

EAST AYRSHIRE COUNCIL**NORTHERN AREA LOCAL PLANNING COMMITTEE****MINUTES OF MEETING HELD ON FRIDAY 23 APRIL 2004 AT 1000 HOURS IN
DUNLOP PUBLIC HALL, MAIN STREET, DUNLOP**

PRESENT: Councillors Maureen McKay, Jim O'Neill, Stephanie Young, Harry Wilson, Jim Raymond, Stuart Finlayson and Robert McDill.

ATTENDING: Ian Walker, Acting Principal Planning Officer; Karen McLeod, Solicitor; and Jennifer Morrison, Administrative Officer.

APOLOGIES: Councillors John McGhee and Isabella Macrae.

CHAIR: Councillor Maureen McKay, Chair.

HEARING PROCEDURE

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

2. **APPLICATION NO 04/0031/FL: DICKIE AND MOORE: LAND EAST SIDE OF
WATERSLAP, FENWICK**

There was submitted an executive summary sheet and report dated 15 April 2004 (both circulated) by the Head of Planning and Building Control on a full planning application for proposed residential development comprising 6 detached dwellings with access from Waterslap at land east side of Waterslap, Fenwick.

- 2.1 **Consideration of Item**

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

The Acting Principal Planning Officer reported that 9 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 and Building Control, viz:- Refusal for the reasons detailed in the report.

- 2.2 **Planning Hearing**

The Committee then heard Mrs Roberts, Mr Weeks and Mr Paterson in support of their objections. Members of the Committee asked questions of the objectors in accordance with the Hearing Procedure.

The Committee then heard Euan Lawrence, the applicant's representative and John Dickie, the applicant in support of the application. Members of the Committee asked questions of the applicant's representative and the applicant in accordance with the Hearing Procedure.

The Chair closed the Hearing.

- 2.3 **Determination of Application**

The Acting Principal Planning Officer responded to various planning issues raised during the Hearing.

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

Councillor Wilson joined the meeting at this point.

3. APPLICATION NO 03/0923/FL: DAVID WILSON HOMES: FORMER ROWALLAN CREAMERY SITE, GLASGOW ROAD, KILMARNOCK

There was submitted an executive summary sheet and report dated 15 April 2004 (both circulated) by the Head of Planning and Building Control on a full planning application for the proposed erection of 41 detached dwelling houses together with all related ancillary works at former Rowallan Creamery Site, Glasgow Road, Kilmarnock.

The Acting Principal Planning Officer reported that 2 letters of objection had been received, details of which had been contained within the report; reported an amendment to Condition 9 in the report that the words “retaining features/walls” be inserted between the words “features” and “fences”; reported an additional condition that notwithstanding the details of the plans hereby approved further details of the proposed play area shall be submitted for the approval of the Planning Authority. The said details shall include timescales for its completion and maintenance thereafter, Reason: to ensure that adequate provision for play areas is provided within the site and subsequently maintained in the interests of residential and visual amenity; summarised the planning considerations in respect of the application and gave the recommendation of the Head of Planning and Building Control, viz:- Approval subject to the conditions and for the reasons detailed in the report and to the amended condition and additional condition as reported by the Acting Principal Planning Officer, and that the issuing of the Decision Notice be withheld until the Solicitor to the Council has concluded a Section 75 Agreement under the Town and Country Planning (Scotland) Act 1997 dealing with the matters itemised in paragraph 8.4 of the report.

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

It was agreed to grant the application subject to (1) the conditions and for the reasons detailed in the report and subject to the amended condition and additional condition as reported by the Acting Principal Officer; (2) Condition 8 of the report being strengthened as follows, viz:- the following addition after the word “notice” - “and full details of the works including remediation measures to treat/remove contaminants to ensure the site is suitable for the use proposed”, Reason – as detailed in the report; (3) a note being attached to the planning consent requesting that the Developer seek options for re-using the Annandale brick from the existing buildings onsite; and (4) the issuing of the Decision Notice be withheld until the Solicitor to the Council has concluded a Section 75 Agreement under the Town and Country Planning (Scotland) Act 1997 dealing with the matters itemised in Paragraph 8.4 of the report.

4. APPLICATION NO 04/0175/FL: MS KARINA BOWLBY: LAND AT MAGBIEHILL FARM, STEWARTON

There was submitted an executive summary sheet and report dated 15 April 2004 (both circulated) by the Head of Planning and Building Control on a full planning application for proposed dwelling, clubrooms, groom accommodation and polo club and stable accommodation at land at Magbiehill Farm, Stewarton.

4.1 Consideration of Item

The Acting Principal Planning Officer reported that 1 letter of objection had been received, details of which were contained within the report; reported an amendment to Condition 6 in the report that “prior to the commencement of commercial operations from the site” be inserted after the words “Roads Division”, Reason: as detailed in the report; summarised the planning considerations in respect of the application and gave the recommendation of the Head of Planning and Building Control, viz:- Approval subject to the conditions and for the reasons detailed in the report and to the amended condition as reported by the Acting Principal Officer; and that the issuing of the Decision Notice be withheld until the Solicitor has concluded an Agreement under Section 75 of the Town and County Planning (Scotland) Act 1997 dealing with the matters referred to in section 3.1 and 7.1 of the report.

4.2 Planning Hearing

The Committee then heard Mrs Roberts in support of her objections. Members of the Committee asked questions of the objector in accordance with the Hearing Procedure.

The Committee then heard Ms Bowlby, the applicant and Mr Blackwood, the applicant’s representative, in support of the application. Members of the Committee asked questions of the applicant and her representative in accordance with the Hearing Procedure.

The Chair closed the Hearing.

4.3 Determination of Application

It was agreed to grant the application subject to the conditions and for the reasons detailed in the report with the amendment to Condition 6 of the report as detailed by the Acting Principal Planning Officer; and that the issuing of the decision notice be withheld until the Solicitor to the Council has concluded an Agreement under Section 75 of the Town and Country Planning (Scotland) Act 1997 dealing with the matters referred to in Sections 3.1 and 7.1 of the report.

5. APPLICATION NO 04/0051/FL: THIRLESTANE LANDS LIMITED: WEST EDITH STREET, DARVEL

There was submitted an executive summary sheet and report dated 14 April 2004 (both circulated) by the Head of Planning and Building Control presenting a full planning application for the proposed construction of 20 detached single and one and a half storey dwelling houses and associated site works at West Edith Street, Darvel.

The Acting Principal Planning Officer reported that 3 letters of objection had been received, details of which were contained within the report; reported an amendment to Condition 5 in the report to insert “and the area to the North of the Plot 8” after the word “site”, Reason: as stated in the report, summarised the planning considerations in respect of the application and gave the recommendation of the Head of Planning and Building Control, viz:- Approval, subject to the conditions and to the amended condition as reported by the Acting Principal Planning Officer and for the reasons detailed in the report.

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

It was agreed to grant the application subject to the conditions and for the reasons detailed in the report and to the amended Condition 5 as reported by the Acting Principal Planning Officer and subject to the following additional conditions (12) notwithstanding the details of the plans hereby approved, a phasing plan for the construction of the houses shall be submitted for the approval of the Planning Authority within 4 weeks from the date of this approval, said plan shall provide for the maintenance of the public footway through the site and the completion of plots 22, 23, 24, 25, 26 and 36 as a final phase, Reason: in the interests of residential amenity and the maintenance of an uninterrupted public footway across the site; (13) prior to the commencement of development on site the applicant shall submit written confirmation of the suitability of the proposed bin storage arrangement to accommodate the Council's 3 bin re-cycling scheme and revised drawings indicating any proposed bin storage details. Thereafter, any bin storage shall be provided as agreed by the Planning Authority, Reason: in the interests of visual amenity and public health; and (14) that prior to commencement of works on site, a scheme of traffic calming shall be submitted to and agreed in writing with the Council as Planning Authority. The scheme shall take account of the location of existing and proposed vehicular accesses. Thereafter the proposed scheme of traffic calming shall be completed to the satisfaction of the Planning Authority prior to the occupation of any of the dwellinghouses, Reason: in the interests of road safety.

It was further agreed that a note be attached to the consent that the Roads Division give consideration to promoting a 20mph speed limit at this location.

**6. RESIDENTIAL DEVELOPMENT AND SCHOOL FACILITIES IN STEWARTON
(Item 2, Page 481, 03/07)**

There was submitted a report dated 15 April 2004 (circulated) by the Head of Planning and Building Control which advised the Committee of the situation with regard to the capacity of schools in Stewarton, and the effects of this on new and proposed housing development in the town.

It was noted that the Committee at its meeting in January 2004, had agreed to receive a report for information purposes only, on pedestrian safety and schools' capacity in Stewarton.

It was agreed to continue this item to the next meeting to which a representative from the Department of Educational and Social Services would be invited to attend.

The meeting terminated at 1130 hours.