

EAST AYRSHIRE COUNCIL

SOUTHERN LOCAL PLANNING COMMITTEE

**MINUTES OF MEETING HELD ON FRIDAY 26 JANUARY 2007 AT 1000 HOURS
IN THE BARRHILL CENTRE, BANK AVENUE, CUMNOCK**

PRESENT: Councillors Neil McGhee, Jimmy Kelly, Tommy Farrell, William Crawford, Eric Ross, Elaine Dinwoodie and Elaine Stewart.

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

APOLOGIES: Councillors Eric Jackson, George Smith, William Menzies and Jimmy Carmichael.

CHAIR: Councillor Neil McGhee, Chair.

HEARING PROCEDURE

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

2. **APPLICATION NO 06/0817/FL: EASSDA HOLDINGS: 18 AUCHINLECK ROAD, CUMNOCK**

There was submitted an executive summary sheet and report dated 18 January 2007 (both circulated) by the Head of Planning, Development and Building Standards on a full planning application for the proposed erection of 12 dwellinghouses at 18 Auchinleck Road, Cumnock.

- 2.1 **Consideration of Item**

The Principal Planning Officer reported that six letters of objection, with 9 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: 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 had been received.

- 2.2 **Planning Hearing**

The Committee heard Mr J R Little, Mrs L McCulloch and Mrs F McMillan in relation to their objections.

- 2.3 **Request to Circulate Material**

Following a request from Mrs F McMillan to circulate to members extracts from the planning application and the Land Register in relation to the proposed development, the Administrative Officer confirmed that details of the application were already summarised in the report circulated to members and the application had been included as a background paper which members could request; and the Principal Planner advised that land ownership was not a material consideration in the

determination of a planning application, accordingly, it was agreed not to circulate the aforementioned information.

2.4 Planning Hearing Continued

The Committee then heard Mr J Malcolm 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.

2.5 Determination of Application

Councillor Crawford, seconded by Councillor Ross, moved that the application be refused on the grounds that the design and layout of the proposed development would be detrimental to the visual amenity of the existing residential area and in particular, the adverse impact that the two storey construction would have on the adjacent residential properties.

Councillor Farrell seconded by Councillor Kelly, moved as an amendment, to approve the application in accordance with the recommendation of the Head of Planning, Development and Building Standards as detailed above.

On a division by show of hands, the motion was carried by 5 votes to 2.

3. APPLICATION NO 06/0175/FL: CUMNOCK JUNIORS FC SOCIAL CLUB: TOWNHEAD STREET, CUMNOCK

There was submitted an executive summary sheet and report dated 15 January 2007 (both circulated) by the Head of Planning, Development and Building Standards on a full planning application for the proposed erection of a smoke shelter at Townhead Street, Cumnock.

The Principal Planning Officer reported that three letters of objection had been received, details of which were contained in 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.

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

It was agreed to approve the application.

4. APPLICATION NO 06/0645/OL: CHURCH OF SCOTLAND, C/O PENNY McCREATH, 4 CARSPHAIRN ROAD, DALMELLINGTON

There was submitted an executive summary sheet and report dated 10 January 2007 (both circulated) by the Head of Planning, Development and Building Standards on an outline planning application for the proposed erection of a dwellinghouse at the Manse, 4 Carsphairn Road, Dalmellington.

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: 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, as detailed in the report.

5. APPLICATION NO 06/0575/FL: MR AND MRS GARDINER: WINDYEDGE, WATERSIDE BY PATNA (Item 4, Page 2580, 03/07)

There was submitted an executive summary sheet and report dated 15 January 2007 (both circulated) by the Head of Planning, Development and Building Standards on a full planning application for the proposed erection of a dwellinghouse on a plot of ground adjacent to Windyedge, Waterside, by Patna.

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.

It was noted that no Hearing took place at the meeting on 1 December 2006 as the objector was not present or represented and that Members of the Committee had the opportunity to attend a site visit in respect of this application prior to this meeting.

It was agreed that the application be referred to the Development Services Committee Sitting as a Planning Committee with a recommendation for approval, on the basis that the proposed development represented an acceptable departure from the Development Plan since the design was considered acceptable and subject to the condition that the applicant provide a full turning area to be located within the curtilage of the dwellinghouse; REASON: to enable all vehicles using the single track access road to turn safely. It was also agreed to remit the Head of Planning, Development and Building Standards to attach appropriate conditions and reasons to the consent.

6. APPLICATION NO 06/0612/FL: GLEN CATRINE BONDED WAREHOUSE: 7 LAIGH ROAD, CATRINE (Item 6, Page 2580, 03/07)

6.1 Members Eligible to Participate

Councillor Ross left the meeting prior to consideration of this item on the basis that this application had been continued following an earlier Hearing at which he was not present and he could not, therefore, participate in consideration or determination of this application at this stage.

6.2 Consideration of Application

There was submitted an executive summary sheet and report dated 15 January 2007 (both circulated) by the Head of Planning, Development and Building Standards on a full planning application for the erection of a 2m high palisade fence for safety reasons around a well at Glen Catrine Bonded Warehouse, 7 Laigh Road, Catrine.

The Principal Planning Officer reported that a 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: Approval, subject to the conditions, and for the reasons, detailed in the report and the additional condition that the planning consent be for a limited period of 5 years only; REASON: To allow

for an improved boundary treatment to be pursued in light of the visual impact of the fence within Catrine Outstanding Conservation Area.

6.3 Determination of Application

It was agreed to approve the application for a limited time period of 5 years only; REASON: To allow for an improved boundary treatment to be pursued in light of the visual impact of the fence within Catrine Outstanding Conservation Area; and subject to the conditions and for the reasons as detailed in the report.

Councillor Ross re-joined the meeting and Councillor Dinwoodie left the meeting at this point.

7. APPLICATION NO 06/0610/FL: RAVENBLACK DEVELOPMENTS: LAND TO WEST OF CAIRN ROAD, CUMNOCK

There was submitted an executive summary sheet and report dated 18 January 2007 (both circulated) by the Head of Planning, Development and Building Standards on a full planning application for the proposed erection of 16 new dwellings at land to the west of Cairn Road, Cumnock.

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: 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 at Paragraph 7.1 of the report and payment in that regard had been received.

It was agreed to approve the application in accordance with the recommendation of the Head of Planning, Development and Building Standards as detailed above.

The meeting terminated at 1104 hours.