

**EAST AYRSHIRE COUNCIL****NORTHERN LOCAL PLANNING COMMITTEE****MINUTES OF MEETING HELD ON FRIDAY 25 APRIL 2008 AT  
1000 HRS IN THE MEETING ROOM, COUNCIL HEADQUARTERS, LONDON  
ROAD, KILMARNOCK**

**PRESENT:** Councillors Alan Brown, Rose-Ann Cuninghame, John MacKay, John McGhee, Helen Coffey, Willie Coffey, Tom Cook, Robert Keohone, Iain Linton, Douglas Reid, Jim Buchanan, John Campbell, Gordon Cree, Drew McIntyre, John Knapp, Hugh Ross, Stuart Finlayson, Robert McDill and Provost Stephanie Young.

**ATTENDING:** Bill Stewart, Principal Planning Officer; Craig Young, Solicitor and Jennifer Morrison, Administrative Officer.

**APOLOGY:** Councillor Jim Todd.

**CHAIR:** Councillor Alan Brown, Chair.

**CHAIR'S REMARKS**

1. The Chair reported and it was noted that Application Nos: 07/0190/FL and 07/0621/FL both applications in respect of various proposals at Threepwood Farm, Sorn Road, Galston by Mr James Gibb had been withdrawn from the Agenda.

**HEARING PROCEDURE**

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

**CONSIDERATION OF APPLICATIONS**

3. **APPLICATION NO 08/0141/FL: FLEETPOINT LTD: 17 BROWN STREET, NEWMILNS**

There was submitted an executive summary sheet and report dated 16 April 2008 (both circulated) by the Head of Planning and Economic Development on a full planning application for the removal of condition no.1 from planning consent 06/1111/FL to alter the hours of operation at 17 Brown Street, Newmilns.

**3.1 Consideration of Item**

Bill Stewart, Principal Planning Officer reported that 25 letters of objection had been received from 27 objectors details of which were contained within the report; reported the details of a late objection received from Newmilns and Greenholm Community Council; that a letter of support for the application had been received; summarised the planning considerations in respect of the application; and gave the recommendation of the Head of Planning and Economic Development, viz:- Refusal, for the reasons detailed in the report.

**3.2 Planning Hearing**

The Committee then heard Suzanne Gracie in respect of her own objection and those of the remaining 26 objectors.

Members of the Committee asked questions of the objector.

The Committee then heard Alan Niven the applicant in support of the application.

Members of the Committee asked questions of the applicant.

The Chair closed the Hearing.

### **3.3 Determination of Application**

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

## **4. APPLICATION NO 08/0119/FL: ATD DEVELOPMENT LTD: FORMER MOSCOW LEISURE CENTRE, GROUGAR, MOSCOW**

There was submitted an executive summary sheet and report dated 16 April 2008 (both circulated) by the Head of Planning and Economic Development on a full planning application for the erection of 6 detached dwellinghouses and formation of new access and associated traffic calming measures at former Moscow Leisure Centre, Grougar, Moscow by ATD Development Ltd.

### **4.1 Declaration of Interest**

Provost Stephanie Young declared a non-financial interest in accordance with paragraphs 5.17 and 5.18 of the Code of Conduct and retired to the public gallery.

### **4.2 Consideration of Item**

Bill Stewart, Principal Planning Officer reported that a petition containing 20 signatures and 12 letters had been received in support of the application, details of which were contained within the report; 39 letters of objection had been received from 46 objectors again, details were contained within the report; summarised the planning considerations in respect of the application; and gave the recommendation of the Head of Planning and Economic Development, viz:- Approval, subject to the conditions and for the reasons, detailed in the report, subject to notification of the Scottish Ministers in accordance with the Town and Country Planning (Notification of Applications) (Scotland) Direction 2007 and that the issuing of the planning decision notice be withheld until the Solicitor to the Council had satisfactorily concluded a formal agreement with the applicants in respect of the matters detailed in paragraph 7.3 of the report.

### **4.3 Planning Hearing**

The Committee then heard Jean Brown in support of the objections of Moscow and Waterside Community Council, Frank Dawson in respect of his own objections and those of Maureen Dawson, John Seton, E Nisbet and D Windsor and Greta Roberts in support of her own objections and those of Gordon Mercer, Isabel Loudon, Mr and Mrs R Watson, Ms L Dunn and Laurence Borthwick, and Russell Smith in respect of his own objections.

Members of the Committee asked questions of the objectors.

The Committee then heard Catherine Gerrard and Donna Higgins in support of the application.

Members of the Committee then asked questions of the applicant's representative Donna Higgins.

The Chair closed the Hearing.

#### **4.4 Determination of Application**

Councillor Douglas Reid seconded by Councillor Iain Linton moved that the application be approved subject to the conditions and for the reasons detailed in the report, subject to the notification of the Scottish Ministers in accordance with the Town and Country Planning (Notification of Applications) (Scotland) Direction 2007, and that the issuing of the Planning Decision Notice be withheld until the Solicitor to the Council had satisfactorily concluded a formal agreement with the applicants in respect of the matters detailed in paragraph 7.3 of the report and subject to the voluntary TLR5 contribution by the applicant being used within the village of Moscow.

Councillor Tom Cook, seconded by Councillor John MacKay moved as an amendment that the application be refused on the basis that the proposals constituted an over-development of the site and that the application failed to satisfy many of the requirements of the current Local Plan.

On a division by a show of hands the motion was carried by 15 votes to 3.

The meeting terminated at 1220 hours.