

**EAST AYRSHIRE COUNCIL****NORTHERN AREA LOCAL PLANNING COMMITTEE****MINUTES OF SPECIAL MEETING HELD ON FRIDAY 5 DECEMBER 1997 AT  
1001 HOURS IN THE FORMER GROUGAR PRIMARY SCHOOL, MOSCOW**

**PRESENT:** Councillor David Fulton, Kathleen Hall, David Macrae and George Turnbull.

**ATTENDING:** Ken Robinson, Principal Administrative Officer; Jim Worley, Principal Planning Officer; Hamish Buttle, Planning Officer and Alex Hewetson, Administrative Officer.

**APOLOGIES:** Councillors James O'Neill, Robert Beattie, Kim Nicoll and Robert McDill.

**CHAIR:** Councillor David Fulton, Chair.

**CONSIDERATION OF PLANNING APPLICATIONS****1.1 PROCEDURE**

The Administrative Officer advised of the procedure for informal Hearings at Local Planning Committees.

**1.2 APPLICATION NO 97/0613/FL: MR J McBLANE (ITEM 1.2, PAGE 2723)**

There was submitted a report dated 25 November 1997 (circulated) by the Head of Planning and Building Control on a full planning application for change of use of nursing home to form licensed hotel, Hallhouse, Main Road, Fenwick.

The Principal Planning Officer reported:-

- (i) that six letters of objection, with eight signatories had been received , details of which were contained within the report;
- (ii) that a letter of representation from Fenwick Community Council objecting to the application had been received, details of which were contained within the report; and
- (iii) the receipt and content of additional information from the applicant.

The Principal Planning Officer 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 following conditions, viz:- (1) the development to which this permission relates must be begun within five years from the date of this permission; (2) Permission is granted for a limited period of two years from the date hereof, and the use shall be discontinued to the satisfaction of the Planning Authority at the expiration of this period unless a further permission is granted; (3) The provision of meals and beverages within the establishment shall be restricted solely to bona fide residents of the hotel; (4) Notwithstanding the details of the plans hereby approved the proposed conference facilities shall be restricted for use solely by bona fide residents of the hotel; and (5) full details of a proposed visibility splay, of 2.5m by 90m at the vehicular access, shall be submitted for the approval of the Planning Authority within one month of the consent and shall be implemented prior

to the commencement of the use and maintained thereafter on a permanent basis. Condition (1) being imposed to comply with Section 58 of the Town and Country Planning (Scotland) Act 1997; Conditions (2), (3) and (4) in the interest of residential amenity; and Condition (5) in the interest of road safety.

The Committee then heard Mr Webster and Mr Muirhead, on behalf of Fenwick Community Council, in support of its' objections, Mr Bickett, representative of Mr Hart, in support of his objections and Mr McKenzie, representative of the applicant, in support of the application, all in accordance with the agreed Hearing procedure. Members asked questions of the representatives of the objectors and the representative of the applicant. The representative of the applicant responded to issues raised by the representatives of the objectors and the Principal Planning Office provided further comment on the issues raised.

It was agreed to refuse the application on the grounds of; an unacceptable impact upon residential amenity by virtue of noise and disturbance to the occupants of an adjacent property.

### **1.3 APPLICATION NO 97/0560/FL: MRS R GAFFNEY (Item 1.3, Page 2724)**

There was submitted a report dated 28 November 1997 (circulated) by the Head of Planning and Building Control on a full planning application for proposed erection of stock housing and renewal of Condition (1) of application 96/0327/FL (temporary use of caravan) erection of field shelter, gas and fuel storage containers at the Cantles, Waterside.

The Principal Planning Officer reported:-

- (i) that three letters of objection had been received, details of which were contained within the report;
- (ii) a letter of representation from Moscow and Waterside Community Council objecting to the planning application as submitted and recommending temporary planning consent be approved; and
- (iii) that eight letters and two petitions of support with thirty-four signatories had been received, details of which were contained within the report.

The Principal Planning Officer 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 following conditions, viz:- (1) The development to which this permission relates must be begun within five years from the date of this permission; (2) Planning permission for the siting of the residential caravan is granted for a limited period of one year from the date hereof and the use shall be discontinued and the land restored to its former condition to the satisfaction of the Planning Authority at the expiration of this period unless a further permission is granted; (3) Notwithstanding the plans hereby approved, the field shelter shall be painted to match the stock housing; and (4) the polytunnels granted under planning permission no 96/0827/FL on the site shall be removed prior to the first use of the stock housing hereby approved. Condition (1) being imposed to comply with Section 58 of the Town and Country Planning (Scotland) Act 1997; Condition (2) to enable the Planning Authority to review the situation in the interests of amenity; and Conditions (3) and (4) in the interests of visual amenity.

The Committee then heard Mrs Meikle, on behalf of Fenwick Community Council, in support of its' objections and Mrs Roberts, in support of her and Mr Roberts' objections and the applicant, Mrs G Gaffney and Mr Keir, representative of the applicant, in support of the application, all in accordance with the agreed Hearing procedure. Members asked questions of the representative of the applicant. The objector and representative of the applicant responded to issues raised by each other and the Principal Planning Officer provided further comment on the issues raised.

It was agreed to grant the application subject to the conditions and the reasons detailed.

The meeting terminated at 1201 hours.