

**EAST AYRSHIRE COUNCIL****SOUTHERN LOCAL PLANNING COMMITTEE****MINUTES OF MEETING HELD ON FRIDAY 22 APRIL 2005 AT 1000 HOURS IN MAUCLINE COMMUNITY CENTRE, KILMARNOCK ROAD, MAUCLINE**

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

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

**APOLOGIES:** Councillors William Menzies and Elaine Stewart.

**CHAIR:** Councillor Neil McGhee, Chair.

**1. APPLICATION NO 05/0188/OL: MUIRKIRK ENTERPRISE GROUP: SITE AT FURNACE ROAD, MUIRKIRK**

There was submitted an executive summary sheet and report dated 10 April 2005 (both circulated) by the Head of Planning, Development and Building Standards on an outline planning application for a proposed private housing development at Furnace Road, Muirkirk.

The Principal Planning Officer reported that no objections 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: Refusal, for the reasons detailed in the report.

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

**HEARING PROCEDURE**

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

**3. APPLICATION NO 04/1198/OL: MR S ANDERSON: LAND AT BARRSHOUSE, SORN**

There was submitted an executive summary sheet and report dated 10 April 2005 (both circulated) by the Head of Planning, Development and Building Standards on an outline planning application for the proposed erection of a dwellinghouse at Barrshouse, Sorn.

**3.1 Consideration of Item**

The Principal Planning Officer reported that three 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; 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 formal 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.

### **3.2 Planning Hearing**

The Committee heard Kirstyn Steiger, objector, in support of her objections; and Kay McClelland, representing Lady Elizabeth Lindsay, objector, in support of the objections submitted by Lady Lindsay.

The applicant was not present or represented.

The Chair closed the Hearing.

### **3.3 Continuation of Consideration of Application**

It was agreed to continue consideration of this application to the next meeting, to enable a site visit to take place, for the purpose of affording Members the opportunity to view first hand the areas of ground which it was proposed would be the subject of a Section 75 legal agreement in respect of this application for the formation and maintenance of the required visibility sightline splay areas, and in particular, the mature trees which would be affected.

## **4. APPLICATION NO 04/1090/FL: TAY LIMITED: LAND AT CARNSHALLOCH AVENUE/KILMEIN AVENUE, PATNA**

There was submitted an executive summary sheet and report dated 10 April 2005 (both circulated) by the Head of Planning, Development and Building Standards on a full planning application for the proposed erection of 17 detached dwellinghouses with all associated garages, roads and footpaths at Carnshalloch Avenue/Kilmein Avenue, Patna.

The Principal Planning Officer reported that, in addition to an objection by Scottish Water, one further letter of objection from two third parties 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; but that the issue of the Decision Notice be withheld until the Solicitor to the Council had satisfactorily concluded a formal agreement under Section 69 of the Local Government (Scotland) Act 1973 with the applicants in respect of the matter detailed in Paragraph 7.1 of the report and payment in that regard having been received.

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

Councillors Kelly and Ross left the meeting at this point.

It was agreed (a) to approve the application 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 formal agreement under Section 69 of the Local Government (Scotland) Act 1973 with the applicants in respect of the matter detailed in Paragraph 7.1 of the report and payment in that regard having been received; and (b) that the Head of Planning, Development and Building Standards provide clarification to the Local Member concerned in respect of the use of the contribution which the applicant proposes to make to the Council's Sports, Leisure and Recreation Fund.

The meeting terminated at 1040 hours.