

EAST AYRSHIRE COUNCIL**DEVELOPMENT SERVICES COMMITTEE - SITTING AS A PLANNING COMMITTEE****MINUTES OF MEETING HELD ON TUESDAY 15 NOVEMBER 2005 AT 1405 HOURS IN THE MEETING ROOM, COUNCIL HEADQUARTERS, LONDON ROAD, KILMARNOCK**

PRESENT: Councillors John McGhee, Brian Reeves, Daniel Coffey, Douglas Reid, Isabella Macrae, Ray Murray, Stuart Finlayson, Robert McDill, George Smith, Jimmy Kelly and Tommy Farrell.

ATTENDING: David Mitchell, Head of Administrative and Legal Services; Alan Neish, Head of Planning, Development and Building Standards; and Lynn Chapman, Administrative Officer.

APOLOGIES: Councillors Eric Ross, Maureen McKay, Jim O'Neill, Stephanie Young, Drew McIntyre, Iain Linton, John Campbell, Eric Jackson, Elaine Dinwoodie and Jimmy Carmichael.

CHAIR: Councillor George Smith, Vice-Chair.

CONSIDERATION OF APPLICATIONS**1. HEARING PROCEDURE**

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

2. APPLICATION NO 04/1280/FL: PROPOSED ALTERATION AND EXTENSION TO HOLLYBUSH HOUSE PROVIDING ADDITIONAL RESPITE CARE FACILITIES AND APPLICATION NO 04/1281/FL: PROPOSED ENABLING RESIDENTIAL DEVELOPMENT OF FIVE DWELLINGHOUSES IN THE WALLED GARDEN AT HOLLYBUSH HOUSE, HOLLYBUSH BY EX-SERVICES MENTAL WELFARE SOCIETY

There was submitted an executive summary sheet and report dated 6 November 2005 (both circulated) by the Head of Planning, Development and Building Standards on two full planning applications on (i) the proposed alteration and extension to Hollybush House providing additional respite care facilities and (ii) the proposed enabling residential development of five dwellinghouses in the walled garden at Hollybush House, Hollybush.

2.1 Consideration of Items

In respect of Application No 04/1280/FL, the Head of Planning, Development and Building Standards reported that there were no third party representations; summarised the planning considerations in respect of the application and gave the recommendation of the Head of Planning, Development and Building Standards, viz:- Approval, subject to the conditions, and for the reasons detailed in the report.

In respect of Application No 04/1281/FL, the Head of Planning, Development and Building Standards reported that two letters of representation from three signatories 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, Development and Building Standards, viz:- Approval, (i) subject to the conditions, and for the reasons detailed in the report; and (ii) 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 with the applicant to address the matter as detailed in Section 8.7 of the report.

2.2 Planning Hearing for Application No 04/1281/FL

The Committee then heard Mr A Hobson in respect of his objection and those of Mrs Hobson. Members of the Committee asked questions of the objector, all in accordance with the agreed Hearing Procedure.

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

The Chair closed the Hearing.

2.3 Determination of Applications

It was agreed (i) that Application No 04/1280/FL be approved, subject to the conditions, and for the reasons, detailed in the report, and (ii) that Application No 04/1281/FL 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 with the applicant to address the matter as detailed in Section 8.7 of the report.

3. DECISION OF THE SOUTHERN LOCAL PLANNING COMMITTEE HELD ON 7 OCTOBER 2005 RELATING TO PLANNING APPLICATION NO 05/0876/OL: PROPOSED CHANGE OF USE OF VACANT GROUND TO CONTRACTOR'S YARD AND ERECTION OF A DWELLINGHOUSE ON LAND AT MUIRKIRK ROAD, LUGAR (Item 5, Page 1732, 03/07)

There was submitted a report dated 11 October 2005 (circulated) by the Depute Chief Executive/Executive Director of Corporate Support which informed of the decision of the Southern Local Planning Committee held on 7 October 2005 on the above planning application and executive summary sheet and report dated 25 September 2005 (both circulated) by the Head of Planning, Development and Building Standards which presented for determination an outline planning application for the proposed change of use of vacant ground to contractor's yard and erection of a dwellinghouse at Muirkirk Road, Lugar.

The Head of Planning, Development and Building Standards reported that one objection had been received in respect of the application, from Lugar and Logan Community Council; summarised the planning considerations in respect of the application; and gave the recommendation of the Head of Planning, Development and Building Standards:- Refusal, for the reasons detailed in the report.

The objector was neither present nor represented at the Southern Local Planning Committee meeting, and therefore, there was no requirement for a Hearing at this meeting.

It was agreed that the application be approved on the basis that the proposed development would represent an acceptable departure from the Development Plan (i) in view of the previous uses of the proposed development site, as detailed in Paragraph 6.7 of the report by the Head of Planning, Development and Building Standards; and (ii) the Committee being of the view that the proposed development would not be unduly detrimental to the visual amenity of the rural area and the locality within which it is located and to delegate to the Head of Planning, Development and Building Standards the drafting of appropriate conditions relating to outline consent, flooding, contamination of water course, roads matters and a condition which ties the occupation of the house to the operation of the business.

The meeting terminated at 1435 hours.