

EAST AYRSHIRE COUNCIL

SOUTHERN LOCAL PLANNING COMMITTEE

**MINUTES OF MEETING HELD ON FRIDAY 8 OCTOBER 2004 AT 1002 HOURS IN
THE BARRHILL CENTRE, BANK AVENUE, CUMNOCK**

PRESENT: Councillors Neil McGhee, George Smith, Jimmy Kelly, Tommy Farrell, William Menzies, William Crawford, Eric Ross, Elaine Dinwoodie, Elaine Stewart and Jimmy Carmichael.

ATTENDING: Hugh Melvin, Principal Planning Officer; Mustafa Khan, Solicitor; and Stuart Nelson, Administrative Officer.

APOLOGY: Councillor Eric Jackson.

CHAIR: Councillor Neil McGhee, Chair.

APPLICATION NO 04/0462/FL: TAY LIMITED: 46-48 MAIN STREET, PATNA

1. The Administrative Officer reported, and it was noted, that Application No 04/0462/FL: Proposed Erection of 6 Dwellinghouses at 46-48 Main Street, Patna, by Tay Limited had been withdrawn from the Agenda.

HEARING PROCEDURE

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

3. **APPLICATION NO 04/0629/FL: TAY LIMITED: SITE AT BANK GLEN, CUMNOCK**

There was submitted an executive summary sheet and report dated 24 September 2004 (both circulated) by the Head of Planning, Development and Building Standards on a full planning application for the proposed erection of four detached dwellinghouses at Bank Glen, Cumnock.

- 3.1 **Consideration of Item**

The Principal Planning Officer reported that three letters of objection with four signatories had been received, details of all 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, Development and Building Standards: Approval, subject to the conditions, and for the reasons, detailed in the report.

- 3.2 **Planning Hearing**

The Committee heard Mr Hugh Arthur, objector, in support of the objections submitted by his wife and himself.

The applicant was not present or represented.

The Chair closed the Hearing.

- 3.3 **Determination of Application**

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

Councillor Eric Ross joined the meeting at this point.

4. APPLICATION NO 04/0717/FL: KIER CONSTRUCTION: GREENBURN OPENCAST COAL SITE, NEW CUMNOCK

There was submitted an executive summary sheet and report dated 28 September 2004 (both circulated) by the Head of Planning, Development and Building Standards on a full planning application for the proposed extension to the excavation area for opencast coal mining at Greenburn Opencast Coal Site, New Cumnock.

4.1 Consideration of Item

The Principal Planning Officer reported that two letters of objection with three signatories had been received, details of all 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, Development and Building Standards: Approval, subject to the conditions, and for the reasons, detailed in the report.

4.2 Planning Hearing

The Committee heard Mr David Paton, objector, in support of his objections.

The Committee then heard Mr David Thomson, who was accompanied by Mr Mark Harrington and Mr Philip Cave, representing the applicant, in support of the application. Members asked questions of the applicant's representative who responded to the issues raised, all in accordance with the Hearing Procedure.

The Chair closed the Hearing.

4.3 Determination of Application

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

5. APPLICATION NO 04/0744/FL: CORAL ESTATES LIMITED: 31 LOUDOUN STREET, MAUCLINE

There was submitted an executive summary sheet and report dated 24 September 2004 (both circulated) by the Head of Planning, Development and Building Standards on a full planning application for the proposed change of use from wholesale warehouse to licensed betting office (Class 2) at 31 Loudoun Street, Mauchline.

The Principal Planning Officer reported that one 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, Development and Building Standards: Approval.

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

It was agreed to approve the application.

6. APPLICATION NO 04/0667/OL: MR JOHN BRODIE: 13 BANK AVENUE, CUMNOCK

There was submitted an executive summary sheet and report dated 24 September 2004 (both circulated) by the Head of Planning, Development and Building Standards

on an outline planning application for the proposed erection of a dwellinghouse at 13 Bank Avenue, Cumnock.

The Principal 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, Development and Building Standards: Approval, subject to the conditions, and for the reasons, detailed in the report.

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

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

7. APPLICATION NO 04/0706/FL: MR JOHN D YUILLE JNR: ATV SERVICES SCOTLAND AYRSHIRE CENTRE, MEADOWPARK, HOLLYBUSH

There was submitted an executive summary sheet and report dated 24 September 2004 (both circulated) by the Head of Planning, Development and Building Standards on a full planning application for the proposed extension to an existing garage facility and the erection of a new dwellinghouse at ATV Services Scotland Ayrshire Centre, Meadowpark, Hollybush.

The Principal 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, Development and Building Standards: Refusal, for the reason detailed in the report.

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

It was agreed to continue consideration of this application until later in the meeting, pending clarification from the Officers concerned on the position with regard to the status of requests made by Members at Local Planning Committee meetings for site visits in respect of applications coming before the Committee.

8. APPLICATION NO 04/0711/FL: MR ALEX STEVENSON: SHIELD MAINS FARM, COALHALL

There was submitted an executive summary sheet and report dated 24 September 2004 (both circulated) by the Head of Planning, Development and Building Standards on a full planning application for a proposed agricultural shed at Shield Mains Farm, Coalhall.

The Principal Planning Officer reported that two letters 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, Development and Building Standards: Approval, subject to the conditions, and for the reasons detailed in the report.

No Hearing took place as the objectors were not present or represented.

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

9. APPLICATION NO 03/0410/LB: NORTHKIRK LIMITED: BALLOCHMYLE HOUSE, MAUCLINE

There was submitted an executive summary sheet and report dated 27 September 2004 (both circulated) by the Head of Planning, Development and Building Standards on a listed building application for the proposed refurbishment of the mansion house to form flats at Ballochmyle House, Mauchline.

The Principal Planning Officer reported that one letter of objection had been received, in addition to the objection submitted by the Architectural Heritage Society of Scotland, details of all 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, Development and Building Standards: Approval, subject to the conditions, and for the reasons, detailed in the report and that the issue of the Decision Notice be withheld until the application had been notified to, and cleared by, Historic Scotland.

No Hearing took place as the objectors were not present or represented.

It was agreed to approve the application subject to the conditions, and for the reasons, detailed in the report and that the issue of the Decision Notice be withheld until the application had been notified to, and cleared by, Historic Scotland.

On the matter being raised by Councillor Ross, it was agreed that the Head of Planning, Development and Building Standards, in consultation with the Chair, write to the Architectural Heritage Society of Scotland, on behalf of this Committee, expressing the Committee's disappointment that the Society had not commented on the proposals set out within this application, particularly bearing in mind the architectural importance of the building concerned.

10. APPLICATION NO 04/0641/FL: NORTHKIRK LIMITED: PENNYLANDS ROAD, AUCHINLECK (PHASE 3)

There was submitted an executive summary sheet and report dated 24 September 2004 (both circulated) by the Head of Planning, Development and Building Standards on a full planning application for a proposed housing development comprising the erection of 25 dwellinghouses (Phase 3) at Pennylands Road, Auchinleck.

The Principal Planning Officer reported that one objection, from Scottish Water, 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, Development and Building Standards: Approval, subject to the conditions, and for the reasons, detailed in the report.

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

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

11. APPLICATION NO 04/0706/FL: MR JOHN D YUILLE, JNR: ATV SERVICES SCOTLAND AYRSHIRE CENTRE, MEADOWPARK, HOLLYBUSH (Item 7, Page 1038, 03/07)

The Committee continued consideration of this application from earlier in the meeting.

The Solicitor provided clarification in respect of the position with regard to the status of requests made by Members at Local Planning Committee meetings for site visits in respect of applications coming before the Committee.

It was agreed that the application be approved on the basis that there is a site specific justification for the proposed dwellinghouse in view of the particular operational and security requirements arising from expansion of the applicant's business, subject to detailed conditions to be determined by the Head of Planning, Development and Building Standards relating to landscaping, boundary treatment, surface water drainage and road safety; and that the issue of the Decision Notice be withheld until the Solicitor to the Council had satisfactorily concluded a formal agreement under Section 75 of the Town and Country Planning (Scotland) Act 1997 with the applicant to secure the improvements to be made in the interests of road safety, as detailed in the report.

The meeting terminated at 1109 hours.

(Note: Subsequent to the meeting, the Head of Planning, Development and Building Standards advised that a formal agreement under Section 75 of the Town and Country Planning (Scotland) Act 1997 was not required since the road safety improvements referred to can be provided on land which is within the control of the applicant or of East Ayrshire Council).