

EAST AYRSHIRE COUNCIL**NORTHERN LOCAL PLANNING COMMITTEE****MINUTES OF MEETING HELD ON FRIDAY 5 DECEMBER 2008 AT 1000 HOURS
IN THE MEETING ROOM, COUNCIL HEADQUARTERS, LONDON ROAD,
KILMARNOCK**

PRESENT: Councillors Alan Brown, Rose-Ann Cuninghame, John MacKay, John McGhee, Willie Coffey, Tom Cook, Robert Keohone, Douglas Reid, John Campbell, Gordon Cree, Stuart Finlayson and Robert McDill.

ATTENDING: Dave Morris, Development Management Manager; John Trakalo, Senior Engineer (Roads and Transportation); Avril Forrest, Solicitor; Craig Young, Team Leader - Litigation and Advice and Jennifer Morrison, Administrative Officer.

APOLOGIES: Councillors Helen Coffey, Maureen McKay, Iain Linton, Jim Buchanan, Drew McIntyre, John Knapp, Hugh Ross, Jim Todd and Provost Stephanie Young.

CHAIR: Councillor Alan Brown, Chair.

HEARING PROCEDURE

1. The Administrative Officer established that the Hearing Procedure was understood by all participants (circulated).

CONSIDERATION OF APPLICATIONS

2. **APPLICATION NO 07/0190/FL: JAMES GIBB: THREEWOOD FARM, SORN ROAD, GALSTON**

There was submitted an executive summary sheet and report dated 26 November 2008 (both circulated) by the Head of Planning and Economic Development on a full planning application for recycling facility and yard, polytunnels and animal feed store, change of use of existing buildings to office, shop café, heritage centre, new access road, traffic calming and landscaping at Threepwood Farm, Sorn Road, Galston.

It was noted that some Members of the Committee had attended a site visit prior to the meeting.

- 2.1. **Consideration of Item**

Dave Morris, Development Management Manager, reported an amendment to the report whereby the reference on page 22 to the ability to extend industrial buildings without need of planning permission being limited to 25% of the original building up to a maximum of 1000sq metres, should read "the ability to extend industrial buildings without need of planning permission is limited to 25% of the original building or 1000 sq metres". It was further clarified however that the availability of permitted development was also limited by the requirement that any extension not materially affect the external appearance of the premises; commented that any extension approaching the 1000sq metres stated as possible by the applicants would be likely to require planning permission on the basis of its effect on the external appearance of the premises; subsequently corrected paragraph 4.29 of the report indicating, that criterion (v) of Policy IND1O did not apply as the site does not lie in

the Rural Diversification Area; reported that objections had been received from 24 parties details of which were contained within the report; summarised the planning considerations in respect of the application; and gave the recommendation by the Head of Planning and Economic Development: Refusal for the reasons detailed in the report and that due to the retrospective nature of parts of the proposal, enforcement action be taken forward as detailed in section 8.1 of the report.

2.2 Planning Hearing

The Committee heard Sandy Paton, Jim Davidson, Peter Hickman, Sally Cogley, Cath Paton, David Iles, Bill Pattison on behalf of Galston Community Council, and Stephen Cogley all in support of their objections.

The Committee then heard Sandy Telfer, the applicant's representative and Mr and Mrs Gibb the applicants in support of the application.

Members of the Committee asked questions of the applicant's representative and the applicants.

The Chair closed the Hearing.

2.3 Determination of Application

The Team Leader, Litigation and Advice and the Development Management Manager provided clarification on points raised during the Hearing.

Councillor Tom Cook, seconded by Councillor Douglas Reid moved that the application be refused for the reasons detailed in the report and that due to the retrospective nature of parts of the proposal, enforcement action be taken forward as detailed in 8.1 of the report.

Councillor Willie Coffey, seconded by Councillor John MacKay moved as an amendment that the application be referred to the Principal Planning Committee with a recommendation for approval on the grounds that the proposals assisted with the development of rural communities and constituted appropriate diversification in line with government policies, and that appropriate conditions, upon approval be delegated to the Head of Planning and Economic Development.

On a division by a show of hands the motion was carried by 8 votes to 4.

3. Adjournment/Reconvention of Meeting

It was agreed to adjourn the meeting at 1155 hours. The meeting reconvened at 1205 hours.

Councillors Douglas Reid and Gordon Cree left the meeting during the recess.

4. APPLICATION NO 07/0621/FL: JAMES GIBB: THREEPWOOD FARM, SORN ROAD, GALSTON

There was submitted an executive summary sheet and report dated 26 November 2008 (both circulated) by the Head of Planning and Economic Development on a full application for a change of use of farm buildings for storage of vehicles, equipment, tools and materials and the operation of landscaping, fencing and site clearance business at Threepwood Farm, Sorn Road, Galston.

It was noted that some Members of the Committee had attended a site visit prior to the meeting.

4.1. Consideration of Item

The Development Management Manager reported that objections had been received from 19 parties. Upon receipt of additional supporting information from the applicant the objectors had been asked if they wished to make additional comments and 12 objectors submitted either confirmation of previous or additional objections details of which were all contained on the report; a letter of support had been received also detailed in the report; summarised the planning considerations in respect of the application and gave the recommendation of the Head of Planning and Economic Development: Refusal for the reasons detailed in the report and that due to the retrospective nature of parts of this proposal enforcement action be taken forward as detailed in section 8.1 of the report.

4.2 Planning Hearing

The Committee heard Sandy Paton, Jim Davidson, Peter Hickman, Sally Cogley, Stephen Cogley, Bill Pattison on behalf of Galston Community Council, and David Iles all in support of their objections.

The Committee then heard Sandy Telfer, the applicant's agent in support of the application.

Members of the Committee asked questions of the applicant's agent.

The Chair closed the Hearing.

4.3 Adjournment/Reconvention of Meeting

It was agreed to adjourn the meeting at 1255 hours in order that the Committee could receive legal advice. The meeting reconvened at 1310 hours with the same Members and Officers present and in attendance.

4.4 Determination of Application

Councillor Willie Coffey, seconded by Councillor John MacKay moved that the application be continued to a future meeting to allow an investigation into clarifying the position with regard to the ownership of a piece of land adjacent to the applicants site which could have implications for road improvements necessary to the application.

Councillor Stuart Finlayson, seconded by Councillor Tom Cook moved as an amendment that the application be refused for the reasons detailed in the report and that due to the retrospective nature of parts of the proposal that enforcement action be taken forward as detailed in section 8.1 of the report.

On a division of a show of hands there voted 5 for the motion and 5 for the amendment.

The Chair exercised his casting vote in favour of the motion which accordingly became the decision of the meeting.

The meeting terminated at 1320 hours.