

**EAST AYRSHIRE COUNCIL****SOUTHERN LOCAL PLANNING COMMITTEE****MINUTES OF MEETING HELD ON FRIDAY 10 SEPTEMBER 2004 AT 1000 HOURS IN MAUCHLINE COMMUNITY CENTRE, KILMARNOCK ROAD, MAUCHLINE**

**PRESENT:** Councillors Neil McGhee, Eric Jackson, George Smith, Tommy Farrell, Elaine Dinwoodie, Elaine Stewart and Jimmy Carmichael.

**ATTENDING:** David Mitchell, Head of Administrative and Legal Services; Hugh Melvin, Principal Planning Officer; Kevan Aitken, Senior Roads Engineer; and Stuart Nelson, Administrative Officer.

**APOLOGIES:** Councillors Jimmy Kelly, William Menzies, William Crawford and Eric Ross.

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

**CHAIR'S REMARKS**

1. The Chair introduced Mhairi Ross, a fourth year pupil at Stewarton Academy, presently on a work experience placement with Administrative and Legal Services, and welcomed her to the meeting as an observer within the Public Gallery.

**HEARING PROCEDURE**

2. The Administrative Officer established that the Hearing Procedure was understood by all participants.
3. **APPLICATION NO 04/0528/FL: J H P DEVELOPMENT LIMITED: FORMER A & W POLLOCKS, INDUSTRIAL SITE AT STATION ROAD AND STATION LANE, MAUCHLINE**

There was submitted an executive summary sheet and report dated 30 August 2004 (both circulated) by the Head of Planning, Development and Building Standards on a full planning application for the proposed demolition of existing buildings, erection of eight houses plus associated drainage and roadworks at the former A & W Pollocks Works, Station Road, Mauchline, and relocation of existing bollards in Station Lane, Mauchline.

**3.1 Consideration of Item**

The Principal Planning Officer reported that four letters of objection with five signatories had been received, details of all 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 with the applicant in respect of the matter detailed in Paragraph 7.1 of the report.

### **3.2 Planning Hearing**

The Committee heard Mr Alistair Cook, objector, in support of his objections. Members asked a question of the objector who responded to the issue raised, all in accordance with the Hearing Procedure.

The applicant was not present or represented.

The Chair closed the Hearing.

### **3.3 Continuation of Consideration of Application**

It was agreed to continue consideration of this application to the next meeting to enable the Head of Planning, Development and Building Standards and the Head of Roads and Transportation to consult further with the applicant regarding the possibility of residents' access to the development being taken from the Barskimming Road end of Station Road, any consequential implications for the proposed relocation of bollards adjacent to Nos 42 and 65 Station Road and the efforts which had been made by the applicant to explore this option.

Councillor Jackson left the meeting at this point.

## **4. APPLICATION NO 04/0323/FL: DUAN DEVELOPMENTS LIMITED: PLOTS 1 AND 2, BURNTON ROAD, DALRYMPLE**

There was submitted an executive summary sheet and report dated 30 August 2004 (both circulated) by the Head of Planning, Development and Building Standards on a full planning application for the proposed erection of two detached private dwellings at Plots 1 and 2, Burnton Road, Dalrymple.

The Principal Planning Officer reported that four letters of objection had been received, details of all 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 with the applicant in respect of the matters detailed in Paragraph 7.1 of the report.

No Hearing took place as the objectors were not present or 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 with the applicant in respect of the matters detailed in Paragraph 7.1 of the report.

## **5. APPLICATION NO 04/0440/FL: ATH RESOURCES: CROWBANDSGATE RAILSIDING, PATHHEAD, NEW CUMNOCK**

There was submitted an executive summary sheet and report dated 30 August 2004 (both circulated) by the Head of Planning, Development and Building Standards on a full planning application for the proposed variation of Conditions 7 and 13 to permit longer working hours under consent 98/0762/FL at Crowbandsgate Railsiding, Pathhead, New Cumnock.

The Principal Planning Officer reported that one objection, from New Cumnock Community Council 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 within 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 with the applicant in respect of the matters detailed in Paragraph 8.4 of the report.

No Hearing took place as the objector was not present or 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 with the applicant in respect of the matters detailed in Paragraph 8.4 of the report.

**6. APPLICATION NO 04/0701/FL: SRC DEVELOPMENTS - 5-13 AND 19 FORD STREET, CATRINE**

There was submitted an executive summary sheet and report dated 30 August 2004 (both circulated) by the Head of Planning, Development and Building Standards on a full planning application for a proposed change of use from store to form three dwellinghouses and from commercial use land to erect three dwellinghouses and courtyard development to form private parking court at 5-13 and 19 Ford Street, Catrine.

The Principal Planning Officer reported that one objection, from Scottish Water, 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 objector was not present or represented.

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

**7. APPLICATION NO 04/0512/FL: MR J TRACEY: FORMER GARAGE SITE/RAILWAY CUTTING, OFF LOGANGATE TERRACE, LOGAN**

There was submitted an executive summary sheet and report dated 25 August 2004 (both circulated) by the Head of Planning, Development and Building Standards on a full planning application for the proposed removal of Condition 4 of outline planning consent 02/0293/OL: (Residential Development) at Former Garage Site/Railway Cutting, off Logangate Terrace, Logan.

The Principal Planning Officer reported that no objections had been received; advised of the comments of East Ayrshire Council Access Section on the proposal, which had been received following issue of 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.

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

**8. APPLICATION NO 04/0150/FL: ATH RESOURCES: GARLEFFAN II OPENCAST COAL SITE, NEW CUMNOCK**

There was submitted an executive summary sheet and report dated 31 August 2004 (both circulated) by the Head of Planning, Development and Building Standards on a full planning application for the proposed variation of Conditions 1, 13, 17, 32, 35 and 43 of planning consent 00/0526/FL due to a change of site operator and amendments to the operation of the site at Garleffan II Opencast Coal Site, New Cumnock.

The Principal Planning Officer reported that no objections 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 75 of the Town and Country Planning (Scotland) Act 1997 with the applicant in respect of the matters detailed in Paragraph 2.8 of the report.

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 with the applicant in respect of the matters detailed in Paragraph 2.8 of the report.

**9. APPLICATION NO 04/0241/FL: GGG OFFICES LIMITED: SITE OFF STEPEND ROAD, HOLMHEAD, CUMNOCK (Item 2, Page 905, 03/07)**

**9.1 Members Eligible to Participate**

The Administrative Officer confirmed, given that consideration of this application had been continued following a Hearing at which they were not present, that Councillors McGhee and Carmichael should not participate in consideration or determination of this application.

Councillors McGhee and Carmichael left the meeting at this point.

**9.2 Appointment of Chair**

Councillor Farrell took the Chair.

**9.3 Consideration of Application**

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

There was submitted an executive summary sheet and report dated 3 September 2004 (both circulated) by the Head of Planning, Development and Building Standards on a full planning application for a proposed residential development comprising 37 individual dwellings on a site located off Stepend Road, Holmhead, Cumnock.

The Principal Planning Officer reported that nine letters of objection with 11 signatories had been received regarding the proposed development, details of all of which were contained within the report; indicated that, since the last meeting a further letter had been received from a representative of a number of the objectors, but that

this letter raised no new significant issues relating to the application; confirmed that the objection received from Scottish Water had now been withdrawn; advised that the applicant had now confirmed that he would contribute to the Council's Sports, Leisure and Recreation Fund; advised of views expressed by certain Members of the Committee arising from the site visit; 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 with the applicant in respect of an appropriate contribution by the applicant to the Sports, Leisure and Recreation Fund.

#### **9.4 Determination of Application**

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 with the applicant, in respect of an appropriate contribution by the applicant to the Sports, Leisure and Recreation Fund.

The meeting terminated at 1046 hours.