

# PLANNING APPLICATIONS COMMITTEE

Meeting of Thursday 23 March 2017  
at 10:30am in Council Offices, English Street, Dumfries

## Present

### Members

<b>John Martin</b> (Chairman)	- Nith
<b>Jim H Dempster</b> (Vice-Chairman)	- Mid and Upper Nithsdale
<b>Ian Carruthers</b>	- Annandale South
<b>Iain Dick</b>	- Stranraer and North Rhins
<b>Archie Dryburgh</b>	- Annandale East and Eskdale
<b>Andy Ferguson</b>	- North West Dumfries
<b>Alistair Geddes</b>	- Mid Galloway
<b>Ivor A Hyslop</b>	- Lochar
<b>Jane S Maitland</b>	- Dee
<b>Tom A McAughtrie</b>	- Abbey
<b>Jim McColm</b>	- Mid Galloway
<b>David J McKie</b>	- North West Dumfries
<b>John Syme</b>	- Mid and Upper Nithsdale
<b>Stephen Thompson</b>	- Annandale North

### Officials

<b>Lindsey Cameron</b>	- Senior Planner
<b>Robert Duncan</b>	- Planning Manager (Major Projects)
<b>Pat Hanna</b>	- Team Leader (Local Applications)
<b>Beth Halliday</b>	- Development Management Assistant
<b>Lucy Irons-Young</b>	- Governance Officer
<b>Chris McTeir</b>	- Senior Planner
<b>Mary Mitchell</b>	- Planner
<b>Billy Murray</b>	- Senior Planner
<b>Andrew Robinson</b>	- Senior Planner
<b>David Suttie</b>	- Planning and Building Standards Manager
<b>Judith Turnbull</b>	- Senior Planner

### Apologies

<b>Ian Blake</b>	- Abbey
<b>Peter Diggle</b>	- Annandale North
<b>Patsy Gilroy</b>	- Dee
<b>Jack Groom</b>	- Nith
<b>Gail Macgregor</b>	- Annandale North
<b>Ronnie E Ogilvie</b>	- Annandale South
<b>Alastair Witts</b>	- Nith

**Lorna Meahan**

Director Corporate Services

## 1 SEDERUNT AND APOLOGIES

13 Members present, 7 apologies and 1 not present at the start of the meeting.

## 2 DECLARATIONS OF INTEREST

2.1 Ivor A Hyslop declared an interest in item 5 by virtue of the fact that he was distantly related to an objector and had determined that his interest was such that he would remain in the meeting for consideration of this item.

2.2 Jane Maitland declared an interest in item 5 by virtue of the fact of both financial and familial interest and had determined that her interest was such that she would leave the meeting for consideration of this item.

2.3 John Martin declared an interest in item 7 by virtue of the fact that he was related to an objector and had determined that his interest was such that he would leave the meeting for consideration of this item.

## 3 MINUTE OF MEETING OF 14 FEBRUARY 2017

### Decision

**APPROVED.**

<b>APPLICATIONS CONTINUED FOLLOWING DEFERRAL FOR SITES VISITS (COMMITTEE IN SESSION)</b>
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## 4 CHAPELHILL FARM, WATERBECK – PLANNING APPLICATION ERECTION OF DWELLINGHOUSE AND INSTALLATION OF SEPTIC TANK AND SOAKAWAY (16/1751/FUL)

**PROCEDURE** - Members were advised that this application had already been the subject of public speaking at a previous meeting and that only those Members who were present and had heard the representations could vote on this application should the Committee determine to divide being:

John Martin, Jim H Dempster, Ian B Carruthers, Iain Dick, Archie Dryburgh, Alistair Geddes, Ivor A Hyslop, Jane S Maitland, Tom A McAughtrie, Jim McColm, David J McKie, John Syme and Stephen Thompson.

### VOTE

4.1 **MOTION** by **ARCHIE DRYBURGH** seconded by **IAN B CARRUTHERS** to approve application 16/1751/FUL (subject to both a Section 75 planning obligation tying the dwellinghouse to the farm unit and standard conditions including an occupancy condition) as an exception to policy on the grounds that a labour report had been submitted which showed over 2 labour units were employed at the farm; the topography of the farm unit was such that a new dwellinghouse in the proposed location would increase security; and that conversion opportunities were not viable as the steadings were require operationally and servicing costs were prohibitive.

4.2 **AMENDMENT** by **DAVID J MCKIE** seconded by **JIM H DEMPSTER** to refuse application 16/1751/FUL.

4.3 On a vote being taken by roll call, Members voted as follows:

Motion – 4 votes being:

Ian B Carruthers, Iain Dick, Archie Dryburgh and Ivor A Hyslop.

Amendment – 9 votes being:

John Martin, Jim H Dempster, Alistair Geddes, Jane S Maitland, Tom A McAughtrie, Jim McColm, David J McKie, John Syme and Stephen Thompson.

### **Decision**

**REFUSED** application 16/1751/FUL on the grounds as detailed in the report.

**MEMBER** – Jane S Maitland left the meeting – 12 Members present

### **Applications Eligible for Speaking**

**5 DUMFRIES AND GALLOWAY COLLEGE SITE, HERRIES AVENUE, HEATHHALL, DUMFRIES - ERECTION OF 75 DWELLINGHOUSES, CONSTRUCTION OF ROADS, DRAINAGE, FORMATION OF LANDSCAPING AND OPEN SPACE (APPLICATION FOR APPROVAL OF MATTERS SPECIFIED IN CONDITIONS 2, 3, 4, 5, 6, 7, 8 AND 18 OF PLANNING PERMISSION IN PRINCIPLE 13/P/3/0362) (15/P/3/0513)**

**PROCEDURE** – The Committee was advised of an amendment to paragraph 1.1 of the report which should read 4.7m not 3.5m. In addition to this, late representations from objectors had been received along with additional response from the applicant, both of which had been published on the Council website.

The Committee heard from Alan Cameron, Gary Gray, Adam Maitland, Jamie Maitland, Objectors with Graeme Cunningham of Sandy Brown Associates and Craig Whelton of Burness Paull LLP in attendance and Adam McNally, Applicant with Ryan Swailes and James Shirazi in attendance.

### **Decision**

**DEFERRED** application 15/P/3/0513 for a site visit to be arranged.

**MEMBERS** - Andy Ferguson entered the meeting and Jane S Maitland re-entered the meeting - 14 Members present

**6 SMUGGLERS INN, 9-13 MAIN STREET, AUCHENCAIRN, CASTLE DOUGLAS – APPLICATIONS FOR [A] PLANNING PERMISSION FOR CHANGE OF USE OF PUBLIC HOUSE AND MANAGER’S ACCOMMODATION TO FORM 2 DWELLINGHOUSES AND REPLACEMENT REAR EXTENSION (17/0002/FUL) AND [B] LISTED BUILDING CONSENT FOR ALTERATIONS AND ERECTION OF REPLACEMENT EXTENSION TO REAR ELEVATION TO BRING ABOUT THE CHANGE OF USE FROM PUBLIC HOUSE WITH MANAGER’S ACCOMMODATION TO 2 DWELLINGHOUSES (17/0003/LBC)**

The Committee heard from Bill Barlow, Guy Pounder, Bill Barlow reading a prepared statement on behalf of John Simpson, Auchencairn Community Council, Objectors and David Hyland, Applicant.

**VOTE**

6.1 **MOTION** by **IVOR A HYSLOP** seconded by **IAN B CARRUTHERS** to approve applications [A] 17/0002/FUL and [B] 17/0003/LBC.

6.2 **AMENDMENT** by **JANE S MAITLAND** seconded by **IAIN DICK** to refuse application [A] 17/0002/FUL on the grounds that these proposals are contrary to Local Development Policy CF1(b) - Re-use of Existing Community Facilities in that it has not been satisfactorily demonstrated that all other options and possibilities have been explored and exhausted and approve application [B] 17/0003/LBC.

6.3 On a vote being taken by roll call, Members voted as follows:

**Motion – 9** votes being:

Jim H Dempster, Ian B Carruthers, Archie Dryburgh, Andy Ferguson, Alistair Geddes, Ivor A Hyslop, David J McKie, John Syme and Stephen Thompson.

**Amendment – 5** votes being:

John Martin, Iain Dick, Jane S Maitland, Tom A McAughtrie and Jim McColm.

**Decision**

**APPROVED** applications [A] 17/0002/FUL and [B] 17/0003/LBC subject to conditions as detailed in the report.

**ADJOURNMENT** – The meeting was adjourned at 12.30pm for lunch and reconvened at 1pm with 12 Members present being:

John Martin, Jim H Dempster, Ian B Carruthers, Iain Dick, Archie Dryburgh, Andy Ferguson, Alistair Geddes, Ivor A Hyslop, Jim McColm, David J McKie, John Syme and Stephen Thompson.

**MEMBER** – John Martin left the meeting – 11 Members present

**PROCEDURE** – Jim H Dempster assumed the role of Chairman.

**7 MOUSWALD CARAVAN PARK, MOUSWALD PLACE, DUMFRIES – PLANNING APPLICATION FOR NON-COMPLIANCE WITH CONDITION 2 (THAT NO CARAVAN SHALL BE OCCUPIED AS SOLE OR MAIN RESIDENCE) OF PLANNING PERMISSION 16/P/3/0004 TO ALLOW THE USE OF 6 CARAVANS FOR PERMANENT RESIDENTIAL USE, CHANGE OF USE AND ALTERATIONS TO DWELLINGHOUSE TO FORM 2 HOLIDAY FLATS WITH PUBLIC BAR AND GAMES ROOM ON THE GROUND FLOOR, RE-SITING OF 1 STATIC CARAVAN HARDSTANDING AND REMOVAL OF 1 STATIC CARAVAN HARDSTANDING (16/1799/FUL)**

**MEMBERS** - Jane S Maitland and Tom A McAughtrie re-entered the meeting during consideration of this item - 13 Members present

The Committee heard from Alec McKechnie and Alec McKechnie reading prepared statements on behalf of Patricia Beattie, Tom Beattie, Angus Irving, Moira Forsyth, Steven Forsyth, L McKechnie and James McKechnie, Objectors.

### Decision

**REFUSED** application 16/1799/FUL on the grounds as detailed in the report.

**MEMBER** – John Martin re-entered the meeting – 14 Members present

**PROCEDURE** – John Martin resumed the role of Chairman.

### Applications not Eligible for Speaking

**8 LETHANS WIND FARM, 5KM NORTH-EAST OF NEW CUMNOCK - CONSULTATION REGARDING AN APPLICATION MADE UNDER SECTION 36 OF THE ELECTRICITY ACT 1989 FOR THE ERECTION OF 22 WIND TURBINES AND ASSOCIATED INFRASTRUCTURE (ON LAND FALLING WITHIN THE EAST AYRSHIRE COUNCIL AREA) (16/C/2/0017)**

### VOTE

8.1 **MOTION** by **IAN B CARRUTHERS** seconded by **TOM A McAUGHTRIE** to raise no objections to consultation 16/C/2/0017.

8.2 **AMENDMENT** by **ALISTAIR GEDDES** seconded by **ARCHIE DRYBURGH** to raise no objection to consultation 16/C/2/0017 but requested that turbine number 12 be removed.

8.3 On a vote being taken by roll call, Members voted as follows:

**Motion – 5** votes being:

Ian B Carruthers, Iain Dick, Andy Ferguson, Ivor A Hyslop and Tom A McAughtrie.

**Amendment – 9** votes being:

John Martin, Jim H Dempster, Archie Dryburgh, Alistair Geddes, Jane S Maitland, Jim McColm, David J McKie, John Syme and Stephen Thompson.

### Decision

**AGREED** to raise no objection to consultation 16/C/2/0017 but requested that turbine number 12 be removed.

**MEMBER** - Ian B Carruthers left the meeting - 13 Members present

**9 HARBOUR MASTER'S OFFICE, MARKET STREET, STRANRAER – APPLICATIONS FOR [A] PLANNING PERMISSION FOR ALTERATIONS, EXTENSION AND CHANGE OF USE OF FORMER HARBOUR MASTER'S OFFICE TO EXHIBITION CENTRE, AND LANDSCAPING WORKS (16/1688/FUL) AND [B] LISTED BUILDING CONSENT FOR ALTERATIONS AND EXTENSION TO FORMER HARBOUR MASTER'S OFFICE TO BRING ABOUT THE CHANGE OF USE TO EXHIBITION CENTRE (16/1689/LBC)**

### Decision

**APPROVED** applications [A] 16/1688/FUL and [B] 16/1689/LBC subject to conditions as detailed in the report.

**10 TROQUEER PUMPING STATION, HAMILTON STARKE PARK, MOAT ROAD, DUMFRIES – PLANNING APPLICATION FOR INSTALLATION OF WASTE WATER PUMPING STATION, ERECTION OF 2.4 METRE HIGH SECURITY FENCING, FORMATION OF ACCESS AND ASSOCIATED WORKS AND LANDSCAPING (16/1680/FUL)**

**MEMBERS** - Iain Dick and Alistair Geddes left the meeting during consideration of this item - 11 Members present

**Decision**

**APPROVED** application 16/1680/FUL subject to conditions as detailed in the report.

**11 6 LOVERS WALK, DUMFRIES – PLANNING APPLICATION FOR ALTERATIONS INCLUDING ENLARGEMENT OF WINDOW OPENING TO FORM DOOR OPENING AND INSTALLATION OF EXTERNAL STAIR AND BALUSTRADE TO REAR ELEVATION, REPLACEMENT OF THREE ROOFLIGHTS, PAINTING FRONT AND REAR DOORS, BLOCKING UP DOOR OPENING TO REAR, ALTERATIONS TO DOWNPIPES, ALTERATIONS TO PATIO AND ERECTION OF 1.4 METRE HIGH FENCE (17/0114/FUL)**

**Decision**

**APPROVED** application 17/0114/FUL unconditionally.

**12 ANY OTHER BUSINESS DEEMED URGENT BY THE CHAIRMAN DUE TO THE NEED FOR A DECISION**

**Decision**

**NOTED** that there was no business deemed urgent by the Chairman due to the need for a decision.