

EAST AYRSHIRE COUNCIL

SOUTHERN LOCAL PLANNING COMMITTEE

**MINUTES OF MEETING HELD ON FRIDAY 3 NOVEMBER 2006 AT 1000 HOURS
IN THE BARRHILL CENTRE, BANK AVENUE, CUMNOCK**

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

ATTENDING: Hugh Melvin, Principal Planning Officer; Craig Young, Solicitor; and Stuart Nelson, Administrative Officer.

APOLOGIES: Councillors Tommy Farrell and William Menzies.

CHAIR: Councillor Neil McGhee, Chair.

HEARING PROCEDURE

1. The Administrative Officer established that the Hearing Procedure was understood by all participants.
2. **APPLICATION NO 06/0521/FL: GEORGE WIMPEY WEST SCOTLAND LIMITED: PUBLIC OPEN SPACE AT STEPEND ROAD, CUMNOCK**

There was submitted an executive summary sheet and report dated 22 October 2006 (both circulated) by the Head of Planning, Development and Building Standards on a full planning application for the proposed erection of two gabion retention walls within public open space at Stepend Road, Cumnock.

2.1 Consideration of Item

It was noted that Members of the Committee had had the opportunity to attend a site visit in respect of this application prior to the meeting.

The Principal Planning Officer reported that five letters of objections, with seven 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.

2.2 Planning Hearing

The Committee heard Mrs Irene Smith, Mrs Lesley Hannah and Dr John Brannan, objectors, in support of their objections.

The Committee then heard Ms Fiona Campbell, 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.

2.3 Determination of Application

It was agreed to refuse the application:-

- (i) since the development, at its existing location, was significantly detrimental to the visual and residential amenity of dwellinghouses in Stepend Road;
- (ii) in view of the detrimental impact of the development on surface water drainage in the vicinity of the development site; and
- (iii) having regard to potential issues relating to the stability of the gabion walls.

3. APPLICATION NO 05/1260/OL: MR ALEX STEVENSON: COYLE WATER FISHERY, COALHALL

3.1 Declaration of Interest

Councillor Ross declared a non financial interest which he did not consider significant in terms of Paragraphs 5.17 and 5.18 of the Code of Conduct and indicated his intention to remain and participate in consideration of the item in question.

3.2 Consideration of Application

There was submitted an executive summary sheet and report dated 16 October 2006 (both circulated) by the Head of Planning, Development and Building Standards on an outline planning application for the proposed erection of six log cabins for tourism purposes at Coyle Water Fishery, Coalhall.

The Principal Planning Officer reported that three letters of objections, with five 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.

No Hearing took place because the objectors were neither present nor represented.

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

Councillors Jackson, Smith, Ross and Stewart left the meeting at this point.

4. APPLICATION NO 06/0409/FL: BRANDON HOMES: VACANT SITE OFF PRIMPTON AVENUE, DALRYMPLE (Item 3, Page 2453, 03/07)

4.1 Consideration of Application

There was submitted an executive summary sheet and report dated 25 October 2006 (both circulated) by the Head of Planning, Development and Building Standards on a full planning application for the proposed erection of 44 two storey houses (housing association housing) for varying needs standards at a vacant site located off Primpton Avenue, Dalrymple.

It was noted that Members of the Committee had had the opportunity to attend a site visit in respect of this application prior to the meeting.

The Principal Planning Officer reported that in addition to an objection from Dalrymple Community Council, 25 letters of objection had been received, details of

all of which were contained within the report; summarised the planning considerations in respect of the application; advised that, in terms of the planning history of the site, the previous application for the erection of 24 dwellings was approved by the Development Services Committee on 29 June 2004, Condition 2 of that consent having restricted the development of Plots 1-13 to single storey dwellinghouses only, all of this following a recommendation by this Committee that the application be refused due to flooding issues; 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, but that the issue of the Decision Notice be withheld until the Solicitor to the Council had satisfactorily concluded a Section 75 Agreement under the Town and Country Planning (Scotland) Act 1997, with the applicant in terms of the obligations described in Section 8.5 of the report.

4.2 Adjournment of Meeting

It was agreed to adjourn the meeting at 1057 hours, in order to enable the Principal Planning Officer to consult with the applicant regarding a matter which had arisen during discussion.

4.3 Reconvention of Meeting

The meeting reconvened at 1104 hours with the same Councillors and Officers present and in attendance.

4.4 Further Consideration of Application

The Principal Planning Officer reported that, as the result of discussions which had taken place during the adjournment, the applicant had indicated that he would be prepared to amend the proposal such that the proposed dwellinghouses backing onto Forglen Road would be no greater than one and a half storeys in height.

It was agreed to approve the application with the conditions and for the reasons detailed in the report, subject (i) as agreed with the applicant, to the proposed dwellings to be provided on Plots 5-28 as shown on the site layout plan lodged with the Planning Division, being of a house type which will not exceed one and a half storeys in height, in order to safeguard the residential amenity of the occupants of the existing houses in Forglen Road, this matter to be dealt with in detail by the Head of Planning, Development and Building Standards, following consultation with the local Member; and (ii) to the issue of the Decision Notice being withheld until the Solicitor to the Council had satisfactorily concluded a Section 75 Agreement under the Town and Country Planning (Scotland) Act 1997 with the applicant in terms of the obligations described in Section 8.5 of the report.

The meeting terminated at 1105 hours.