

EAST AYRSHIRE COUNCIL

NORTHERN AREA LOCAL PLANNING COMMITTEE

**MINUTES OF MEETING HELD ON FRIDAY 10 JUNE 2005 AT 1000 HOURS IN
DUNLOP PUBLIC HALL, MAIN STREET, DUNLOP**

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

ATTENDING: Yvonne Nisbet, Principal Planning Officer; Brian Weadon, Area Engineer North, Roads, Transportation and Design; Kerr Chalmers, Senior Engineer, Roads, Transportation and Design; Craig Iles, Senior Planning Officer; Julie McKinlay, 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 04/0685/FL: MR AND MRS URQUHART: LAND TO REAR OF
63 BREWLAND STREET, GALSTON**

There was submitted an executive summary sheet and report dated 3 June 2005 (both circulated) by the Head of Planning, Development and Building Standards on a full planning application for proposed erection of a dwellinghouse at land to the rear of 63 Brewland Street, Galston.

2.1 Consideration of Item

The Principal Planning Officer reported that four 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, viz:- Approval subject to the conditions, and for the reasons, detailed in the report.

2.2 Planning Hearing

The Committee then heard Mr Pollock in respect of his objections and Mrs Pollock in respect of her own objections and those submitted by Ms Crosbie.

The Committee then heard Mr Urquhart, applicant, in support of the application. Members of the Committee asked questions of the applicant all in accordance with the agreed Hearing Procedure.

The Chair closed the Hearing.

2.3 Determination of Application

Councillor Macrae, seconded by Councillor Finlayson, moved that the application be approved subject to the conditions, and for the reasons, detailed in the report.

Councillor McGhee, seconded by Councillor Young, moved as an amendment that the application be refused on the grounds that it did not meet the requirements of Policy RES5 of the Adopted East Ayrshire Local Plan in that it would have a detrimental impact on the amenity of the surrounding properties.

On a division by a show of hands the motion was carried by 5 votes to 3.

3. APPLICATION NO 05/0440/FL: MCTAGGART CONSTRUCTION: FORMATION OF 8 OFF-STREET PARKING BAYS AT SILVERWOOD ROAD AND MEADOWSIDE ROAD, CROOKEDHOLM

There was submitted an executive summary sheet and report dated 31 May 2005 (both circulated) by the Head of Planning, Development and Building Standards on a full planning application for formation of eight off-street parking bays at Silverwood Road and Meadowside Road, Crookedholm.

3.1 Consideration of Item

The Principal Planning Officer reported that six 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, viz:- Approval subject to the conditions, and for the reasons, detailed in the report.

3.2 Planning Hearing

The Committee then heard Mr Nairn, in respect of his objections and Mrs Calvert in respect of the objections submitted by James and Mary Todd. Members of the Committee asked questions of the objectors all in accordance with the agreed Hearing Procedure.

The Committee then heard Mr Blackwood, Agent for the applicant, in support of the application. Members of the Committee asked questions of the Agent for the applicant all in accordance with the agreed Hearing Procedure.

3.3 Adjournment/Reconvention of Meeting

It was agreed to adjourn the meeting at 1100 hrs. The meeting reconvened at 1115 hrs with the same Members and Officers present and in attendance.

The Chair closed the Hearing.

3.4 Determination of Application

Councillor Macrae, seconded by Councillor Finlayson, moved that the application be approved subject to the conditions, and for the reasons, detailed in the report.

Councillor McGhee, seconded by Councillor Young, moved as an amendment that the application be refused on the grounds that the parking bays would not alleviate traffic congestion on the roads in question and would, therefore, constitute a road safety issue following the erection of the new dwellinghouses and on the grounds of visual amenity.

On a division by a show of hands the motion was carried by 6 votes to 2.

4. APPLICATION NO 05/0265/OL: LPM LTD: 6-8 BROWN STREET, STEWARTON

There was submitted an executive summary sheet and report dated 1 June 2005 (both circulated) by the Head of Planning, Development and Building Standards on an outline planning application for residential development (13 flats) at 6-8 Brown Street, Stewarton.

The Principal Planning Officer reported that three 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, viz:- Approval subject to the conditions, and for the reasons, detailed in the report and that the issuing of the planning decision notice be withheld until the Solicitor to the Council had satisfactorily

concluded a formal agreement with the applicant in respect of the matters detailed in paragraph 7.1 of 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 and that the issuing of the planning decision notice be withheld until the Solicitor to the Council had satisfactorily concluded a formal agreement with the applicants in respect of the matters detailed in paragraph 7.1 of the report.

5. APPLICATION NO 04/1279/FL: DAVID WILSON HOMES: FORMER ROWALLAN CREAMERY SITE, GLASGOW ROAD, KILMARNOCK

There was submitted an executive summary sheet and report dated 3 June 2005 (both circulated) by the Head of Planning, Development and Building Standards on a full planning application for substitution of house types for residential development and associated works at former Rowallan Creamery Site, Glasgow Road, Kilmarnock.

The Principal Planning Officer reported that no letters of objection had been received; summarised the planning considerations in respect of the application; and gave the recommendation of the Head of Planning, Development and Building Standards, viz:- Approval subject to the conditions, and for the reasons, detailed in the report and that the issuing of the planning decision notice be withheld until the Solicitor to the Council had satisfactorily concluded with the applicant a Minute of Variation in respect of the existing Section 75 Agreement relating to the site and addressing the matter raised in paragraph 7.2 of the report.

It was agreed to approve the application subject to the conditions, and for the reasons, detailed in the report and that the issuing of the planning decision notice be withheld until the Solicitor to the Council had satisfactorily concluded with the applicants a minute of Variation in respect of the existing Section 75 Agreement relating to the site and addressing the matter raised in paragraph 7.2 of the report.

6. The Committee agreed to consider Items 8 and 9 as shown on the Agenda at this point

7. THE B751 FENWICK ROAD (ROWALLAN) BY KILMAURS (PROVISIONAL) TREE PRESERVATION ORDER 2005

There was submitted a report dated 27 May 2005 (circulated) by the Head of Planning, Development and Building Standards on the making, serving and advertising of the B751 Fenwick Road (Rowallan) by Kilmaurs (Provisional) Tree Preservation Order 2005 and which sought the Committee's view on whether or not the Tree Preservation Order should be confirmed.

It was agreed to confirm the B751 Fenwick Road (Rowallan) by Kilmaurs (Provisional) Tree Preservation Order 2005.

8. THE CROFTHHEAD ROAD, KILMAURS (PROVISIONAL) TREE PRESERVATION ORDER 2005

There was submitted a report dated 27 May 2005 (circulated) by the Head of Planning, Development and Building Standards on the making, serving and advertising of the Crofthead Road, Kilmaurs (Provisional) Tree Preservation Order 2005 and which sought the Committees view on whether or not the Tree Preservation Order should be confirmed.

It was agreed to confirm the Crofthead Road, Kilmaurs (Provisional) Tree Preservation Order 2005.

9. ADJOURNMENT/RECONVENTION OF MEETING

It was agreed to adjourn the meeting at 1140 hours. The meeting reconvened at 1315 hours with the same members and Officers present and in attendance and including Brian Weadon, Area Engineer North and Kerr Chalmers, Senior Engineer, Department of Roads, Transportation and Design.

10. APPLICATION NO 04/0715/FL: GEORGE WIMPEY WEST SCOTLAND LTD: LAND ADJACENT TO DALRY ROAD B778, STEWARTON

There was submitted an executive summary sheet and report dated 3 June 2005 (both circulated) by the Head of Planning, Development and Building Standards on a full planning application for the proposed erection of 75 dwellinghouses and associated works at land adjacent to Dalry Road B778, Stewarton by George Wimpey West Scotland Limited.

10.1 Consideration of Item

Having noted that Condition 16 of the TP24 should read “the hedge on the north west boundary of the site”, the Principal Planning Officer reported that 12 letters of objection, including one from the Community Council, and a petition containing 261 signatures 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, viz;- Approval subject to the conditions, and for the reasons, detailed in the report and that the planning decision notice be withheld until the Solicitor to the Council had concluded a formal agreement with the applicants in respect of the points raised in paragraph 7.1 of the report.

10.2 Planning Hearing

The Committee then heard Mrs Dick and Ms Ogilvie in respect of their objections and Mrs Black in respect of the objections detailed in the petition. Members of the Committee asked questions of the objectors all in accordance with the agreed Hearing Procedure.

The Committee then heard Adrian Smith and Ross Martindale, Agents for the applicant, in support of the application. Members of the Committee asked questions of the Agents for the applicant all in accordance with the agreed Hearing Procedure.

The Chair closed the Hearing.

10.3 Determination of Application

It was agreed to refuse the application on the grounds that the application does not allow for the maintenance of an adequate level of road safety both within the site and throughout the wider area.

11. ADJOURNMENT/RECONVENTION OF MEETING

It was agreed to adjourn the meeting at 1500 hrs. The meeting reconvened at 1515 hrs with the same Members and Officers present and in attendance, with the exception of Councillor Young who had left the meeting during the adjournment.

12. APPLICATION NOS 05/0221/FL, 05/0222/FL AND 04/0736/LB: TRAVIS HOMES: LAINSHAW HOUSE, STEWARTON

There was submitted an executive summary sheet and report dated 3 June 2005 (both circulated) by the Head of Planning, Development and Building Standards on two full planning applications and an application for listed building consent for the proposed renovation of main house to include 11 flats and the provision of the enabling development of 43 dwellinghouses at Lainshaw House, Stewarton.

12.1 Consideration of Item

Having noted that the Scottish Wildlife Trust had advised that they would withdraw their objection if Condition 16 of the TP24 be strengthened to read "full surveys shall be carried out assessing the presence of notable and protected species" the Principal Planning Officer reported that thirteen 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, viz;- that in respect of application numbers 05/0221/FL and 05/0222/FL: Approval subject to the conditions, and for the reasons, detailed in the report and that the issuing of the planning decision notices be withheld until the Solicitor to the Council had concluded a formal agreement with the applicants in respect of the matters detailed in paragraph 7.2 of the report and in respect of application number 04/0736/FL: Approval subject to the conditions, and for the reasons, detailed in the report and subject to notification of Historic Scotland under the Listed Buildings in Conservation Areas (Scotland) Regulations 1997.

12.2 Planning Hearing

The Committee then heard Mrs Maclsaac and Ms McLinn in respect of their objections and Mr Lindsay on behalf of the objections submitted by Lainshaw Residents Association. Members of the Committee asked questions of the objectors all in accordance with the agreed Hearing Procedure.

The Committee then heard Tony Brown and Ian McGregor, Agents for the applicant, in support of the application. Members of the Committee asked questions of the Agents for the applicant all in accordance with the agreed Hearing Procedure.

The Chair closed the Hearing.

12.3 Determination of Application

It was agreed that in respect of Application numbers 05/0221/FL and 05/0222/FL the applications be approved subject to the conditions, and for the reasons, detailed in the report and that the issuing of the planning decision notices be withheld until the Solicitor to the Council had concluded a formal agreement with the applicants in respect of the matters detailed in paragraph 7.2 of the report and to include improvements to the A735 junction; and in respect of application number 04/0736/LB: to approve the application subject to the conditions, and for the reasons, detailed in the report and subject to notification of Historic Scotland under the Listed Buildings in Conservation Areas (Scotland) Regulations 1997.

Councillor Raymond left the meeting during discussion, and before determination, of the above item.

The meeting terminated at 1605 hours.