

EAST AYRSHIRE COUNCIL

SOUTHERN LOCAL PLANNING COMMITTEE

**MINUTES OF MEETING HELD ON FRIDAY 2 OCTOBER 2009 AT 1005 HOURS
IN BARRHILL CENTRE, BANK AVENUE, CUMNOCK**

PRESENT: Councillors Drew Filson, Jimmy Kelly, Neil McGhee, William Crawford, Kathy Morrice and Elaine Dinwoodie.

ATTENDING: Dave Morris, Development Management Manager; Hugh Melvin, Principal Planning Officer; Melanie Barbour, Solicitor; and Lynn Young, Administrative Officer.

APOLOGIES: Councillors Jim Roberts, David Shaw, Barney Menzies and Eric Ross.

CHAIR: Councillor Drew Filson, Chair.

HEARING PROCEDURE

1. The Administrative Officer established that the Hearing Procedure was understood by all participants (circulated).

CONSIDERATION OF APPLICATIONS

2. **APPLICATION NO 09/0152/FL: CURO INVESTMENTS LIMITED: DALSALLOCH WOOD SITE, MAUCHLINE ROAD, AUCHINLECK**

There was submitted an executive summary sheet and report dated 23 September 2009 (circulated) by the Head of Planning and Economic Development which presented for determination a full planning application which was to be considered by the Local Planning Committee under the Scheme of Delegation as the application was considered to be a major development under the Hierarchy of Development Regulations 2009, but was not significantly contrary to the Development Plan.

The Principal Planning Officer reported that 15 letters of objection had been received from 19 signatories, 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 Economic Development: Approval, subject to the conditions detailed in the report and that the Decision Notice be withheld until the Solicitor to the Council had satisfactorily concluded an agreement with the applicant under Section 75 of the Town and Country Planning (Scotland) Act 1997 to secure the developer contribution to the Council's Sports, Leisure and Recreation Fund.

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

2.1 Planning Hearing

The Committee heard Mrs Marna Murdoch in respect of her objections and those of Mr & Mrs W Murdoch, Mr John Welch, Mrs M Reid and Mr and Mrs Alex Barbour.

The Committee then heard Mr Alistair Cruickshanks, agent for the applicant, in support of the application. Members asked questions of the agent for the applicant, all in accordance with the agreed Hearing Procedure.

The Chair closed the Hearing.

2.2 Determination of Application

Councillor N McGhee, seconded by Councillor Morrice, moved that the application be approved, subject to the conditions, and for the reasons detailed in the report; and that the Decision Notice be withheld until the Solicitor to the Council had satisfactorily concluded an agreement with the applicant, under Section 75 of the Town and Country Planning (Scotland) Act 1997 to secure the developer contribution to the Council's Sports, Leisure and Recreation Fund.

Councillor Filson, seconded by Councillor Dinwoodie, moved as an amendment that the application be refused on the grounds that a four storey development would not be appropriate for the area and that the applicant consider submitting an alternative design and layout of the flats.

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

ORDER OF BUSINESS

3. The Chair at his discretion and in terms of Standing Order 19, agreed to alter the order of business and consider Agenda Item 4 as the next item of business.

4. APPLICATION NO 09/0364/FL: SCOTTISH COAL COMPANY LIMITED: HOUSE OF WATER OPENCAST COAL SITE, NEW CUMNOCK

4.1 Declaration of Interest

Councillors Filson and N McGhee both declared a non-financial interest which both did not consider significant in terms of Paragraphs 5.17 and 5.18 of the Code of Conduct and indicated their intention to remain and participate in consideration of the item in question.

4.2 Consideration of Item

There was submitted an executive summary sheet and report dated 22 September 2009 (both circulated) by the Head of Planning and Economic Development which presented for determination a full planning application which was to be considered by the Local Planning Committee under the Scheme of Delegation as it was classed as a major development under the Town and Country Planning (Hierarchy of Development) (Scotland) Regulations 2009.

The Principal Planning Officer reported that no letters of objection had been received; summarised the planning considerations in respect of the application; and gave the recommendation of the Head of Planning and Economic Development: Approval, subject to the conditions detailed in the report.

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

5. APPLICATION NO 09/0521/CA: EAST AYRSHIRE COUNCIL ASSET IMPROVEMENT SERVICE: FORMER CUMNOCK PICTURE HOUSE, GLAISNOCK STREET, CUMNOCK

There was submitted an executive summary sheet and report dated 23 September 2009 (both circulated) by the Head of Planning and Economic Development which presented for determination an application for Conservation Area consent to be considered by the Local Planning Committee under the revised Scheme of Delegation due to Council ownership of the site.

The Principal Planning Officer reported that four letters of 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 Economic Development; Approval, subject to the conditions detailed in the report and that the application be forwarded to Historic Scotland for further approval before the decision could be issued.

5.1 Planning Hearing

The Committee heard Mrs Margaret Wallace in respect of her objections, and Mr Richard Stenlake in respect of his objections.

Members asked questions of the objectors who responded to the issues raised, all in accordance with the agreed Hearing Procedure.

The Committee then heard Donald Meldrum, agent for the applicant, in support of the application.

Members asked questions of the agent for the applicant who responded to the issues raised, all in accordance with the agreed Hearing Procedure.

The Chair closed the Hearing.

5.2 Determination of Application

It was agreed to approve the application, subject to the conditions, and for the reasons detailed in the report and that the application be forwarded to Historic Scotland for further approval before the decision could be issued.

6. APPLICATION NO 09/0493/FL: EAST AYRSHIRE COUNCIL ROADS AND TRANSPORTATION DIVISION: GLAISNOCK STREET, CUMNOCK

There was submitted an executive summary sheet and report dated 23 September 2009 (both circulated) by the Head of Planning and Economic Development which presented for determination an application for planning permission which was to be considered by the Southern Local Planning Committee under the revised Scheme of Delegation as the application site was in ownership of the Council.

The Principal Planning Officer reported that no letters of objection had been received; summarised the planning considerations in respect of the application; and gave the recommendation of the Head of Planning and Economic Development: Approval, subject to the conditions detailed in the report.

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

PRESENTATION - PLANNING MODERNISATION

7. The Committee received a presentation from Dave Morris, Development Management Manager, on Planning Modernisation.

Members had the opportunity to ask questions of the Development Management Manager. Thereafter, the Chair thanked him for an interesting and informative presentation.

The meeting terminated at 1200 hours.