

EAST AYRSHIRE COUNCIL

NORTHERN AREA LOCAL PLANNING COMMITTEE

**MINUTES OF MEETING HELD ON FRIDAY 1 FEBRUARY 2002 AT 1000 HOURS
IN CROOKEDHOLM COMMUNITY CENTRE, GROUGAR ROAD,
CROOKEDHOLM**

PRESENT: Councillors David Macrae, Brian McNeil, Harry Wilson, Jim Raymond, Finlay MacLean and Robert McDill.

ATTENDING: Craig Iles, Planning Officer; Yvonne Nisbet, Senior Planning Officer; Karen McLeod, Solicitor; and Jennifer Morrison, Administrative Officer.

APOLOGIES: Councillors Ann Hay and Stephanie Young.

CHAIR: Councillor David Macrae, Chair.

HEARING PROCEDURE

1. The Chair established that the Hearing procedure was understood by all participants.
2. **APPLICATION NO 01/0779/FL: G RYAN, PLOT E, OLD GLASGOW ROAD, STEWARTON**

There was submitted an executive summary sheet and report dated 17 December 2001 (both circulated) by the Head of Planning and Building Control on a full application for the proposed erection of dwellinghouse at Plot E, Old Glasgow Road, Stewarton.

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 and Building Control: 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 grant the application subject to the conditions and for the reasons detailed in the report.

3. **APPLICATION NO 01/0201/OL: MR G WOOD, 3 DUNLOP ROAD, LUGTON**

There was submitted an executive summary sheet and report dated 23 January 2002 (both circulated) by the Head of Planning and Building Control on an outline application for a proposed residential development at 3 Dunlop Road, Lugton.

The Senior Planning Officer reported that five 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: Refusal, for the reasons detailed in the report.

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

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

4. APPLICATION NOS. 01/0406/FL AND 01/0383/LB: JOHN DICKIE HOMES LIMITED, DRAFFEN FARM, STEWARTON

There was submitted an executive summary sheet and report dated 11 January 2002 (both circulated) by the Head of Planning and Building Control on full and listed building consent applications for the proposed erection/alteration/conversion to form 22 houses and proposed alterations to house including partial demolition and rebuilding of wing blocks both at Draffen Farm, Stewarton.

It was noted that these applications had been continued from the last meeting to allow further discussion of a Section 75 legal agreement. However, it was reported by the Head of Planning and Building Control in his report that the applicant was not prepared to agree to a request for any such payment under such an Agreement.

4.1 Consideration of Item

The Senior Planning Officer reported that (i) two objections had been received in respect of the full application and two objections in respect of the listed building application, details of which were contained within the report and (ii) under Item 4.1 “unacceptable” should be altered to read “acceptable” on the sixth line of the second paragraph; summarised the planning considerations in respect of the applications and gave the recommendation of the Head of Planning and Building Control: Approval of both applications, subject to the conditions and for the reasons detailed in the report and that the listed building approval be subject to the notification of Historic Scotland under the Listed Buildings and Buildings in Conservation Areas (Scotland) Regulations 1997.

4.2 Planning Hearing

The Committee then heard Mr Paxton in support of his objections in respect of Application No 01/0406/FL and Mr Lochrie the applicant’s representative on behalf of the applicant. Members asked questions of the objector and the applicant’s representative and the objector and the applicant’s representative responded to the issues raised, all in accordance with the Hearing procedure.

The Chair closed the Hearing.

No Hearing took place in respect of Application No 01/0383/LB as the objectors were not present or represented.

4.3 Further Consideration of Items

The Senior Planning Officer reported on planning issues raised during the Hearing, and the Solicitor provided legal advice on consideration of the applications.

4.4 Adjournment/Reconvention

It was agreed to adjourn the meeting at 1035 hours to allow the Committee to take further legal advice.

The meeting reconvened at 1045 hours with the same Members and Officers present and in attendance.

4.5 Determination of Applications

It was agreed that both applications be approved subject to the conditions and for the reasons detailed in the report and that the listed building approval be subject to notification of Historic Scotland under the Listed Buildings and Buildings in Conservation Areas (Scotland) Regulations 1997.

Councillor McNeil having moved an alternative proposal which failed to receive a seconder, recorded his dissent to this decision.

It was noted that the Committee wished to bring to the attention of the Director of Development Services its concerns with the perceived limitations of Policy TLR5 with regard to Section 75 legal agreements.

5. APPLICATION NO 01/0609/FL: MR WARDROP, 5 MCCARDEL WAY, STEWARTON

There was submitted an executive summary sheet and report dated 15 January 2002 (both circulated) by the Head of Planning and Building Control on a full application for a proposed extension at 5 McCardel Way, Stewarton.

5.1 Consideration of Item

The Senior Planning Officer reported that (i) one letter of objection had been received, details of which were contained within the report and (ii) under the contrary decision paragraph the word "refused" be substituted for the word "approved"; 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.

5.2 Planning Hearing

The Committee then heard Mrs Greenaway in support of her objections and Mr Wardrop, the applicant in support of the application. Members of the Committee asked questions of the objector and the applicant and the objector and the applicant responded, all in accordance with the Hearing procedure.

The Chair closed the Hearing.

5.3 Determination of Application

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

6. APPLICATION NO 01/0736/LB: MS BRENDA SMITH, 76 MAIN ROAD, FENWICK

There was submitted an executive summary sheet and report dated 22 January 2002 (both circulated) by the Head of Planning and Building Control on a listed building application for proposed replacement of windows in existing front and rear elevation at 76 Main Road, Fenwick.

The Senior Planning Officer 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: 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.

7. APPLICATION NO 00/0727/FL: MCTAGGART CONSTRUCTION, GATESIDE ROAD, GALSTON

There was submitted an executive summary sheet and report dated 22 January 2002 (both circulated) by the Head of Planning and Building Control on a full application for proposed erection of 25 houses at Gateside Road, Galston.

The Senior Planning Officer reported (i) that one letter of objection had been received, details of which were contained within the report; and (ii) that the report should be altered to read 21 detached and 4 semi-detached houses and further that paragraph 1.1 of the report should be altered to show that the development does not accord with the Development Plan; 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.

It was agreed that the application be approved, subject to the conditions and for the reasons detailed and that planning consent not be issued until a formal agreement under Section 75 had been satisfactorily concluded by the Solicitor to the Council with the applicants, as referred to in Section 3.1 of the report.

8. APPLICATION NO 01/0752/FL: MR D FERGUSON, 34 MAIN ROAD, CROOKEDHOLM

There was submitted an executive summary sheet and report dated 14 January 2002 (both circulated) by the Head of Planning and Building Control on a full application for the proposed erection of a one and a half storey dwelling and change of use of existing agricultural grazing land to private garden ground at 34 Main Road, Crookedholm.

The Senior Planning Officer 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: 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.

Councillor Wilson having moved an alternative proposal which failed to receive a seconder, recorded his dissent to this decision.

9. APPLICATION NOS. 01/0781/FL AND 01/0782/FL: TARMAC NORTHERN LIMITED, LOUDOUNHILL QUARRY, DARVEL

There was submitted an executive summary sheet and report dated 17 January 2002 (both circulated) by the Head of Planning and Building Control on two full applications for proposed amendment to Condition 3 of Planning Consent 99/0581/FL - extend time period of consent and site restoration and proposed amendment to conditions 2 and 3 of Planning Consent No KL/E/FL/94/288A - extend time period of consent and site restoration both at Loudounhill Quarry, Darvel.

The Senior Planning Officer summarised the planning considerations in respect of the applications and gave the recommendation of the Head of Planning and Building Control: Approval of both applications, subject to the conditions and for the reasons detailed in the report.

It was agreed to grant both applications, subject to the conditions and for the reasons detailed in the report.

It was noted that the Head of Planning and Building Control would (i) advise Councillor Wilson with regard to arrangements for viewing artefacts discovered at Loudounhill; and (ii) arrange for Councillor McDill to be included in future talks with the applicant when any new planning application for this area was submitted in respect of which a Mineral Fund contribution would be sought.

The meeting terminated at 1130 hours.

**TO RETURN TO PREVIOUS PAGE
PLEASE PRESS THE BACK BUTTON
AT THE TOP LEFT OF THE PAGE**