

EAST AYRSHIRE COUNCIL

NORTHERN AREA LOCAL PLANNING COMMITTEE

**MINUTES OF MEETING HELD ON FRIDAY 4 AUGUST 2006 AT 1000 HOURS IN
KILMAURS COMMUNITY CENTRE, EAST PARK DRIVE, KILMAURS**

PRESENT: Councillors Maureen McKay, Jim O'Neill, John McGhee, Stephanie Young, Isabella Macrae, Harry Wilson, Jim Raymond, Stuart Finlayson and Robert McDill.

ATTENDING: Bill Stewart, Principal Planning Officer; Avril Forrest, Solicitor; and Lynn Young, Administrative Officer.

CHAIR: Councillor Maureen McKay, Chair, for Items 1-8 and Councillor Stuart Finlayson, Vice-Chair, for Items 9-10.

ORDER OF BUSINESS

1. The Chair, at her discretion and in terms of Standing Order 19, agreed to alter the order of business and consider Agenda Item 5, Application No 06/0425/FL: Change of use from two apartment and alterations to form two dwellinghouses with rear extensions at 12-14 Main Street, Dunlop, by Mr J Craig and Mr Bruce Batey as the last application after Agenda Item 8, Application No 06/0569/FL: Proposed upgrading and extension of farm buildings to form seven dwellings at East Raws Farm, Moscow, by ATD Developments Limited.

HEARING PROCEDURE

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

CHAIR'S REMARKS

3. The Chair reported, and it was noted, that Application No 06/0439/OL: Outline planning permission for one dwellinghouse on land to the rear of 2 Barr Cottage, Barr Street, Galston, by Mr C Keirs had been withdrawn from the Agenda.

4. **APPLICATION NO 06/0461/FL: ALEXANDER MORTON HOMES SCOTLAND LIMITED: KNOCKLAND HILL, KILMAURS**

There was submitted an executive summary sheet and report dated 26 July 2006 (both circulated) by the Head of Planning, Development and Building Standards on a full planning application for the erection of a three bedroom single storey detached dwellinghouse and double garage at Knockland Hill, Kilmaurs.

4.1 Consideration of Item

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: Refusal, for the reasons detailed in the report.

4.2 Planning Hearing

The Committee heard Mrs Anna Steel, in respect of the objections of William Steel & Son.

The Committee then heard Mr Jim Malcolm, Alexander Morton Homes Scotland Ltd., applicant, in support of the application.

The Chair closed the Hearing.

4.3 Determination of Application

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

5. APPLICATION NO 06/0349/FL: MR AND MRS HIBBERT: LAND ASSOCIATED WITH 1 EAST HEADS STEADING, NEWMILNS

There was submitted an executive summary sheet and report dated 26 July 2006 (both circulated) by the Head of Planning, Development and Building Standards on a full planning application for the formation of a riding area 20m x 30m for exercising of horses at land associated with 1 East Heads Steading, Newmilns.

The Principal Planning Officer reported that one letter of objection from two parties had been received, details of which were contained within the report; summarised the planning considerations in respect of the application; advised of an amendment to Condition 2: Notwithstanding the plans hereby approved, no lighting is to be installed to the exercise area, without the prior written consent of the Planning Authority; Reason: In the interests of the amenity of the surrounding area and to allow the Planning Authority to consider the matter in detail; 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 and subject to the amended Condition 2 as detailed above.

6. APPLICATION NO 06/0087/FL: MR J SMITH: CRAIGHALL FARM, GLASGOW ROAD, KILMARNOCK

There was submitted an executive summary sheet and report dated 21 July 2006 (both circulated) by the Head of Planning, Development and Building Standards on a full planning application to erect a commercial indoor riding arena, change the use of the existing domestic stables to be used for commercial purposes and allocation of associated land for exercising/grazing, at Craighall Farm, Glasgow Road, Kilmarnock.

The Principal Planning Officer advised 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 objector was not present or represented at the meeting.

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

7. APPLICATION NO 06/0271/FL: KERR TIMBER LIMITED: CHANGUE HILL, DARVEL

There was submitted an executive summary sheet and report dated 26 July 2006 (both circulated) by the Head of Planning, Development and Building Standards on a full planning application to amend Condition 2 of planning consent 04/0524/OL.

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: 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 06/0569/FL: ATD DEVELOPMENTS LIMITED: EAST RAWES FARM, MOSCOW

Councillor Young left the meeting at this point.

There was submitted an executive summary sheet and report dated 27 July 2006 (both circulated) by the Head of Planning, Development and Building Standards on a full planning application for the change of use of the remaining farm building into three residential units and the erection of three dwellinghouses to match the style of the original now demolished stone byres, to reinstate the original horseshoe arrangement at East Rawes Farm, Moscow.

The Principal Planning Officer reported (i) that the proposal was advertised in the Kilmarnock Standard as the development was contrary to the Development Plan, the time period for which expired on 5 August 2006; and (ii) that to date, 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: (i) that the Committee note the contents of the report, the expiry date for representations relative to the press advert and the presence of a consent for an identical build form on this site; and (ii) that the Committee remit authority for the determination of the application to the Head of Planning, Development and Building Standards with any decision to be taken by him only upon conclusion of the advert period and without receipt of a public representation in that period.

It was agreed:-

- (i) to note the contents of the report, the expiry date for representations relative to the press advert and the presence of a consent for an identical build form on this site; and
- (ii) to remit authority for the determination of the application to the Head of Planning, Development and Building Standards with any decision to be taken by him only upon conclusion of the advert period and without receipt of a public representation in that period, subject to an additional condition in that all of the contribution of £4,000 to the TLR5 fund go to the Moscow Community Hall Fund.

Councillor Young rejoined the meeting at this point.

9. APPLICATION NO 06/0425/FL: MR J CRAIG AND MR BRUCE BATEY: 12-14 MAIN STREET, DUNLOP

9.1 Declaration of Interest

Councillor McKay declared a non financial interest in accordance with Paragraphs 5.17 and 5.18 of the Code of Conduct, vacated the Chair and withdrew from the meeting.

Councillor Finlayson, Vice-Chair, then took the Chair.

There was submitted an executive summary sheet and report dated 26 July 2006 (both circulated) by the Head of Planning, Development and Building Standards on a change to the use from two separate apartments to form two dwellinghouses incorporating external alterations and an extension to the rear of the building at 12-14 Main Street, Dunlop.

9.2 Consideration of Item

The Principal Planning Officer reported that one letter 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: Approval, subject to the conditions and for the reasons detailed in the report.

9.3 Planning Hearing

The Committee heard Gerry Reid, on behalf of the objection from Dunlop and Lugton Park Association.

Members of the Committee asked questions of the objector in accordance with the Hearing Procedure.

The Committee then heard Mr John Craig, 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.

9.4 Determination of Application

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

10. RETROSPECTIVE PLANNING APPLICATIONS BY MR P BROWN (Item 6, Page 2288, 03/07)

The Principal Planning Officer reported, and it was noted, that in respect of concerns raised at the Northern Area Local Planning Committee meeting of 16 June 2006 at the number of retrospective planning applications submitted by a particular applicant, the applicant had been written to and a response received which advised that they accepted the Committee's concern regarding, in their opinion, the few retrospective planning applications made and apologised for any inconvenience caused. They also gave an assurance that submitting retrospective planning applications would not be repeated.

The meeting terminated at 1110 hours.