

**EAST AYRSHIRE COUNCIL**

**NORTHERN AREA LOCAL PLANNING COMMITTEE**

**MINUTES OF MEETING HELD ON FRIDAY 24 NOVEMBER 2006 AT  
1000 HRS IN DARVEL TOWN HALL, WEST MAIN STREET, DARVEL**

**PRESENT:** Councillors Maureen McKay, Jim O'Neill, John McGhee, Stephanie Young, Isabella Macrae, Jim Raymond, Stuart Finlayson and Robert McDill.

**ATTENDING:** Bill Stewart, Principal Planning Officer; Gillian Craig, Senior Planner; Avril Forrest, Solicitor; and Christine Baillie, Administrative Officer

**APOLOGY:** Councillor Harry Wilson

**CHAIR:** Councillor Maureen McKay, Chair.

**HEARING PROCEDURE**

1. The Administrative Officer established that the Hearing Procedure was understood by all participants.
2. **APPLICATION NO 06/0564/OL: GARTMORE PROPERTIES LTD: LAND TO EAST OF ANDERSON DRIVE, DARVEL (Item 2, page 2491, 03/07)**

There was submitted an executive summary sheet and report dated 14 November 2006 (both circulated) by the Head of Planning, Development and Building Standards on an outline planning application for residential development at land to east of Anderson Drive, Darvel.

**2.1 Members Participation in the Determination of the Application**

Having noted that only those Elected Members (Councillors McKay, O'Neill, Young, Macrae, Raymond and Finlayson) who had been involved in the Hearing associated with the application relating to this item at the meeting held on 27 October 2006 should participate in the determination of the application, Councillors McGhee and McDill retired to the public gallery at this point.

**2.2 Determination of Application**

It was noted that members of the Committee had attended a site visit in respect of this application prior to the meeting.

Councillor O'Neill, seconded by Councillor Raymond, moved that the application be referred to the Development Services Committee with a recommendation for refusal on the following grounds:- (i) road safety in respect of the access to the site; (ii) the loss of open space; and (iii) that the application was premature in view of the forthcoming review of the East Ayrshire Local Plan.

Councillor McKay, seconded by Councillor Finlayson, moved as an amendment that the application be approved subject to the conditions, and for the reasons, detailed in the report but that the formal agreement in respect of a financial contribution to the TLR5 fund not be pursued under this application.

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

Councillors McGhee and McDill rejoined the meeting at this point.

**3. APPLICATION NO 06/0759/FL: MR & MRS A GRANT: LAND AT THE BRAES, BURN ROAD, DARVEL (Item 3, page 2491, 03/07)**

There was submitted an executive summary sheet and report dated 14 November 2006 (both circulated) by the Head of Planning, Development and Building Standards on a full planning application for erection of one and a half storey detached dwellinghouse on land at the Braes, Burn Road, Darvel.

It was noted that consideration of this application had been deferred at the last meeting in order that Members could have the opportunity to attend a site visit, which was held prior to this meeting. It was further noted that a new Hearing on the application be held.

**3.1 Consideration of Item**

The Principal Planning Officer reported that 2 letters of objections 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.

**3.2 Planning Hearing**

The Committee heard Mrs Dawson in respect of her objections.

Members of the Committee asked questions of the objector in accordance with the Hearing Procedure.

The Committee then heard Mr Grant, applicant, in support of the application.

Members of the Committee asked questions of the applicant in accordance with the Hearing Procedure.

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.

**4. APPLICATION NO 06/0840/FL: SHIRE HOUSING: 2-12 NESS GARDENS, HURLFORD**

There was submitted an executive summary sheet and report dated 14 November 2006 (both circulated) by the Head of Planning, Development and Building Standards on the proposed erection of 1800mm high treated timber fence (in retrospect) at 2-12 Ness Gardens, Hurlford.

It was agreed to continue consideration of this application in order that the position of the fence, as shown on the plans, be clarified.

**5. APPLICATION NO 06/0714/FL: JAY AND LESLEY STEEL: LAND AT COWANS LAW, HEMPHILL ROAD, MOSCOW, GALSTON**

**5.1 Declaration of Interest**

Councillor Young declared a non-financial interest in this item and left the meeting.

## **5.2 Consideration of Item**

There was submitted an executive summary sheet and report dated 16 November 2006 (both circulated) by the Head of Planning, Development and Building Standards on a full planning application for removal of condition 8 from planning consent 05/0677/FL to remove restriction on the use of the tourist accommodation lodge from being solely associated with Cowans Law fishing and country sports business on land at Cowans Law, Hemphill Road, Moscow, Galston.

The Principal Planning Officer reported that one letter of objection had been received together with an objection from Moscow and Waterside Community Council, 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.

## **5.3 Planning Hearing**

The Committee heard Mrs Brown in respect of the objection submitted by Moscow and Waterside Community Council.

Members of the Committee asked questions of the objector in accordance with the Hearing Procedure.

The Committee then heard Ms Hamilton, Agent for the applicant, in support of the application.

Members of the Committee asked questions of the Agent for the applicant in accordance with the agreed Hearing Procedure.

The Chair closed the Hearing.

## **5.4 Determination of Application**

Councillor Finlayson, seconded by Councillor McGhee, moved that the existing condition 8 be amended to read "The Tourist Accommodation hereby approved, shall be used in association with the existing Cowans Law Fishing and Country Sports business, as delineated in blue on the approved plans.

Councillor Raymond, seconded by Councillor Macrae, moved as an amendment that the application for removal of the condition be approved.

On a division by a show of hands the motion was carried by 4 votes to 3.

The meeting terminated at 1115 hours.