

**EAST AYRSHIRE COUNCIL**

**NORTHERN AREA LOCAL PLANNING COMMITTEE**

**MINUTES OF MEETING HELD ON FRIDAY 20 FEBRUARY 2004 AT 1000 HOURS  
IN CROOKEDHOLM COMMUNITY CENTRE, GROUGAR ROAD, CROOKEDHOLM**

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

**ATTENDING:** Ian Walker, Acting Principal Planning Officer; John Trakalo, Senior Engineer (Roads); Robert Duncan, Senior Planning Officer; Karen McLeod, Solicitor; and Jennifer Morrison, Administrative Officer.

**CHAIR:** Councillor Maureen McKay, Chair.

**CHAIR'S COMMENTS**

1. The Chair reported that Item 4 - Application No 03/0946/RM - Rowallan Castle, Kilmaurs and Item 5 - Application No 01/0407/OL - Fingart Farm, Dunlop, had been withdrawn from the Agenda.

**HEARING PROCEDURE**

2. The Chair established that the Hearing Procedure had been issued previously to all participants.
3. **UPDATE REPORT ON PLANNING APPLICATION NO 03/0490/FL: FORMATION OF REAR DORMER WINDOW AND INSTALLATION OF THREE VELUX WINDOWS TO FRONT AT 7 CROSS STREET, DARVEL BY FLAME CHRISTIAN FELLOWSHIP**

There was submitted a report dated 12 February 2004 (circulated) by the Head of Planning and Building Control which updated the Committee in respect of the above application further to its being continued at the meeting of the Northern Area Local Planning Committee on 23 January 2004.

It was agreed:-

- (i) to note that the Planning and Building Control Division would carry out a fresh round of consultations on the new proposal to establish whether any revision of consultation responses was forthcoming; and
  - (ii) otherwise, to note the contents of the report.
4. **APPLICATION NO 03/0350/FL: MR M KIRKLAND: LAND BETWEEN PLOTS 2 AND 3 - NOS 45 AND 47 TOWERHILL AVENUE, KILMAURS**

There was submitted an executive summary sheet and report dated 12 February 2004 (both circulated) by the Head of Planning and Building Control on a full planning application for proposed removal of condition 8(ii) of Application No 97/0350/FL requiring provision of play area between plots 2 and 3 - Nos 45 and 47 Towerhill Avenue, Kilmaurs.

#### **4.1 Consideration of Item**

The Acting Principal Planning Officer reported that three letters of objection and a petition of seven signatures had been received, details of which were contained within the report; confirmed that Kilmaurs Community Council had objected to the application; 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.

#### **4.2 Planning Hearing**

The Committee then heard Mr Corson in support of the objection submitted by Kilmaurs Community Council.

The Committee then heard Mrs Kirkland, representing the applicant, in support of the application. Members of the Committee asked questions of the applicant in accordance with the Hearing Procedure.

The Chair closed the Hearing.

#### **4.3 Determination of Application**

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

It was agreed to defer consideration of the application to a future Committee to allow Members the opportunity to attend a site visit.

### **5. APPLICATION NO 03/0861/FL: MS DAVIDSON: LAND AT LITTLE CUTSTRAW FARM, STEWARTON**

There was submitted an executive summary sheet and report dated 11 February 2004 (both circulated) by the Head of Planning and Building on a full planning application for proposed kennels, dog breeding unit with associated new house and double garage at land at Little Cutstraw Farm, Stewarton.

#### **5.1 Consideration of Item**

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

#### **5.2 Planning Hearing**

The Committee then heard Mr Pottie, Mr Paxton, Mr McKie of Waterside Action Group and Mrs Roberts in support of their objections. Members of the Committee asked questions of the objectors in accordance with the Hearing Procedure.

The Committee then heard Mr Nicoll, the applicant's representative in support of the application. Members of the Committee asked questions of the applicant's representative in accordance with the Hearing Procedure.

The Chair closed the Hearing.

### **5.3 Determination of Application**

The Acting Principal Planning Officer responded to various planning issues raised during the Hearing and provided clarification with regard to errors in the report and in the accompanying plans displayed at the meeting, highlighted during the Hearing.

Councillor O'Neill, seconded by Councillor Macrae, moved that in light of the new information which had emerged at the meeting due to the errors which had been highlighted, they were not satisfied that they could continue to consider the application, and therefore that its consideration be continued to a future meeting in order that the Committee Members and the objectors could properly assess the application, and that due to this new information that a new Hearing be held at that time.

Councillor McGhee, seconded by Councillor Young, moved as an amendment that they were satisfied that the Committee could continue to consider the application as the new information which had come to light at the meeting had been clarified by the Acting Principal Planning Officer.

On a division by a show of hands the motion was carried by 7 votes to 2.

Councillor O'Neill left the meeting at this point.

## **6. APPLICATION NO 03/0927/FL: MESSRS CRAIG AND NAISMITH: 52 IRVINE ROAD, KILMAURS**

There was submitted an executive summary sheet and report dated 12 February 2004 (both circulated) by the Head of Planning and Building Control on a full planning application for proposed sub-division of existing detached villa into two flats, conversion of coach house to one dwelling, demolition of existing nursery and erection of two new dwellings with attached garages at 52 Irvine Road, Kilmaurs.

### **6.1 Consideration of Item**

The Acting 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 and Building Control, viz:- Approval, subject to the conditions, and for the reasons detailed in the report.

### **6.2 Planning Hearing**

The Committee then heard Mr Hazelden and Mr McBride in support of their objections.

The applicant was not present or represented.

The Chair closed the Hearing.

### **6.3 Determination of Application**

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

It was agreed (i) to grant the application subject to the conditions and for the reasons detailed in the report; and (ii) that the Head of Planning and Building Control be asked to ensure that the works which were being carried out on site cease with immediate effect in order that investigations be carried out following the concerns

which had been raised during the Hearing about the possible presence of asbestos within the buildings.

## **7. ADJOURNMENT/RECONVENTION OF MEETING**

It was agreed to adjourn the meeting at 1215 hours.

The meeting reconvened at 1220 hours with the same Members and Officers present and in attendance.

## **8. APPLICATION NO 03/0017/FL: MR ALEX PATERSON: LOW GREENBANK, EAST MAIN STREET, DARVEL**

There was submitted an executive summary sheet and report dated 12 February 2004 (both circulated) by the Head of Planning and Building Control on a full planning application for the proposed erection of two houses and details for drainage and sewer disposal, all road issues, provision of open space, provision of car parking, boundary fences, site levels and grading and walking route and provision of the retained embankment at Low Greenbank, East Main Street, Darvel.

The Acting Principal Planning Officer reported that one letter 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:- 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 the Minute of Variation of the existing Section 75 Agreement with the applicant in respect of the matters detailed in Section 7.2 of the report.

No Hearing took place as the objector was not present or represented.

It was agreed (i) to grant 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 the Minute of Variation of the existing Section 75 Agreement with the applicants in respect of the matters detailed in Section 7.2 of the report; and (ii) that, if required, a suspensive condition be included on the consent to ensure that site infrastructure works common to this and the previous phase of the development (as regards the right of way, the provision of a pavement, and the arrangements for sight-lines) be completed to the satisfaction of the Planning Authority before commencement of this new development.

## **9. APPLICATION NO 03/1011/FL: PARKWARE LIMITED: LOUDOUN CASTLE THEME PARK, GALSTON**

There was submitted an executive summary sheet and report dated 11 February 2004 (both circulated) by the Head of Planning and Building Control on a full planning application for the proposed erection of a chairlift at Loudoun Castle Theme Park, Galston.

The Acting Principal Planning Officer reported that two 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:- 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 grant the application subject to the conditions and for the reasons detailed in the report.

**10. APPLICATION NO 03/1100/FL: LANFINE LIMITED: CAMPBELL STREET, DARVEL**

There was submitted an executive summary sheet and report dated 11 February 2004 (both circulated) by the Head of Planning and Building Control on a full planning application for a proposed factory warehouse extension at Campbell Street, Darvel.

The Acting 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 and Building Control, viz:- 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 grant the application subject to the conditions and for the reasons detailed in the report and that the Head of Planning and Building Control write to the applicant conveying the Committee's concerns over the over-night parking of lorries at the factory.

The meeting terminated at 1235 hours.