

EAST AYRSHIRE COUNCIL**SOUTHERN LOCAL PLANNING COMMITTEE****MINUTES OF MEETING HELD ON FRIDAY 28 MAY 2004 AT 1000 HOURS IN
CATRINE COMMUNITY CENTRE, INSTITUTE AVENUE, CATRINE**

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

ATTENDING: Dave Morris, Development Promotion Manager; Nicola Monroe, Senior Planning Officer; Karen McLeod, Solicitor; Craig McMurray, Technical Officer; and Stuart Nelson, Administrative Officer.

APOLOGY: Councillor Jimmy Kelly,

CHAIR: Councillor Neil McGhee, Chair.

HEARING PROCEDURE

1. The Administrative Officer established that the Hearing Procedure was understood by all participants.
2. **APPLICATION NO 03/0829/FL: BRANDON HOMES: VACANT SITE OFF PRIMPTON AVENUE, DALRYMPLE**

There was submitted an executive summary sheet and report dated 17 May 2004 (both circulated) by the Head of Planning, Development and Building Standards on a full planning application for the proposed formation of 24 plots for private housing development at a vacant site located off Primpton Avenue, Dalrymple.

2.1 Consideration of Item

The Senior Planning Officer reported that 14 letters of objection had been received, in addition to objections by Scottish Water and Dalrymple Community Council, details of all of which were contained within the report; advised that one of the objections had now been withdrawn; summarised the planning considerations in respect of the application; and gave the recommendation of the Head of Planning, Development and Building Standards: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 Solicitor to the Council had concluded a formal legal agreement under Section 75 of the Town and Country Planning (Scotland) Act 1997 with the applicant in respect of the matters detailed in Paragraph 7.1 of the report.

2.2 Planning Hearing

The Committee heard Mr David Steel in support of his objections; Mrs McGarrity, in support of the objections submitted by her husband and herself and also the objections submitted by Mr and Mrs McCulloch and Mrs Collagan; and Kate McNeillie, Secretary to Dalrymple Community Council, in support of the objections submitted by the Community Council.

The Committee then heard Mr John Riddell, on behalf of 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 that this application be referred to the Development Services Committee with a recommendation for refusal, as the Committee were not satisfied that the flood prevention/mitigation measures proposed as part of the application were sufficiently adequate to address the risk of flooding at the application site and therefore the application site was not suitable for a housing development in terms of the proposals contained within the application.

3. APPLICATION NO 04/0289/OL: MR J S HODGE: LANDS AT REDGATE FARM, SORN

There was submitted an executive summary sheet and report dated 17 May 2004 (both circulated) by the Head of Planning, Development and Building Standards on an outline planning application for the proposed erection of a new bungalow and garage at lands at Redgate Farm, Sorn.

3.1 Consideration of Item

The Senior Planning Officer reported that five objections had been received, details of which were contained within the report; advised that the "Contrary Decision Note" contained within the Executive Summary Sheet and the report by the Head of Planning, Development and Building Standards should make reference to the need to refer the application to the Development Services Committee in the event that the Local Planning Committee agree to approve the application contrary to the recommendation by the Head of Planning, Development and Building Standards, rather than the need to refer the application to the Development Services Committee in the event that the Committee agree to refuse the application contrary to the recommendation of the Head of Planning, Development and Building Standards, as indicated; 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 reasons detailed in the report.

3.2 Planning Hearing

The Committee heard Mr Steven Kerr, objector, and his Agent, Mr James Mochrie, in support of Mr Kerr's objections; and Mr Stevenson, in support of his objections.

The Committee then heard Mr John Mair, Agent for the applicant, and Mr J S Hodge, applicant, in support of the application. Members asked questions of the applicant's Agent who responded to the issues raised, all in accordance with the Hearing Procedure.

The Chair closed the Hearing.

3.3 Determination of Application

Councillor McGhee, seconded by Councillor Farrell, moved that the application be refused for the reasons detailed in the report.

Councillor Smith, seconded by Councillor Carmichael, moved as an amendment that this application be referred to the Development Services Committee with a recommendation for approval on the grounds that the proposed development has a site specific locational need in view of the applicant's personal circumstances and the working arrangements for the farms which he operates, therefore the application

accords with policies G5 and RES13 of the Approved Ayrshire Joint Structure Plan and Adopted East Ayrshire Local Plan, respectively.

On a division by a show of hands, the amendment was carried by five votes to four.

4. APPLICATION NO 04/0199/FL: MR H WALLACE: TRABBOCH MAINS FARM, STAIR

There was submitted an executive summary sheet and report dated 17 May 2004 (both circulated) by the Head of Planning, Development and Building Standards on a full planning application for the proposed conversion of outbuildings to form three dwellinghouses at Trabboch Mains Farm, Stair.

The Senior Planning Officer reported that two letters of objection, with three signatories 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.

5. APPLICATION NO 04/0209/OL: MR G GIRVAN: LAND AT KERSE SQUARE, PATNA

There was submitted an executive summary sheet and report dated 17 May 2004 (both circulated) by the Head of Planning, Development and Building Standards on an outline planning application for the proposed erection of one single storey dwellinghouse with double garage on land at Kerse Square, Patna.

5.1 Consideration of Item

The Senior Planning Officer reported that two 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: Refusal, for the reasons detailed in the report.

5.2 Planning Hearing

The Committee heard Mr John McPherson, objector, in support of his objections and also the objections submitted by Mr John McIndoe.

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

The Chair closed the Hearing.

5.3 Determination of Application

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

6. APPLICATION NO 04/0190/OL: MR JOHN PATON: SHIELDS FARM, COALHALL

There was submitted an executive summary sheet and report dated 17 May 2004 (both circulated) by the Head of Planning, Development and Building Standards on an outline planning application for the proposed erection of two dwellinghouses at Shields Farm, Coalhall.

The Senior Planning Officer reported that no objections had been received in respect of this application; 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 reasons detailed in the report.

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

7. APPLICATION NO 03/1026/FL: MR AFTAB AHMED: FIRST FLOOR FLAT AT 6 KILMARNOCK ROAD, MAUCHLINE (Item 3, Page 759, 03/07)

7.1 Members Eligible to Participate

The Administrative Officer confirmed, given that consideration of this application had been continued following a Hearing, at which they were not present, that Councillors Farrell, Menzies and Carmichael should not participate in consideration or determination of this application.

Councillors Menzies and Carmichael left the meeting at this point. Councillor Farrell took no part in consideration or determination of the application.

7.2 Consideration of Application

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

There was submitted an executive summary sheet and report dated 17 May 2004 (both circulated) by the Head of Planning, Development and Building Standards on a full planning application for the proposed change of use of a first floor flat to form an extension to an existing ground floor restaurant at 6 Kilmarnock Road, Mauchline.

The Senior Planning Officer reported that two 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.

7.3 Determination of Application

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

The meeting terminated at 1115 hours.