

**EAST AYRSHIRE COUNCIL**

**NORTHERN AREA LOCAL PLANNING COMMITTEE: 07 FEBRUARY 2003**

**02/0870/FL: PROPOSED ERECTION OF A MONUMENT  
AT NORTHERN TARMAC SITE BELOW LOUDOUN HILL, DARVEL  
BY IRVINE VALLEY REGENERATION PARTNERSHIP**

**EXECUTIVE SUMMARY SHEET**

**1. DEVELOPMENT DESCRIPTION**

1.1 It is proposed to erect a statue of William Wallace commemorating the site's importance in Scotland's fight for freedom during the Wars of Independence. The William Wallace Path will allow access to the sculpture. The statue measures 4.75 metres high x 2.25 metres wide. The sculpture is a silhouette of William Wallace framed within a structure of decorative forged metal.

**2. RECOMMENDATION**

**2.1 It is recommended that the application be approved.**

**3. CONCLUSIONS**

3.1 As is indicated at paras 5.2 and 6.2 of the report there are no relevant policies within either the Ayr County Development Plan or the EALP relevant to the determination of this application.

3.2 As is noted in Section 3 of this report there are no adverse consultation responses to this proposal.

3.3 It is considered that the proposal is not detrimental to the surrounding area and contributes positively to the public's historical awareness of the site.

**CONTRARY DECISION NOTE**

Should the Committee agree that the application be refused contrary to the recommendation of the Head of Planning and Building Control, the application will not require to be referred to the Development Services Committee for consideration as it would not be a significant departure from policy.

**Alan Neish**  
**Head of Planning and Building Control**

**Note: This document combines key sections of the associated report for quick reference and should not in itself be considered as having been the basis for recommendation preparation or decision making by the Planning Authority.**

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### 02/0870/FL: PROPOSED ERECTION OF A MONUMENT AT NORTHERN TARMAC SITE BELOW LOUDOUN HILL, DARVEL BY IRVINE VALLEY REGENERATION PARTNERSHIP

#### Report by Head of Planning and Building Control

#### 1. PURPOSE OF REPORT

1.1 The purpose of this report is to present for determination an application which is to be considered by the Local Planning Committee to afford members an opportunity to consider a proposal of a kind about which they had a previously expressed interest.

#### 2. APPLICATION DETAILS

2.1 **Site Description:** The application site is located to the south east of Loudoun Hill within a proposed woodland area adjacent to the public car park.

2.2 **Proposed Development:** It is proposed to erect a statue of William Wallace commemorating the site's importance in Scotland's fight for freedom during the Wars of Independence. The William Wallace Path will allow access to the sculpture. The statue measures 4.75 metres high x 2.25 metres wide. The sculpture is a silhouette of William Wallace framed within a structure of decorative forged metal.

#### 3. CONSULTATIONS AND ISSUES RAISED

3.1 The Scottish Wildlife Trust do not object to the proposed monument.

***Noted.***

3.2 Darvel and District Community Council have not responded at the time of writing.

***Noted.***

#### 4. REPRESENTATIONS

4.1 No letters of representation have been received.

## **5. ASSESSMENT AGAINST DEVELOPMENT PLAN**

5.1 Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 require that planning applications be determined in accordance with the development plan unless material considerations indicate otherwise. For the purposes of this application the development plan comprises the Adopted Ayrshire Joint Structure Plan and the Ayr County Development Plan (1953).

5.2 However, the Adopted Ayr County Development Plan is now completely out of date. There are no references within this plan relating to this proposed type of development.

## **6. ASSESSMENT AGAINST OTHER MATERIAL CONSIDERATIONS**

6.1 The other principal material consideration relevant to the determination of the application is the Finalised East Ayrshire Local Plan as Modified.

6.2 The Adopted Local Plan is considerably out of date and therefore it is considered appropriate that greater weight should be attached to more recent expressions of policy. The Council has agreed that the Finalised East Ayrshire Local Plan Finalised as Modified (EALP) should be considered a prime material consideration.

***There are no policies within the EALP relevant to this large-scale artwork.***

## **7. FINANCIAL AND LEGAL IMPLICATIONS**

7.1 There are no financial or legal implications for the Council in the determination of this application.

## **8. CONCLUSIONS**

8.1 As is indicated at paras 5.2 and 6.2 of the report there are no relevant policies within either the Ayr County Development Plan or the EALP relevant to the determination of this application.

8.2 As is noted in Section 3 of this report there are no adverse consultation responses to this proposal.

8.3 It is considered that the proposal is not detrimental to the surrounding area and contributes positively to the public's historical awareness of the site.

## **9. RECOMMENDATION**

**9.1 It is recommended that the application be approved.**

### **CONTRARY DECISION NOTE**

Should the Committee agree that the application be refused contrary to the recommendation of the Head of Planning and Building Control, the application will not require to be referred to the Development Services Committee for consideration as it would not be a significant departure from policy.

**Alan Neish**  
**Head of Planning and Building Control**

28 January 2003  
(YN/MMM)

FV/DVM

### **LIST OF BACKGROUND PAPERS**

1. Application Forms and Plans.
2. Statutory Consultations.
3. East Ayrshire Local Plan Finalised Version with Modifications.
4. Approved Ayrshire Joint Structure Plan.
5. Ayr County Development Plan.
6. Statutory Notices/Certificates.

Anyone wishing to inspect the above papers please contact Yvonne Nisbet on 01563 576771.

***Implementation Officer: Dave Morris***

020870FL

EAST AYRSHIRE COUNCIL

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

02/0870/FL

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Site of Proposal: Northern Site Below Loudoun Hill  
Off A70  
DARVEL KA17 0LY

Nature of Proposal: Proposed Erection of a Monument

Name & Address of Applicant: Irvine Valley Regeneration Partnership  
The Town House  
48-50 Main Street  
NEWMILNS KA16 9DE

Name & Address of Agent: Joyce Morton  
The Town House  
48-50 Main Street  
NEWMILNS KA16 9DE

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DPOs Reference: YN/MMM

The above FULL application should be granted.

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