

## EAST AYRSHIRE COUNCIL

### SOUTHERN LOCAL PLANNING COMMITTEE

#### MINUTES OF MEETING HELD ON FRIDAY 14 NOVEMBER 2003 AT 1000 HOURS IN THE BARRHILL CENTRE, BANK AVENUE, CUMNOCK

**PRESENT:** Councillors Tommy Farrell, George Smith, William Menzies, William Crawford, Elaine Dinwoodie, Elaine Stewart and Jimmy Carmichael.

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

**APOLOGIES:** Councillors Neil McGhee, Eric Jackson, Jimmy Kelly and Eric Ross.

**CHAIR:** In the absence of the Chair and Vice-Chair, Councillor Tommy Farrell was appointed, and took the Chair.

#### HEARING PROCEDURE

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

2. **APPLICATION NO 03/0412/FL: GIBSON DEVELOPMENTS: MAIN STREET/MUIRKIRK ROAD, SORN**

There was submitted an executive summary sheet and report dated 5 November 2003 (both circulated) by the Head of Planning and Building Control on a full planning application for a proposed housing development at Main Street/Muirkirk Road, Sorn.

##### 2.1 Consideration of Item

The Principal Planning Officer drew attention to an error within Paragraph 3.1 of the Executive Summary Sheet and Paragraph 8.1 of the report and advised that, in each case, these Paragraphs should read as follows, namely:- "As indicated in Section 5 of the report, the proposed development is considered to be in accordance with the provisions of the Adopted East Ayrshire Local Plan. Therefore, given the terms of Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997, the planning application should be approved unless material considerations indicate otherwise. As indicated in Section 6 of the report, there are material considerations relevant to this application."; advised that the applicant had now confirmed in writing an agreement to make a contribution to the Council's Sports, Leisure and Recreation Fund; reported that six 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 and Building Control: 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 regarding (i) the matters indicated within Section 8.4 of the report; and (ii) contribution by the applicant to the Council's Sports, Leisure and Recreation Fund.

##### 2.2 Planning Hearing

The Committee heard Heather Young and Ian Scade, objectors, in support of their objections. Members asked a question of Mrs Young who responded to the issue raised, all in accordance with the Hearing Procedure.

The Committee then heard Mike Evans accompanied by John McManus, on behalf of the applicant, in support of the application. Members asked a question of the applicant's representatives who responded to the issue raised, all in accordance with the Hearing Procedure.

The Chair closed the Hearing.

### **2.3 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 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 regarding (i) the matters indicated within Section 8.4 of the report; and (ii) contribution by the applicant to the Council's Sports, Leisure and Recreation Fund.

### **3. APPLICATION NO 03/0747/FL: MR T DICKSON: BOX CAFÉ, TANYARD, CUMNOCK**

There was submitted an executive summary sheet and report dated 31 October 2003 (both circulated) by the Head of Planning and Building Control on a full planning application for a proposed change of use on the upper floor from function hall to manufacturing at the Box Café, Tanyard, Cumnock.

#### **3.1 Consideration of Item**

The Principal Planning Officer advised that the location plan included with the report by the Head of Planning and Building Control on this application had not correctly identified the building which was the subject of the application, and that an amended plan had been circulated at the meeting for Members' reference; reported that four 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 and Building Control: Refusal, for the reasons detailed in the report.

#### **3.2 Planning Hearing**

The Committee heard Mrs Jean Smith, objector, in support of the objections submitted by Cumnock and Doon Valley Access Panel and East Ayrshire (South) Forum on Disability. 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 Determination of Application**

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

### **4. APPLICATION NO 03/0822/FL: DALMELLINGTON AND DISTRICT CONSERVATION TRUST: DUNASKIN HERITAGE CENTRE, WATERSIDE, BY PATNA**

#### **4.1 Declarations of Interest**

Councillors Farrell, Dinwoodie and Stewart each declared a direct, non-pecuniary interest in this item of business and took no part in the consideration or determination of this application.

#### **4.2 Appointment of Chair**

Councillor Farrell vacated the Chair in favour of Councillor Smith.

#### **4.3 Consideration of Item**

There was submitted an executive summary sheet and report dated 31 October 2003 (both circulated) by the Head of Planning and Building Control on a full planning application for the proposed erection of fencing at Dunaskin Heritage Centre, Waterside, by Patna.

The Principal Planning Officer reported that one letter of objection, supported by a petition with 22 signatures, 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 and Building Control: 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.

#### **4.4 Determination of Application**

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

### **5. APPLICATION NO 03/0547/FL: G & S HOMES: GROUND AT ROBERT BURNS AVENUE, DRONGAN**

#### **5.1 Appointment of Chair**

Councillor Smith vacated the Chair in favour of Councillor Farrell.

#### **5.2 Consideration of Application**

There was submitted an executive summary sheet and report dated 29 October 2003 (both circulated) by the Head of Planning and Building Control on a full planning application for a proposed housing development on ground adjacent to Robert Burns Avenue, Drongan.

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 and Building Control: 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 applicants in respect of the matter indicated within Section 5.7 of the report.

#### **5.3 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 satisfactorily concluded a formal agreement under Section 75 of the Town and Country Planning (Scotland) Act 1997 with the applicants in respect of the matter indicated within Section 5.7 of the report.

**6. APPLICATION NO 03/0831/OL: MS T STIRLING: FARDEN FARM, NEW CUMNOCK**

There was submitted an executive summary sheet and report dated 30 October 2003 (both circulated) by the Head of Planning and Building Control on an outline planning application for the proposed erection of a dwellinghouse and stables for the purpose of breeding horses and ponies at Farden Farm, 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 and Building Control: Refusal, for the reasons detailed in the report.

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

**7. APPLICATION NO 03/0830/FL: MR AND MRS W McDICKEN: BELLEVUE COTTAGE, BOIG ROAD, NEW CUMNOCK**

There was submitted an executive summary sheet and report dated 3 November 2003 (both circulated) by the Head of Planning and Building Control on a full planning application for the proposed erection of a new dwellinghouse and garage at Bellevue Cottage, Boig Road, 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 and Building Control: 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 03/0455/FL: MR ROBERT CARRUTHERS: 16 HIGH MAIN STREET, DALMELLINGTON**

There was submitted an executive summary sheet and report dated 29 October 2003 (both circulated) by the Head of Planning and Building Control on a full planning application for the proposed formation of a dormer extension and installation of two velux roof lights at 16 High Main Street, Dalmellington.

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 and Building Control: Refusal, for the reasons detailed in the report.

Councillor Carmichael left the meeting at this point.

It was agreed to approve the application since the proposed development would neither be unduly detrimental to the area within which it was proposed to be located nor have a significant adverse impact upon the character of Dalmellington Conservation Area.

The meeting terminated at 1120 hours.