

**EAST AYRSHIRE COUNCIL****NORTHERN AREA LOCAL PLANNING COMMITTEE****MINUTES OF MEETING HELD ON FRIDAY 16 MAY 2003 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 and Stuart Finlayson.

**ATTENDING:** Dave Morris, Development Promotion Manager; John Trakalo, Senior Engineer; Ian Walker, Senior Planner; Karen McLeod, Solicitor and Jennifer Morrison, Administrative Officer.

**APOLOGIES:** Councillors Jim Raymond and Robert McDill

**CHAIR:** Councillor Maureen McKay, Chair.

**HEARING PROCEDURE**

1. The Administrative Officer established that the Hearing Procedure was understood by all participants.
2. **APPLICATION NO 99/0863/OL: C & G KNITWEAR LIMITED - OLD GLASGOW ROAD, STEWARTON**

There was submitted an executive summary sheet and report dated 8 May 2003 (both circulated) by the Head of Planning and Building Control on an outline planning application for the proposed erection of houses at Old Glasgow Road, Stewarton.

**2.1 Consideration of Item**

The Development Promotion Manager (1) reported that 33 objections had been received, following the withdrawal of one letter of objection with two signatories, details of which objections were contained within the report, and the confirmation that Scottish Water's comments were incorrectly reflected in the report and that they were, in fact, objecting to the application on the grounds that the proposal, if implemented, would result in upgrading works required to accommodate foul drainage from the site which were currently outwith reasonable costs criteria of Scottish Water. Consequently should the applicants decide to develop the site quickly then they would themselves be able if costs permitted to instigate the improvements which had been identified to address the problem. The improvement programme identified was included in a future expenditure allocation and would be implemented as Scottish Water finances permitted. These improvement works were currently planned to be in place by no later than 2006; (2) reported in summary the contents of a further objection, supplementing an earlier objection; (3) summarised the planning considerations in respect of the application and (4) gave the recommendation of the Head of Planning and Building Control, viz:- Approval, subject to the conditions and for the reasons detailed in the report and subject to two additional conditions (1) there shall be no construction of dwellings on site prior to Scottish Water confirming in writing that there is in place adequate drainage infrastructure to service the development site, Reason: to ensure that the proposed housing can be accommodated without adverse impacts on the existing drainage infrastructure and additional surcharging on the downstream combined sewer overflow and (2) there shall be no construction of dwellings on site prior to the completion of an improved pedestrian access along Old Glasgow Road, as agreed further to condition (3) in the report, Reason: to ensure that there is in place an

appropriate improved pedestrian access from the site into Stewarton to serve local residents and in the interests of road safety, and that the issuing 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 section 6.4 of the report.

Councillor Wilson joined the meeting at this point.

## **2.2 Adjournment/Reconvention of Meeting**

It was agreed to adjourn the meeting at 1017 hours to allow the Development Promotion Manager to brief Councillor Wilson on the new information on the application reported at the meeting in order that he could participate in the Hearing.

The Meeting reconvened at 1024 hours with the same Members and Officers present and in attendance.

## **2.3 Planning Hearing**

The Committee then heard Mr Robertson, representing the following objectors, viz:- Mr Rodger, Mr Bull, Mr and Mrs Taylor, Ms Fife, Mrs McKellar, Mr Young, Mr and Mrs Allardice, Mr Cubitt, Mr Cadman, Mr Wells, Mr Connolly, Mr and Mrs McBlane, Mr Edwards, Mr Wilson, Mr Dunn and Mr and Mrs McAughtrie in support of those objectors' objections. As part of this presentation the Committee also heard Mr Rodger in support of his objection. The Committee also heard Mr Clarke of the Barton Willmore Planning Partnership in support of the objections of Michael and Diane Fraser. The Committee then heard Mr Gilmartin, of the applicants, in support of the application. Members of the Committee asked questions of the objectors', the objectors' representative and the applicant. The objectors' representative, the objectors and the applicant then responded to new issues raised, all in accordance with the Hearing procedure.

The Chair closed the Hearing.

## **2.4 Determination of Application**

The Development Promotion Manager responded to various planning issues and the Senior Engineer responded to the roads issues all raised during the Hearing.

Councillor O'Neill, seconded by Councillor Finlayson, moved that the application be approved subject to the conditions and for the reasons detailed in the report and subject to the two additional conditions reported by the Development Promotion Manager, and that the issuing 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 Section 6.4 of the report.

Councillor Young, seconded by Councillor McGhee moved as an amendment that the application be refused on the grounds that approval of the application would be detrimental to the visual amenity and to the road safety of the area.

On a division by a show of hands the motion was carried by 4 votes to 3.

### **3. ADJOURNMENT/RECONVENTION OF MEETING**

It was agreed to adjourn the meeting at 1155 hours.

The meeting reconvened at 1200 hours with the same Members and Officers present and in attendance.

### **4. APPLICATION NO 03/0132/FL: MR J ROBERTSON - 3 MCCARDEL WAY, STEWARTON**

There was submitted an executive summary sheet and report dated 7 May 2003 (both circulated) by the Head of Planning and Building Control on a full planning application for proposed alterations and extension to dwellinghouse and erection of garage and conservatory at 3 McCardel Way, Stewarton.

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

The Senior Planner reported that four 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 and Building Control, viz:- Approval, subject to the conditions and for the reasons detailed in the report.

#### **4.2 Planning Hearing**

The Committee then heard Mr Hood, Mr Welsh and Mrs Mooney representing Mr Mooney in respect of their objections and Mr McGeechan the applicant's representative and Mr Robertson, the applicant, in support of the application. Members of the Committee asked questions of the objectors' and the applicant and his representative. The objectors' and the applicant and his representative then responded to new issues raised, all in accordance with the Hearing procedure.

The Chair closed the Hearing.

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

The Senior Planner responded to various planning issues raised during the Hearing.

Councillor Young, seconded by Councillor O'Neill moved that the application be refused on the grounds that it would have a detrimental impact on the visual amenity of the area.

Councillor Wilson, seconded by Councillor Macrae, moved as an amendment that the application be approved subject to the conditions and for the reasons detailed in the report.

On a division by a show of hands the amendment was carried by 5 votes to 2.

### **5. ADJOURNMENT/RECONVENTION OF MEETING**

It was agreed to adjourn the meeting at 1255 hours.

The Meeting reconvened at 1258 hours with the same Members and Officers present and in attendance with the exception of Councillor Wilson who left the meeting at this point.

## **6. APPLICATION NO 02/0893/FL: MR J MCFADZEAN - TOWERHILL FARM, KILMAURS**

There was submitted an executive summary sheet and report dated 7 May 2003 (both circulated) by the Head of Planning and Building Control on a full planning application for proposed erection of roof over silage clamp at Towerhill Farm, Kilmaurs by Mr J McFadzean.

### **6.1 Consideration of Item**

The Development Promotion Manager reported that six 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 and Building Control, viz:- Approval, subject to the conditions and for the reasons detailed in the report.

### **6.2 Planning Hearing**

The Committee then heard Mr Low in support of his objections and Mr Bishop, the applicant's representative in support of the application. Members of the Committee asked questions of the objector and the applicant's representative. The objector and the applicant's representative then responded to new issues raised, all in accordance with the Hearing procedure.

The Chair closed the Hearing.

### **6.3 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.

## **7. APPLICATION NO 02/0478/FL: KERR TIMBER LIMITED - DERELICT FARMHOUSE AT BURNANNE, GALSTON**

There was submitted an executive summary sheet and report dated 7 May 2003 (both circulated) by the Head of Planning and Building Control on a full planning application for proposed renovation and extension of derelict farmhouse at Burnanne, Galston.

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

The Development Promotion Manager reported that one objection had been received, details of which were contained within the report; reported the receipt of a late response from Scottish Water who were not objecting to the application, summarised the planning considerations in respect of the application and gave the recommendation of the Head of Planning and Building Control, 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.

**8. APPLICATION NO 03/0069/FL: DAVID CHILD - BARRFIELD STEADING, OLD GLASGOW ROAD, STEWARTON**

There was submitted an executive summary sheet and report dated 6 May 2003 (both circulated) by the Head of Planning and Building Control on a full planning application for proposed building additions, garden outhouses and access drive at Barrfield Steading, Old Glasgow Road, Stewarton.

**8.1 Consideration of Item**

The Development Promotion Manager reported that one 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, viz:- Approval, subject to the conditions and for the reasons detailed in the report.

**8.2 Planning Hearing**

The Committee then heard Mr Paton and Mrs Martin in support of Mr and Mrs Martins objections and Mr Child, the applicant in support of the application. Members of the Committee asked questions of the objectors' representative, the objector and the applicant. The objectors' representative, objector and the applicant then responded to new issues raised, all in accordance with the Hearing procedure.

The Chair closed the Hearing.

**8.3 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.

**9. APPLICATION NO 02/0582/LB: MRS PATRICIA PARKINSON - 12 TOWNEND, KILMAURS (Item 7, Page 2867,99/03)**

There was submitted an executive summary sheet and report dated 7 May 2003 (both circulated) by the Head of Planning and Building Control on a listed building planning application for the replacement of two windows in existing front elevation at 12 Townend, Kilmaurs

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

The Senior Planner reported that one 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.

No Hearing took place as the objector was not present or represented.

Councillor Young, seconded by Councillor McKay, moved that the application be refused for the reasons detailed in the report.

Councillor O'Neill, seconded by Councillor Finlayson, moved as an amendment that the application be approved on the grounds that notwithstanding that the development does not comply with the approved design guidance as required by Policy ENV 7 of the East Ayrshire Local Plan, the design is not considered to be unsympathetic to the property or to the conservation area and therefore the development is not considered to be contrary to Policy ENV 4 of the East Ayrshire Local Plan.

On a division by a show of hands, 3 Members voted for the amendment and 3 Members voted for the motion.

There being an equality of votes, the Chair exercised her casting vote in favour of the motion, which became the decision of the meeting.

The Meeting terminated at 1415 hours.