

EAST AYRSHIRE COUNCIL

NORTHERN AREA LOCAL PLANNING COMMITTEE

**MINUTES OF MEETING HELD ON FRIDAY 18 JUNE 2004 AT 1000 HOURS IN
HURLFORD COMMUNITY CENTRE, CESSNOCK ROAD, HURLFORD**

PRESENT: Councillors Stuart Finlayson, Jim O'Neill, John McGhee, Stephanie Young and Isabella Macrae.

ATTENDING: David Mitchell, Acting Executive Director of Corporate Support; Dave Morris, Development Promotion Manager; John Trakalo, Senior Engineer (Roads); Ian Walker, Acting Principal Planning Officer; Karen McLeod, Solicitor; and Jennifer Morrison, Administrative Officer.

APOLOGIES: Councillors Maureen McKay (Chair), Harry Wilson, Jim Raymond and Robert McDill.

CHAIR: Councillor Stuart Finlayson, Vice-Chair.

CHAIR'S COMMENTS

1. The Chair reported that Item 2 – Application No 03/1110/FL – Castle Developments Limited, 22 Main Road, Waterside had been withdrawn from the Agenda.

HEARING PROCEDURE

2. The Acting Executive Director of Corporate Support established that the Hearing Procedure was understood by all participants.
3. **APPLICATION NO 04/0269/FL: JOHN DICKIE HOMES LIMITED: OLD GLASGOW ROAD, STEWARTON**

There was submitted an executive summary sheet and report dated 3 June 2004 (both circulated) by the Executive Director of Development and Property Services on a full planning application for the proposed erection of 30 dwellinghouses and the formation of two plots, and associated vehicular and pedestrian access including road calming of Old Glasgow Road, Stewarton.

It was noted that Members of the Committee had attended a site visit in respect of this application prior to the meeting.

3.1 Consideration of Item

The Development Promotion Manager reported that 22 letters of objection had been received in respect of the full planning application, details of which were contained within the report; reported the following amendments to the report, in Condition 10 the word "emptying" be substituted with the word "emergency" and in Condition 16 the word "integration" be substituted with the word "mitigation"; summarised the planning considerations in respect of the application and gave the recommendation of the Executive Director of Development and Property Services, viz:- Approval subject to the conditions, as revised, and for the reasons detailed in the report and that the issuing of the Decision Notice be withheld until the Solicitor to the Council has concluded a formal Section 75 Agreement with the applicants under the Town and Country Planning (Scotland) Act 1997 to secure the provision and management of the community woodland as per paragraph 8.4 of the report.

3.2 Planning Hearing

The Committee then heard the following objectors: Philip Clarke representing Mrs Diane Fraser, Mr McBlane, Mr McAughtrie, Mr Bull, Mrs Chassels representing her own and her husband's objections, Mr Wells representing his own and his wife's objections and Mr Rodger representing his own objections and those of Mr & Mrs Cubitt and Mr & Mrs Allardice. Members of the Committee asked questions of these objectors, in turn, in accordance with the Hearing Procedure.

The Committee then heard Ms Ellis, Solicitor, and Mr Hannah, 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 Adjournment/Reconvention of Meeting

It was agreed to adjourn the meeting at 1207 hours. The meeting reconvened at 1216 hours with the same Members and Officers present and in attendance.

3.4 Determination of Application

The Development Promotion Manager responded to various planning issues raised during the Hearing.

The Acting Executive Director of Corporate Support and the Senior Roads Engineer provided clarification in respect of issues which had arisen during the Hearing.

It was agreed to grant the application subject to the conditions, as revised, and for the reasons detailed in the report and that the issuing of the Decision Notice be withheld until the Solicitor to the Council had concluded an Agreement under Section 75 of the Town and Country Planning (Scotland) Act 1997. The detail of that Section 75 Agreement to be remitted to the Executive Director of Development and Property Services and the Solicitor to the Council, in consultation with the Local Members, to identify and implement a project of benefit to the community which was to be of an equivalent monetary, or in kind value as the community woodland project detailed in paragraph 8.4 of the report. It was confirmed that should agreement not be reached on a suitable alternative project or the Section 75 Agreement not be concluded for any other reason then the matter would require to be referred back to the committee in accordance with normal practice.

3.5 Adjournment/Reconvention of Meeting

It was agreed to adjourn the meeting at 1320 hours. The meeting reconvened at 1335 hours with the same Members and Officers present and in attendance, with the exceptions of Councillor Young and the Acting Executive Director of Corporate Support, who had left the meeting during the adjournment.

4. APPLICATION NO 03/0954/FL: MERCURY REAL ESTATE: 22 NEWMILL ROAD, DUNLOP

There was submitted an executive summary sheet and report dated 10 June 2004 (both circulated) by the Head of Planning, Development and Building Standards on a full planning application for the proposed erection of one detached house at 22 Newmill Road, Dunlop.

It was noted that Members of the Committee had had the opportunity to attend a site visit in respect of this application prior to the meeting.

The Acting Principal Planning Officer reported that 3 letters of objection had been received in respect of the full planning application, details of which were contained within the report; clarified the error in the contrary decision note both in the executive summary sheet and the report to record that in the event that the application was approved it would not require to be referred to the Development Services Committee; 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 agreed to refuse the application for the reasons detailed in the report.

HEARING PROCEDURE

5. Given that the participants in Hearings for items 6 and 7 had arrived following item 4 the Administrative Officer established that the Hearing Procedure was understood by all participants.

6. **APPLICATION NO 04/0366/FL: BARRY DEVLIN SERVICES: KILMAURS ROAD, KNOCKENTIBER**

There was submitted an executive summary sheet and report dated 10 June 2004 (both circulated) by the Head of Planning, Development and Building Standards on a full planning application for the proposed change of use from former railway line to premises for the processing of end of life vehicles and erection of two metre high palisade fence at Wyndford Garage, Kilmaurs Road, Knockentiber.

The Administrative Officer clarified that there was an error on the Agenda and in paragraph 1.1 of the report and that the application was not in fact recommended for refusal.

6.1 **Consideration of Item**

The Acting Principal Planning Officer reported that 2 letters of objection had been received in respect of the application, 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.

6.2 **Planning Hearing**

The Committee then heard Mr Cook in support of his objections. Members of the Committee asked questions of the objector in accordance with the Hearing Procedure.

The Committee then heard Mr Cogswell, 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.

6.3 **Determination of Application**

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

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

7. APPLICATION NO 04/0260/FL: MS S JUSTICE-VOSE (DIPLOMACY SADDLERY): AIKET ROAD, DUNLOP

There was submitted an executive summary sheet and a report dated 10 June 2004 (both circulated) by the Head of Planning, Development and Building Standards on a full planning application for the proposed erection of bungalow, workshop and stable at South Thorn, Aiket Road, Dunlop.

7.1 Consideration of Item

The Development Promotion Manager reported that 2 letters of objection had been received in respect of the full application, 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.

7.2 Planning Hearing

The Committee then heard Mr Clow and Mr Nardini in support of their objections. Members of the Committee asked questions of the objectors in accordance with the Hearing Procedure.

The Committee then heard Ms Justice-Vose, 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.

7.3 Determination of Application

The Development Promotion Manager responded to various planning issues raised during the Hearing.

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

8. APPLICATION NO 04/0218/FL: MR N SUTHERLAND: CORSEHOUSE FARM, STEWARTON

There was submitted an executive summary sheet and report dated 10 June 2004 (both circulated) by the Head of Planning, Development and Building Standards on a full planning application for a proposed change of use from domestic garage to sporting gun dealership at Corsehouse Farm, Stewarton

The Acting Principal Planning Officer reported that 2 letters of objection had been received in respect of the full application, 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.

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.

9. APPLICATION NO 04/0394/FL: MESSRS CURRIE & SIMPSON: CUTSBURN ROAD, STEWARTON

There was submitted an executive summary sheet and report dated 10 June 2004 (both circulated) by the Head of Planning, Development and Building Standards on a full planning application for the proposed erection of five houses and formation of new road and erection of garages at Cutsburn Road, Stewarton.

The Acting Principal Planning Officer reported that 1 letter of objection had been received in respect of the full planning application, 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 Decision Notice be withheld until the Solicitor to the Council had concluded a Section 75 Agreement with the applicant under the Town and Country Planning (Scotland) Act 1997 with the applicants dealing with matters identified in section 8.3 of 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 and that the issuing of the Decision Notice be withheld until the Solicitor to the Council had concluded a Section 75 Agreement with the applicant under the Town and Country Planning (Scotland) Act 1997 dealing with the matters identified in Section 8.3 of the report.

10. APPLICATION NO 04/0312/FL: THIRLESTANE LAND LIMITED: WEST EDITH STREET, DARVEL

There was submitted an executive summary sheet and a report dated 10 June 2004 (both circulated) by the Head of Planning, Development and Building Standards on a full planning application for the proposed erection of dwellinghouse at plot 45, West Edith Street, Darvel.

The Acting Principal Planning Officer reported that one letter of objection with 2 signatories had been received in respect of this full planning application, 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.

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

It was agreed to grant the application.

11. APPLICATION NO 04/0428/FL: MR J ROWAN: BARMILL INDUSTRIAL ESTATE, GALSTON

There was submitted an executive summary sheet and a report dated 10 June 2004 (both circulated) by the Head of Planning, Development and Building Standards on a full planning application for the proposed change of use of part of industrial unit to allow retail showroom for kitchen and bedroom displays at Unit 1, Barmill Industrial Estate, Galston.

The Acting Principal Planning Officer reported that 1 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.

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.

12. APPLICATION NO 03/0035/FL: AYRSHIRE PROPERTY DEVELOPMENTS LIMITED: GREENHEAD AND UNION STREET, NEWMILNS

There was submitted an executive summary sheet and report dated 7 June 2004 (both circulated) by the Head of Planning, Development and Building Standards on a full planning application for the proposed erection of 13 one and three quarter storey detached dwellinghouses at vacant ground, Greenhead and Union Street, Newmilns.

The Development Promotion Manager 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 1440 hours.