have subsided, in the interest of residential amenity; and Condition (11) in the interests of visual amenity.

The Committee then heard the objector Mr Brown, who spoke in support of the objections and the applicant's Agent, Mr Derek Hutton, who spoke in support of the application, all in accordance with the agreed Hearing procedure.

It was agreed to approve the application, subject to the conditions detailed.

1.7 APPLICATION NO 97/0144/OL: MS K MCFADZEAN

There was submitted a report dated 22 July 1997 (circulated) by the Head of Planning and Building Control on an application for outline planning consent for the erection of 3 dwellinghouses at Fir Park, Sorn.

The Senior Planning Officer reported that three 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 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 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 dwellinghouses; (c) the means of drainage and sewage disposal; (d) details of the access arrangements; (e) the provision for car parking; and (g) the boundary walls/fences to be erected; (4) The details to be submitted under Condition I should allow for no more than three terraced dwellings, of either single or 1.5 storey construction to be erected within the site; (5) That the indicative layout and elevational plans submitted along with the

application are for information purposes only and shall not be treated as forming part of the issued consent; (6) That prior to the commencement of works on the site, the applicant shall satisfy himself as to the suitability of the site for construction purposes; (7) The details to be submitted under Condition (1A) shall allow for the front elevation and ridge line of the terraced dwellinghouses to face and be parallel to the access road serving the site; (8) The details to be submitted under Condition (1B) that all the windows shall be timber, traditionally proportioned, sash and case windows, or window with an appearance similar to this arrangement; (9) Prior to any works commencing on site, all plots shall be pegged out and their boundaries identified on site; (10) The details to be submitted under Condition (1B) above shall provide for a comprehensively well designed scheme which in design and materials is compatible with the local architecture and sympathetic to the character of Sorn Conservation Area; and (11) No trees shall be felled, lopped or have roots cut on the site without the written consent of the Planning Authority; (12) 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; (13) Access to each plot shall be taken via a footway crossing to East Ayrshire Roads Division standards and to the satisfaction of the Planning Authority; (14) A two metre wide footway, constructed to East Ayrshire Roads Division specifications, shall be constructed along the entire frontage of the proposed development site and extended to adjoin the existing footway at Main Street; (15) Two off-road parking spaces shall be provided for each proposed dwellinghouse; (16) Private access driveways shall be paved for a minimum distance of 2 metres as measured from the heel of the public footway; and (17) Any access gates shall open away from the public road at Fir Park; Conditions (1) and (2) being imposed to comply with Section 39 of the Town and Country Planning (Scotland) Act 1972; Conditions (3) and (5) the approval is in outline only; Condition (4) in the interests of amenity and to prevent over development of the site; Condition (6) in the interest of public safety; Conditions (7), (8), (11) and (12) in the interest of visual amenity; Condition (9) in the interest of residential amenity; Condition (10) to ensure that the development does not conflict with its setting and surroundings in the interest of visual amenity and the character and appearance of the area; Conditions (13), (14), (15), (16) and (17) in the interests of public road safety;

It was agreed to continue consideration of this application to a Special Meeting of the Committee, following a site visit.

LETTERS OF OBJECTION RELATING TO PLANNING APPLICATIONS

2. During discussion of the above item, it was agreed that the Head of Planning and Building Control, after consultation with the Director of Support Services,

report on the possible arrangements for making available to Members of the Local Planning Committee, letters of objection received in connection with planning applications.

CONSIDERATION OF PLANNING APPLICATION

3. APPLICATION NO 97/0165/0L: KNOWEVIEW HOMES LIMITED

There was submitted a report dated 22 July 1997 (circulated) by the Head of Planning and Building Control on an application for outline planning consent for a proposed Respite Care Centre at Waterside Street, Dalmellington.

The Senior Planning Officer reported that five 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 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 or within the expiration of two years from the final approval of all reserved matters, whichever is the later; (3) The proposed development shall be carried out in accordance with the application form received on 12 March 1997 and the amended plans received by the Planning Authority on 11 July 1997 and 23 July 1997; (4) That the indicative layout and elevational plans submitted along with the application are 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) The details to be submitted under Condition 3 shall allow for the construction of a single storey building; (7) The developer shall satisfy himself as to the stability of the site; (8) No development shall take place within the application site until the developer has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the developer, agreed by West of Scotland Archaeology, service and approved by the Planning Authority; and (9) Details to be submitted under Condition 3 shall allow for the provision of 1.8 metre high fence to be erected along the boundary with the properties of Main Street, Dalmellington; 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 development is carried out in accordance with the approved details; Conditions (4) and (5) as the approval is in outline only; Conditions (6) and (9) in the interests of residential amenity; Condition (7) in the interest of public safety; and Condition (8) to ensure that the Planning Authority retain control over the future development of the site.

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

The meeting terminated at 1050 hours.