

EAST AYRSHIRE COUNCIL

NORTHERN AREA LOCAL PLANNING COMMITTEE

**MINUTES OF MEETING HELD ON FRIDAY 28 JUNE 2002 AT 1000 HRS
IN HURLFORD COMMUNITY CENTRE, CESSNOCK ROAD, HURLFORD**

PRESENT: Councillors Jim Raymond, Isabel Macrae, Kathleen Hall, Stephanie Young, Harry Wilson, Finlay MacLean and Robert McDill.

ATTENDING: David Mitchell, Head of Administrative and Legal Services; Yvonne Nisbet, Senior Planning Officer; Craig Iles, Planning Officer; and Jennifer Morrison, Administrative Officer.

APOLOGIES: Councillors Brian McNeil and Ann Hay.

CHAIR: Councillor Jim Raymond, Chair.

CHAIR'S COMMENTS

1. The Chair reported that Item 5, Application NO 02/0168/FL - NTL, South Glassock Farm, Fenwick had been withdrawn from the Agenda.

HEARING PROCEDURE

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

3. **APPLICATION NO 01/0489/OL: MR BROOKS - 4 OLD GLASGOW ROAD, STEWARTON**

There was submitted an executive summary sheet and report dated 6 June 2002 (both circulated) by the Head of Planning and Building Control on an outline application for proposed erection of dwellinghouse at 4 Old Glasgow Road, Stewarton.

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

3.1 Consideration of Item

The Senior Planning Officer reported that three 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.

3.2 Planning Hearing

The Committee then heard Mr Rodger, Mr Cameron and Mrs Lancaster in support of their objections and Mr Brooks, the applicant, in support of the application. Members of the Committee asked questions of the objectors and the applicant, and the objectors and the applicant responded to issues raised, all in accordance with the Hearing procedure.

The Chair closed the Hearing.

3.3 Determination of Application

The Senior Planning Officer responded to various issues raised during the Hearing.

Councillor Young, seconded by Councillor McDill, moved that the application be refused on the grounds that the proposed development constituted an unacceptable risk in terms of road safety, and was detrimental to the visual amenity of the area.

Councillor Wilson, seconded by Councillor Raymond, 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 motion was carried by 4 votes to 3.

APPLICATION NO 02/0252/FL: MR HAMILTON - 4-6 STEWARTON ROAD, DUNLOP

4. It was agreed to defer the application to the next meeting to enable Members to attend a site visit.

APPLICATION NO 02/0212/FL: MR AND MRS O'ROURKE - 27 KERSLAND GAIT, STEWARTON

5. There was submitted an executive summary sheet and report dated 17 June 2002 (both circulated) by the Head of Planning and Building Control on a full application for the proposed erection of garage at 27 Kersland Gait, Stewarton.

The Senior Planning Officer 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.

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.

APPLICATION NOS 02/0041/FL AND 01/0893/CA: MAIR MATHESON - 53-55 MAIN STREET AND 21 HIGH STREET, NEWMILNS

6. There was submitted an executive summary sheet and report dated 17 June 2002 (both circulated) by the Head of Planning and Building Control on a full application and conservation area consent application for proposed solicitors' offices plus car parking and proposed refurbishment of derelict former shop to form solicitors' offices and demolition of former coachworks to form parking at 53-55 Main Street and 21 High Street, Newmilns.

The Senior Planning Officer reported that one objection in respect of each application had been received, details of which were contained within the report; summarised the planning considerations in respect of the applications and gave the recommendation of the Head of Planning and Building Control, viz: Approval of both applications subject to the conditions and for the reasons detailed in the report.

No Hearing took place in respect of either application as the objector was not present or represented.

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

**APPLICATION NOS 02/0071/FL AND 02/0072/LB: MR R JARVIE -
HURLFORD KIRK, MAIN ROAD, CROOKEDHOLM**

7. There was submitted an executive summary sheet and report dated 18 June 2002 (both circulated) by the Head of Planning and Building Control presenting jointly for determination a full application and an application for listed building consent for proposed change of use from existing (assembly) church to two residential homes at Hurlford Kirk, Main Road, Crookedholm.

7.1.1 Consideration of Item

The Senior Planning Officer reported that one objection in respect of each application had been received, details of which were contained within the report; summarised the planning considerations in respect of the applications and gave the recommendation of the Head of Planning and Building Control, viz: Refusal of both applications for the reasons detailed in the report.

7.1.2 Adjournment/Reconvention

It was agreed to adjourn the meeting at 1110 hours to allow the Committee to take legal advice.

The meeting reconvened at 1120 hours with the same Members and Officers present with the exception of Councillor Hall who had left the meeting following the adjournment.

The Head of Administrative and Legal Services recommended to Members that a Hearing on the applications be held following a request to be heard from Mrs Roberts, a representative for Architectural Heritage Society of Scotland, a consultee on the applications. Mrs Roberts had maintained at the meeting that there were still outstanding objections. The applicant and his representatives who were present confirmed that they had no objections to a Hearing being held and to Mrs Roberts being heard in this capacity. Members then agreed to proceed with a Hearing.

7.1.3 Planning Hearing

The Committee then heard Mrs Roberts, on behalf of the Architectural Heritage Society of Scotland, in support of their submissions and Mr Begg and Mr McPherson, the applicant's agents, in support of the application. Members asked questions of the applicant's agents. The applicant and his agents and Mrs Roberts responded to the issues raised, all in accordance with the Hearing Procedures.

The Chair closed the Hearing.

7.1.4 Determination of Applications

The Senior Planning Officer reported on planning issues raised during the Hearing.

Councillor Wilson, seconded by Councillor McDill, moved that the applications be referred to the Development Services Committee with recommendations for approval, on the grounds that the Committee disagreed that there was an unacceptable risk of flooding at this site.

Councillor Raymond, seconded by Councillor Macrae, moved as an amendment that the applications be refused for the reasons detailed in the report.

On a division by a show of hands, the motion was carried by 4 votes to 2.

It was noted that as approval was contrary to the recommendation of SEPA, the Development Services Committee should they approve the applications, would require to notify the Scottish Ministers under the terms of the Town and Country Planning (Notification of Applications) (Scotland) Direction 1997 of their decision.

Councillor McDill left the meeting at this point.

CHAIR'S COMMENTS

8. The Chair at his discretion, and in terms of Standing Order 19, directed that the order of business on the Agenda be altered to that as detailed hereafter.

APPLICATION NO 01/0741/FL: DWS STRAWHORN - HAINING MAINS, HURLFORD

9. There was submitted an executive summary sheet and report dated 17 June 2002 (both circulated) by the Head of Planning and Building Control on a full application for proposed development to house and exercise approximately 10 greyhounds at Haining Mains, Hurlford.

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, viz: Refusal for the reasons detailed in the report.

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

It was agreed to refer the application to the Development Services Committee with a recommendation for approval on the grounds that arrangements for vehicles turning within the site could be accommodated by the applicant, without the need for reversing onto the main road.

It was noted that as approval was contrary to the recommendation of the Scottish Executive, the Development Services Committee should they approve the application, would require to notify the Scottish Ministers under the terms of the Town and Country Planning (Notification of Applications) (Scotland) Direction 1997 of their decision.

APPLICATION NO 01/0761/FL: MISS HELEN THOMSON - 4 MAIN STREET, NEWMILNS

10. There was submitted an executive summary sheet and report dated 17 June 2002 (both circulated) by the Head of Planning and Building Control on a full application for proposed change of use from petrol station to car valeting centre at 4 Main Street, Newmilns.

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, 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.

**APPLICATION NO 02/0134/FL: MR AND MRS PATTISON -
KENWAY COTTAGE, KILMAURS**

11. It was agreed to defer the application to the next meeting to enable Members to attend a site visit.

The meeting terminated at 1210 hrs.