

**EAST AYRSHIRE COUNCIL**

**NORTHERN AREA LOCAL PLANNING COMMITTEE**

**MINUTES OF MEETING HELD ON FRIDAY 17 FEBRUARY 2006 AT 1010 HRS IN  
THE MORTON HALL, MAIN STREET, NEWMILNS**

**PRESENT:** Councillors Stuart Finlayson, John McGhee, Isabella Macrae, Harry Wilson, Jim Raymond and Robert McDill.

**ATTENDING:** Bill Stewart, Principal Planning Officer; Craig Iles, Senior Planning Officer; Avril Forrest, Solicitor; and Jennifer Morrison, Administrative Officer.

**APOLOGIES:** Councillors Maureen McKay (Chair), Jim O'Neill and Stephanie Young.

**CHAIR:** Councillor Stuart Finlayson, Vice-Chair.

**HEARING PROCEDURE**

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

**APPLICATION NO: 05/0887/FL: MR AND MRS HIBBERT:  
1 EAST HEADS STEADING, NEWMILNS**

2. There was submitted an executive summary sheet and report dated 9 February 2006 (both circulated) by the Head of Planning, Development and Building Standards on a full planning application for proposed erection of stable block at land associated with 1 East Heads Steading, Newmilns.

**2.1 Consideration of Item**

The Principal Planning Officer reported the following amendments to the report: (1) to remove the words "on the basis of the principle of residential development on the site" from the contrary decision note paragraph; and (2) to correct the dimensions of the stables listed in paragraph 2.2 to 825m<sup>2</sup> rather than 1268m<sup>2</sup>; that two letters of objection had been received from the same objectors, 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 under section 75 of the Town and Country Planning (Scotland) Act 1997 with the applicants and the adjoining land owners in respect of the matters detailed in paragraph 7.1 of the report.

**2.2 Planning Hearing**

The Committee then heard Penny Clifford in support of her own objections and those of Paul Fry.

The Committee then heard Mr and Mrs Hibbert, the applicants in support of the application. Members of the Committee asked questions of the applicants in accordance with the Hearing Procedure.

The Chair closed the Hearing.

### **2.3 Determination of Application**

The Principal Planning Officer provided clarification on points raised during the Hearing.

It was agreed 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 a formal agreement under Section 75 of the Town and Country Planning (Scotland) Act 1997 with the applicants and the adjoining landowners in respect of the matters detailed in paragraph 7.1 of the report.

#### **APPLICATION NOS: 05/0660/FL AND 05/0658/LB: MCTAGGART CONSTRUCTION: DUNLOP HOUSE, DUNLOP**

3. There was submitted an executive summary sheet and report dated 9 February 2006 (both circulated) by the Head of Planning, Development and Building Standards on a full planning application, and an application for listed building consent for proposed change of use from commercial research premises to form 9 residential flats and the provision of the enabling development of 17 dwellinghouses, ancillary works and access road at Dunlop House, Dunlop.

### **3.1 Consideration of item**

The Senior Planning Officer reported that a total of four objections had been received, details of which were contained within the report; summarised the planning considerations in respect of the applications; and gave the recommendations of the Head of Planning, Development and Building Standards, viz:- Approval of planning application No 05/0660/FL subject to the conditions and for the reasons detailed in the report and that the issuing of the decision notice be held in abeyance until the Solicitor to the Council had concluded an agreement with the applicant in terms of Section 75 of the Town and Country Planning (Scotland) Act 1997 to address the points listed in Section 7.1 of the report; and Approval of listed building application No 05/0658/LB 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, and that the issuing of the decision notice be held in abeyance until the Solicitor to the Council had concluded an agreement with the applicant in terms of Section 75 of the Town and Country Planning (Scotland) Act 1997 to address the points listed in section 7.1 of the report.

### **3.2 Planning Hearing**

The Committee heard Greta Roberts in support of the objections of Mr and Mrs Smith.

The Committee then heard Mr Evans and Mr Climson, the applicant's representatives, in support of the application.

Members of the Committee asked questions of the applicant's representatives in accordance with the Hearing procedure.

The Chair closed the Hearing.

### **3.3 Determination of Application**

The Senior Planning Officer provided clarification on points raised during the Hearing.

It was agreed to grant planning application No 05/0660/FL subject to the conditions and for the reasons detailed in the report and that the issuing of the decision notice be held in abeyance until the Solicitor to the Council had concluded an agreement with the applicant in terms of Section 75 of the Town and Country Planning (Scotland) Act 1997 which addressed the points listed in Section 7.1 of the report; and to grant Listed Building application No 05/0658/LB 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, and that the issuing of the decision notice be held in abeyance until the Solicitor to the Council had concluded an agreement with the applicant in terms of Section 75 of the Town and Country Planning (Scotland) Act 1997 to address the points listed in Section 7.1 of the report. It was further agreed that the full application be subject to one further condition:- (22) prior to the commencement of any works on site the applicant shall submit a detailed Tree Survey including species and any trees to be removed; Reason - in order to preserve the long-term maintenance of the woodland.

**APPLICATION NO: 05/0039/FL: MOULDS OF KILMARNOCK: LAND BETWEEN 10 AND 12 BONNET COURT, STEWARTON.**

4. There was submitted an executive summary sheet and report dated 8 February 2006 (both circulated) by the Head of Planning, Development and Building Standards on a full planning application for proposed erection of one pair of semi-detached houses at land between 10 and 12 Bonnet Court, Stewarton.

The Principal Planning Officer reported that one letter of objection had been received, details of which were contained within the report; summarised the planning consideration 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.

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

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

**APPLICATION NO: 05/1227/FL: BRB RESIDUARY LIMITED: REDUNDANT RAILWAY BRIDGE (GR04) OFF A71 GALSTON ROAD, HURLFORD**

5. There was submitted an executive summary sheet and report dated 8 February 2006 (both circulated) by the Head of Planning, Development and Building Standards on a full planning application for proposed infilling understructure and forming of embankments, removal of parapet walls and erection of post and rail fences at redundant railway bridge (GR04) off A71 Galston Road, Hurlford.

**5.1 Consideration of item**

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

**5.2 Planning Hearing**

The Committee heard Tom Donald in support of the objections of John Young.

Members of the Committee asked questions of the objector's representative in accordance with the Hearing procedure.

The applicant was not present or represented.

The Chair closed the Hearing.

### **5.3 Determination of Application**

The Principal Planning Officer provided clarification on points raised during the Hearing.

It was agreed to continue consideration of this application to a future meeting in order that a site visit be carried out and that meanwhile the Head of Planning, Development and Building Standards liaise with the applicant to establish whether a more acceptable proposal could be found.

#### **APPLICATION NOS: 05/0362/FL AND 05/0358/LB: MR AND MRS BLYTH: LOW BORLAND COTTAGE, DUNLOP**

- 6 There was submitted an executive summary sheet and report dated 8 February 2006 (both circulated) by the Head of Planning, Development and Building Standards on a full planning application and a Listed Building application for proposed restoration, conversion and extension of Low Borland Farm Cottage and byres to form dwellinghouse and formation of new access at Low Borland Cottage, by Dunlop.

The Principal Planning Officer summarised the planning considerations in respect of the applications; and gave the recommendation of the Head of Planning, Development and Building Standards, viz:- Approval of planning application No 05/0362/FL subject to the conditions and for the reasons detailed in the report and Approval of listed building application No 05/0358/LB subject to the conditions and for the reasons detailed in the report and subject to notification to Historic Scotland under the Listed Buildings and Buildings in Conservation Areas (Scotland) Regulations 1997.

It was noted that members of the Committee had attended a site visit prior to the meeting.

It was agreed to grant planning application No 05/0362/FL subject to the conditions and for the reasons detailed in the report and to grant Listed Building application No 05/0358/LB subject to the conditions and for the reasons detailed in the report and subject to notification to Historic Scotland under the Listed Buildings and Buildings in Conservation Areas (Scotland) Regulations 1997.

#### **APPLICATION NO: 05/0942/FL: LAND AT CEMETERY ROAD, DARVEL**

### **7.1 Declaration of Interest**

Councillor Wilson declared a non-financial interest in this application and left the meeting.

### **7.2 Consideration of Item**

There was submitted an executive summary sheet and report dated 8 February 2006 (both circulated) by the Head of Planning, Development and Building Standards on a full planning application for proposed erection of dwellinghouse on land at Cemetery Road, Darvel.

The Principal Planning Officer reported a minor amendment to paragraph 2.1 of the report to “west” of Cemetery Road, rather than “east”; summarised the planning considerations in respect of the application; and gave the recommendation of the Head of Planning, Development and Building Standards, viz:- Refusal for the reasons detailed in the report.

It was noted that members of the Committee had attended a site visit prior to the meeting.

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

Councillor Wilson rejoined the meeting at this point.

**APPLICATION NO: 05/1257/FL: MR AND MRS M WADDINGTON:  
17 GILMOUR STREET, STEWARTON**

8. There was submitted an executive summary sheet and report dated 8 February 2006 (both circulated) by the Head of Planning, Development and Building Standards on a full planning application for proposed change of use from garage to dental practice and formation of off street parking at 17 Gilmour Street, Stewarton.

The Principal Planning Officer summarised the planning considerations in respect of the application; reported the terms of supporting statements recently received from the applicant, the applicant’s agent, a local retiring dentist and a local GP; and gave the recommendation of the Head of Planning, Development and Building Standards, viz:- Refusal for the reasons detailed in the report.

It was noted that members of the Committee had attended a site visit prior to the meeting.

It was agreed to grant the application on the basis that the new dental practice was a positive addition to the amenity of Stewarton.

**APPLICATION NO: 06/0003/FL: MR AND MRS COCHRANE:  
CEMETERY ROAD, GALSTON**

9. There was submitted an executive summary sheet and report dated 8 February 2006 (both circulated) by the Head of Planning, Development and Building Standards on a full planning application for proposed road access and traffic calming arrangements at Cemetery Road, Galston.

The Principal Planning Officer 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.

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

The meeting terminated at 1220 hours.