

EAST AYRSHIRE COUNCIL**SOUTHERN LOCAL PLANNING COMMITTEE****MINUTES OF SPECIAL MEETING HELD ON WEDNESDAY 30 JUNE 1999 AT
1000 HOURS IN MAUCHLINE COMMUNITY CENTRE, KILMARNOCK ROAD,
MAUCHLINE**

PRESENT: Councillors Tommy Farrell, Eric Jackson, George Smith, Julie Faulds, William Menzies, Elaine Dinwoodie and Robert Taylor.

ATTENDING: Stephen Chorley, Director of Development Services; Pamela Clifford, Senior Planning Officer; Campbell Dempster, Senior Engineer (Roads); Julie Armstrong, Senior Administrative Officer; Karen Macleod, Solicitor; and Ian Gemmell, Administrative Officer.

APOLOGIES: Councillor Jimmy Kelly, Provost Jimmy Boyd and Councillors Eric Ross and Jimmy Carmichael.

CHAIR: Councillor Tommy Farrell, Chair.

CONSIDERATION OF PLANNING APPLICATIONS**1. APPLICATION NO 99/0119/OL: MS KAREN SHARP**

There was submitted a report dated 21 June 1999 (circulated) by the Head of Planning and Building Control on an application for outline planning consent for the erection of a dwellinghouse at Garden Cottage, Netherplace, Mauchline.

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: Refusal, for the following reasons:- (1) The proposed development, if approved, would result in an increase in vehicular traffic along a sub-standard private access road, with no lighting, and would therefore be detrimental to vehicular and pedestrian safety; (2) The proposed development is to be served by a sub-standard access road and is therefore contrary to East Ayrshire Council's Roads Division policy which requires the provision of an access road, footpaths and street lighting to Roads Division standards when serving more than 5 dwellings in a brownfield site; and (3) The proposed development, in terms of the size of the plot, is considered to be inappropriate and unsympathetic to the existing residential developments which have taken place at Netherplace and would be detrimental to the residential and visual amenity of the locality.

The Senior Planning Officer also provided details of a letter, received from the applicant, which responded to matters raised by objectors.

The objectors were not present or represented.

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

2. APPLICATION NO 99/0308/FL: HOPE HOMES (SCOTLAND)

There was submitted a report dated 21 June 1999 (circulated) by the Head of Planning and Building Control on an application for full planning consent in respect of a proposed detached bungalow at Plot 17, Mauchline Road, Catrine.

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 application site forms part of a larger housing opportunity site as identified in the Finalised Cumnock and Doon Valley District Wide Local Plan and the Council considers that approval of the application, in the absence of an approved scheme for the comprehensive development of the Mauchline Road site, would be premature and result in the piecemeal development of the site; and (2) Approval of the present application would prejudice the Council's ability to exercise planning control in respect of the properly planned comprehensive development of the Mauchline Road housing opportunity site and would be contrary to sound land use planning principles.

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

3. APPLICATION NO 99/0300/FL: MR E LOPEZ

There was submitted a report dated 21 June 1999 (circulated) by the Head of Planning and Building Control on an application for the change of use of a factory unit to development of a go-kart track facility at Block 7, Caponacre Industrial Estate, Cumnock.

The Director of Development Services reported that one letter of objection had been received, details of which were contained within 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 reasons, viz:- (1) The proposed change of use of the industrial unit to use as a go-kart facility will result in the loss of industrial floorspace and the proposal is therefore contrary to Policy IND2 of the Finalised Cumnock and Doon Valley District Wide Local Plan which states that there will be a general presumption that existing industrial buildings should be retained for industrial use; (2) The proposed change of use of the industrial unit to use as a go-kart facility will result in the loss of industrial floorspace and the proposal therefore is contrary to Policy 26 of the adopted Cumnock and Auchinleck Local Plan which states that there will be a presumption that existing industrial buildings should be retained for industrial use; and (3) The proposed change of use of the industrial unit to a go-kart facility would set an unacceptable precedence for the change of use to non-industrial uses of other industrial units in the immediate area.

The objector was not present or represented.

Councillor Smith, seconded by Councillor Menzies, moved that the application be refused for the reasons detailed.

Councillor Faulds, seconded by Councillor Taylor, moved as an amendment, that, in view of the fact that the premises had lain vacant for a period of time and the proposed use was an acceptable alternative use in this particular location, and not considered an unacceptable precedent, the application be referred to the Development Services Committee with a recommendation for approval.

On a division by a show of hands, the motion was carried by 4 votes to 2.

4. APPLICATION NO 99/0418/FL: DALMELLINGTON ANGLING CLUB

There was submitted a report dated 21 June 1999 (circulated) by the Head of Planning and Building Control on an application for full planning consent in respect of the siting of mobile portacabin for weigh-ins, resting and storage of life jackets adjacent to Lambdoughty Burn, Loch Doon, Dalmellington.

The Senior Planning Officer reported that one letter of objection had been received, details of which were contained within 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) Permission is granted for a limited period of two years from the date hereof, and the use shall be discontinued and the land restored to its former condition to the satisfaction of the Planning Authority at the expiration of this period unless a further permission is granted; and (2) The applicant shall provide appropriate and suitable litter receptacles adjacent to the portacabin for litter and rubbish generated by the development. Such receptacles shall be emptied after each day's use of the portacabin and shall be disposed of to a licensed waste disposal facility; Condition (1) being imposed to enable the Planning Authority to review the situation in the light of the temporary nature of the proposed development; and Condition (2) in the interests of amenity.

The objector was not present or represented.

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

5. APPLICATION NO 99/0187/FL: MS DONNYA TERRY

There was submitted a report dated 22 June 1999 (circulated) by the Head of Planning and Building Control on an application for full planning consent in respect of the provision of boarding kennels for dogs at 32 Garden Street, Dalrymple.

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:- (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 16 March 1999 and the side elevation plan and wall details received by the Planning Authority on 13 May 1999 and 21 June 1999; (3) Notwithstanding the submitted plans, the roof tiles, doors and windows are not hereby approved. Details/samples of roof tiles, doors and windows shall be submitted to and approved by the Planning Authority before any development commences on the site; (4) Notwithstanding the plans hereby approved, the external surface of the walls shall be rendered in a colour to be agreed in writing by the Planning Authority; (5) 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; (6) The existing hedge along the southern and western boundary of the site shall be retained intact and maintained thereafter to the satisfaction of the Planning Authority; (7) Notwithstanding the approved plans, 8 car parking spaces shall be provided within the site boundary for the proposed development prior to the use of the kennels; (8) The kennels shall be manned at all times; (9) Notwithstanding the

approved plans, no dogs shall be within the exercise pen between the hours of 2200 hours and 0700 hours daily; (10) Prior to the use of the kennels, buildings shall be adequately sound-proofed to the satisfaction of the Planning Authority; (11) Notwithstanding the approved plans, a satisfactory method of waste disposal for soiled materials and bedding shall be submitted to and approved by the Planning Authority and implemented prior to the use of the kennels; and (12) The proposed boarding kennels shall operate without detriment to adjacent residential properties by reason of noise, odour or general disturbance; 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 plans; Conditions (3), (4) and (6) in the interest of visual amenity; Condition (5) in the interests of visual and residential amenity; Condition (7) in the interests of road safety; Conditions (8), (9), (10) and (12) in the interests of residential amenity; and Condition (11) to prevent odour and other associated problems arising to the detriment of residential amenity and public safety.

The objectors were not present or represented.

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

6. APPLICATION NO 99/0341/FL: HOPE HOMES (SCOTLAND)

There was submitted a report dated 18 June 1999 (circulated) by the Head of Planning and Building Control on an application for full planning consent in respect of proposed alterations to Plots 3, 4, 7, 8, 9 and 10 and car park for private dwellings at Ayr Road, Patna.

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) Prior to the occupation of the houses, a 2 metre wide footway shall be provided along the full frontage of the site; (3) A landscaping scheme for the area of open space shall be submitted to and approved by the Planning Authority and implemented prior to the occupation of the houses; (4) Prior to the occupation of the houses, the applicant shall submit to and have approved by the Planning Authority details of a Maintenance Programme including costings for the open space area. Such programme will cover a period of no less than 10 years; and (5) Notwithstanding the approved plans, no trees shall be planted within 5 metres of the edge of the public road carriageway. The two trees adjacent to the car parking area shall be deleted and replaced by a landscaping feature of shrubs of less than one metre in height. Details of the treatment of this area shall be submitted to and approved by the Planning Authority and implemented prior to the occupation of the houses; Condition (1) being imposed to comply with Section 58 of the Town and Country Planning (Scotland) Act 1997; Condition (2) in the interests of road safety; Condition (3) in the interests of residential and visual amenity; Condition (4) to ensure that the open space area is maintained to an adequate standard; and Condition (5) in the interests of visual amenity.

Councillor Farrell, seconded by Councillor Smith moved that the application be approved subject to the conditions and for the reasons detailed.

Councillor Taylor, seconded by Councillor Faulds moved as an amendment that the application be refused for the reason that the proposed amendments were unacceptable, and would detract from visual amenity and attractiveness of the area.

On a division by a show of hands, the motion was carried by 5 votes to 2.

It was further agreed that the Director of Development Services arrange a meeting with the developer and representatives from the Legal Section to discuss current and future planning applications.

The meeting terminated at 1130 hours.