

**EAST AYRSHIRE COUNCIL**

**SOUTHERN LOCAL PLANNING COMMITTEE**

**MINUTES OF MEETING HELD ON FRIDAY 27 JANUARY 2006 AT 1000 HOURS  
IN MUIRKIRK COMMUNITY WING, BURNS AVENUE, MUIRKIRK**

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

**ATTENDING:** Hugh Melvin, Principal Planning Officer; Craig Young, Solicitor; Robin Ghosh, Planning Officer; and Robert Beaton, Administrative Officer.

**APOLOGY:** Councillor Eric Jackson.

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

**HEARING PROCEDURE**

1. The Administrative Officer established that the Hearing Procedure was understood by all participants.
2. **APPLICATION NO 05/1126/OL: ERECTION OF DWELLINGHOUSE AT PLOT 1, AND APPLICATION NO 05/1135/OL: ERECTION OF DWELLINGHOUSE AT PLOT 2, AUCHENCLOIGH, GALSTON BY ORCHARD HOMES (SCOTLAND) LIMITED**

There was submitted an executive summary sheet and report dated 10 January 2006 (both circulated) by the Head of Planning, Development and Building Standards on two outline planning applications for the proposed erection of a dwellinghouse at Plots 1 and 2, Auchencloigh, Galston.

**2.1 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: Refusal, for the reasons detailed in the report.

**2.2 Planning Hearing**

The Committee heard Stephen Edwards, objector, in support of his objection and representing all other objectors. Members asked questions of the objector, who responded to the issues raised, all in accordance with the Hearing Procedure.

The Committee then heard Mike Evans, representing 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**

Councillor Smith, seconded by Councillor Dinwoodie, moved that the applications be referred to the Development Services Committee with a recommendation for

approval, in their view that the proposed development was a logical extension to the existing hamlet of Auchencloigh, considered it an acceptable departure from the Development Plan and to delegate to the Head of Planning, Development and Building Standards to attach appropriate conditions and reasons to the planning consent.

Councillor Ross, seconded by Councillor Stewart, moved as an amendment that the applications be refused for the reasons as detailed in the report.

On a division by a show of hands, there were 5 votes for the amendment and 5 votes for the motion.

There being an equality of votes, the Chair exercised his casting vote in favour of the amendment which became the decision of the meeting.

### **3. APPLICATION NO 05/1022/OL: ERECTION OF BUNGALOW AT GLENMUIR ROAD, LOGAN BY MR D PRENDERGAST**

There was submitted an executive summary sheet and report dated 18 November 2005 (both circulated) by the Head of Planning, Development and Building Standards on an outline planning application for the proposed erection of a bungalow at Glenmuir Road, Logan.

The opportunity to undertake a visit to the application site prior to the meeting was made available to Members.

#### **3.1 Consideration of Item**

The Principal Planning Officer reported that four letters of objection with six 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: Refusal, for the reasons detailed within the report.

#### **3.2 Planning Hearing**

The Committee heard Scott McCann on behalf of Angela McCann's objection, John McGinley, Mrs C Paterson and Jean McMurdo, in support of their objections.

The Committee then heard David Prendergast, applicant, in support of the application.

The Chair closed the Hearing.

#### **3.3 Determination of Application**

Councillor Kelly, seconded by Councillor Carmichael, moved that the application be referred to the Development Services Committee with a recommendation for approval, on the basis that the proposed development was a minor encroachment on the settlement boundary, and could be considered an acceptable departure from the Development Plan and to delegate to the Head of Planning, Development and Building Standards to attach appropriate conditions and reasons to the planning consent.

Councillor Ross, seconded by Councillor Smith, moved as an amendment that the application be refused for the reasons as detailed in the report.

On a division by a show of hands, the motion was carried by 7 votes to 3.

**4. APPLICATION NO 05/1011/OL: PROPOSED RESIDENTIAL DEVELOPMENT AT CAMERON CRESCENT, CUMNOCK BY MR WILLIAM SMITH**

There was submitted an executive summary sheet and report dated 11 January 2006 (both circulated) by the Head of Planning, Development and Building Standards on an outline planning application for a proposed residential development at Cameron Crescent, Cumnock.

The 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, 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 neither present nor represented.

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

**5. APPLICATION NO 05/0818/FL: ERECTION OF TWO DETACHED DWELLINGHOUSES AT PLOT OF GROUND ADJACENT TO ARMOUR WYND, DALMELLINGTON BY ROBERT JOHNSTONE AND SON LIMITED**

There was submitted an executive summary sheet and report dated 10 January 2006 (both circulated) by the Head of Planning, Development and Building Standards on a full planning application for erection of two detached dwellinghouses at plot of ground adjacent to Armour Wynd, Dalmellington.

**5.1 Consideration of Item**

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

**5.2 Planning Hearing**

The Committee heard Julie Hill on behalf of Mrs E McCart, in support of her objection. Members asked questions of the objector, who responded to the issues raised, all in accordance with the Hearing Procedure.

The Committee then heard Mr Boston, representative of the applicant, in support of the application. Members asked questions of the representative of the applicant.

The Chair closed the Hearing.

**5.3 Determination of Application**

It was agreed to approve the application, subject to the conditions, and for the reasons, detailed in the report and to amend Condition 1 to require assessment of the impact on tree roots in relation to the foundation plan to be undertaken by an independent person and to ensure that Mrs E McCart, objector, received a copy of the plan.

**6. APPLICATION NO 05/1192/FL: PROPOSED CHANGE OF USE FROM INDUSTRIAL UNIT TO RECREATIONAL FACILITY FOR PUBLIC USE AT UNIT 3, THISTLE BUSINESS PARK, AYR ROAD, CUMNOCK BY 'OOT SIDE IN'**

**6.1 Declarations of Interest/Chair**

Councillors Ross, Crawford and N McGhee declared a non financial interest in this item. Thereon Councillor N McGhee vacated the Chair and Councillor Kelly, Vice-Chair, took the Chair.

**6.2 Consideration of Item**

There was submitted an executive summary sheet and report dated 11 January 2006 (both circulated) by the Head of Planning, Development and Building Standards on a full planning application for proposed change of use from industrial unit to recreational facility for public use at Unit 3, Thistle Business Park, Ayr Road, Cumnock.

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: Refusal, for the reasons detailed within the report.

No Hearing took place as the objector was neither present nor represented.

It was agreed that the application be referred to the Development Services Committee with a recommendation for approval on the grounds that the proposal represented a much needed youth recreational facility for the area, and would make use of an industrial unit which otherwise would have been vacant, and could be considered an acceptable departure from the Development Plan, and to delegate to the Head of Planning, Development and Building Standards for appropriate conditions and reasons to be attached to the planning consent.

At this point, Councillor N McGhee resumed the Chair.

**7. APPLICATION NO 05/1190/FL: PROPOSED ERECTION OF TWO NO. PRIVATE DWELLINGHOUSES AT KNOWE VIEW, OCHILTREE BY HOPE HOMES SCOTLAND LIMITED**

There was submitted an executive summary sheet and report dated 11 January 2006 (both circulated) by the Head of Planning, Development and Building Standards on a full planning application for the proposed erection of 2 no. private dwellinghouses at Knowe View, Ochiltree.

The Principal Planning Officer reported that there were no third party objections; 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.

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

**ADJOURNMENT/RECONVENTION OF MEETING**

8. It was agreed to adjourn the meeting at 1130 hours. The meeting reconvened at 1135 hours with the same Members and Officers present and in attendance.

9. **APPLICATION NO 05/0706/RM: PROPOSED ERECTION OF 94 DETACHED DWELLINGHOUSES AND FORMATION OF ASSOCIATED ROADS AT BALLOCHMYLE ESTATE, MAUCHLINE BY NORTHKIRK LIMITED**

There was submitted an executive summary sheet and report dated 18 January 2006 (both circulated) by the Head of Planning, Development and Building Standards on a consent being sought under Reserved Matters, for the proposed erection of 94 dwellinghouses and formation of associated roads at Ballochmyle Estate, Mauchline.

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: 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, in respect of the matters detailed in Section 7.1 of the report.

No Hearing took place as the objectors were neither present nor represented.

It was agreed 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 75 of the Town and Country Planning (Scotland) Act 1997, in respect of the matters detailed in Section 7.1 of the report.

The meeting terminated at 1147 hours.