

**EAST AYRSHIRE COUNCIL****SOUTHERN LOCAL PLANNING COMMITTEE****MINUTES OF MEETING HELD ON FRIDAY 13 AUGUST 2004 AT 1000 HOURS IN  
THE BARRHILL CENTRE, BANK AVENUE, CUMNOCK**

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

**ATTENDING:** Hugh Melvin, Principal Planning Officer; Nicola Monroe, Senior Planning Officer; Karen McLeod, Solicitor; and Stuart Nelson, Administrative Officer.

**APOLOGIES:** Councillors Neil McGhee and Jimmy Carmichael.

**CHAIR:** Councillor Jimmy Kelly, Vice-Chair.

**HEARING PROCEDURE**

1. The Chair established that the Hearing Procedure was understood by all participants.
2. **APPLICATION NO 04/0241/FL: GGG OFFICES LIMITED: SITE OFF STEPEND ROAD, HOLMHEAD, CUMNOCK**

There was submitted an executive summary sheet and report dated 18 July 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.

**2.1 Consideration of Item**

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of all of which were contained within the report; confirmed that an objection received from Scottish Water had now been withdrawn; advised that the applicant had now confirmed that he would contribute to the Sports Leisure and Recreation Fund; summarised the planning considerations in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 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 proposed Sports Leisure and Recreation Fund.

**2.2 Planning Hearing**

The Committee then heard Mr John Boyd, in support of the objections submitted by Mr G Sutherland, Mrs H Sutherland and Mary B Nelson; and Mr George Peden, Mrs Winifred Orr, Mrs Brodie and Mrs Shirkie, objectors, in support of their objections.

The Committee then heard Mr Steven Wilson, on behalf of the applicant, in support of the application.

The Chair closed the Hearing.

### **2.3 Continuation of Consideration of Application**

It was agreed to continue consideration of this application to the next meeting, in order to enable a site visit to take place.

### **3. APPLICATION NO 04/0145/FL: MR STUART JACKSON: SITE AT MELLING TERRACE, DALMELLINGTON**

There was submitted an executive summary sheet and report dated 18 July 2004 (both circulated) by the Head of Planning, Development and Building Standards on a full planning application for the proposed erection of six new dwellinghouses on a site at Melling Terrace, Dalmellington.

The Principal Planning Officer reported that in addition to objections from Scottish Water and the Architectural Heritage Society of Scotland, seven letters of objection from ten individuals had been received regarding the proposed development, one of which included a petition containing 22 signatories, 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; and 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.

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

Councillor Kelly, seconded by Councillor Farrell, moved that the application be approved subject to the conditions, and for the reasons, detailed in the report; and 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.

Councillor Stewart, seconded by Councillor Dinwoodie, moved as an amendment that the application be refused since the proposed alterations to the road layout on Melling Terrace fronting the application site were not sufficiently adequate to address the adverse impact of the proposed development on road safety within the immediate area.

On a division by a show of hands, the amendment was carried by six votes to three.

### **4. APPLICATION NO 03/1135/FL: BARR LIMITED: SORN QUARRY, SORN**

There was submitted an executive summary sheet and report dated 16 July 2004 (both circulated) by the Head of Planning, Development and Building Standards on a full planning application for the proposed extension of the area for mineral extraction at Sorn Quarry, Sorn.

#### **4.1 Consideration of Item**

The Principal Planning Officer reported that four letters of objection had been received in respect of the application, 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; and that the issue of the Decision Notice be withheld until the Solicitor to the

Council had 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 8.7 of the report.

#### **4.2 Planning Hearing**

The Committee heard Mr David Shaw, Secretary to Sorn Community Council, in support of the objections submitted by the Community Council.

The Committee then heard Sandy Milligan, representing the applicant, in support of the application.

The Chair closed the Hearing.

#### **4.3 Determination of Application**

It was agreed to approve the application subject to the conditions, and for the reasons, detailed in the report; and that the issue of the Decision Notice be withheld until the Solicitor to the Council had 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 8.7 of the report.

#### **5. APPLICATION NO 04/0372/RM: MR ALEX STEVENSON: SHIELDMAINS FARM, COALHALL**

There was submitted an executive summary sheet and report dated 4 August 2004 (both circulated) by the Head of Planning, Development and Building Standards on a reserved matters application for a proposed dwellinghouse and garage at Shieldmains Farm, Coalhall.

The Senior Planning Officer reported that two objections has 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 not present or represented.

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

#### **6. APPLICATION NO 04/0423/FL: MR ALEX STEVENSON: COYLE WATER FISHERY, SHIELDMAINS FARM, COALHALL**

There was submitted an executive summary sheet and report dated 6 August 2004 (both circulated) by the Head of Planning, Development and Building Standards on a full planning application for temporary storage of a portacabin and containers for storage of fishery and agricultural goods at Coyle Water Fishery, Shieldmains Farm, Coalhall.

The Senior Planning Officer reported that two objections 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.

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

It was agreed, in view of the temporary nature of the structures concerned, to approve the application for a temporary period of one year only, subject to

appropriate conditions to be determined by the Head of Planning, Development and Building Standards, to include a specific condition to limit use of the structures for the storage of fishery and agricultural goods.

## **7. APPLICATION NO 04/0361/FL: MR AND MRS A McILHERON: GLENVIEW, SORN**

There was submitted an executive summary sheet and report dated 4 August 2004 (both circulated) by the Head of Planning, Development and Building Standards on a full planning application for the proposed erection of a dwellinghouse at Glenview, Sorn.

The Senior 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: Refusal, for the reasons detailed in the report.

It was agreed to approve the application, the Committee being of the view that the exceptional family circumstances of the applicant were such that an exemption from Policy RES16 of the East Ayrshire Local Plan would be appropriate in this particular case, subject to appropriate conditions to be determined by the Head of Planning, Development and Building Standards.

## **8. APPLICATION NO 04/0367/FL: MR AND MRS W MILLIGAN: LOAN GARAGE, THE LOAN, MAUCLINE**

### **8.1 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 Jackson, Smith, Farrell and Ross should not participate in consideration or determination of this application.

Councillors Jackson, Smith, Farrell and Ross left the meeting at this point.

### **8.2 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 31 May 2004 (both circulated) by the Head of Planning, Development and Building Standards on a full planning application for the proposed erection of a new bus garage to accommodate four coaches at Loan Garage, The Loan, Mauchline.

The Principal Planning Officer reported that four letters of objection with seven 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.

### **8.3 Determination of Application**

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

The meeting terminated at 1118 hours.