

EAST AYRSHIRE COUNCIL

**DEVELOPMENT SERVICES COMMITTEE - SITTING AS A PLANNING
COMMITTEE**

**MINUTES OF MEETING HELD ON TUESDAY 2 MAY 2006 AT 1400 HOURS IN
THE MEETING ROOM, COUNCIL HEADQUARTERS, LONDON ROAD,
KILMARNOCK**

PRESENT: Councillors George Smith, Maureen McKay, John McGhee, Brian Reeves, Douglas Reid, John Weir, Drew McIntyre, Iain Linton, John Campbell, Ray Murray, Stuart Finlayson, Robert McDill, Eric Jackson, Jimmy Kelly, Tommy Farrell and Jimmy Carmichael.

ATTENDING: James Lavery, Executive Director of Development and Property Services; David Mitchell, Head of Administrative and Legal Services; Alan Neish, Head of Planning, Development and Building Standards; Pamela Clifford, Principal Planning Officer; Barry Douglas, Planning Officer; and Robert Beaton, Administrative Officer.

APOLOGIES: Councillors Eric Ross, Jim O'Neill, Stephanie Young, Isabella Macrae and Elaine Dinwoodie.

CHAIR: Councillor George Smith, Vice-Chair.

ADJOURNMENT OF MEETING

1. It was agreed to adjourn the meeting at 1401 hours.

RECONVENTION OF MEETING

2. The meeting reconvened at 1410 hours with the same Councillors and Officers present and in attendance.

HEARING PROCEDURE

3. The Head of Administrative and Legal Services established that the Hearing Procedure was understood by all participants (circulated).

CONSIDERATION OF APPLICATIONS

4. **APPLICATION NO 05/1218/FL: PROPOSED CHANGE OF USE FROM WOMENS' REFUGE TO SUBSTANCE MISUSE SUPPORT AND REHABILITATION SERVICE (NON-RESIDENTIAL) WITH OFFICES AT 30/32 DUNDONALD ROAD, KILMARNOCK BY TURNING POINT (SCOTLAND)**

There was submitted an executive summary sheet and report dated 24 April 2006 (both circulated) by the Head of Planning, Development and Building Standards on a full planning application for the proposed change of use from womens' refuge to substance misuse support and rehabilitation service (non-residential) with offices at 30/32 Dundonald Road, Kilmarnock by Turning Point (Scotland).

4.1 Consideration of Item

The Head of Planning, Development and Building Standards reported that 1,687 letters of objections had been received, details of which were contained within the report; reported on a late objection; summarised the planning considerations in

respect of the application; and gave the recommendation, viz:- Refusal for the following reasons:- (i) the proposed use would be detrimental to the residential amenity of the Dundonald Road area by reason of its introduction of a use and activity inappropriate in a residential area; (ii) the use of the building and the activity which it would generate would diminish the residential amenity of the area both in their own right and through the perception that they will introduce forms of behaviour alien to the residential character of Dundonald Road; and (iii) the proposed use would lead to the erosion of the residential character of the surrounding area.

4.2 Planning Hearing

The Committee then heard Jeffrey Halliday (appointed representative of objectors), Brian Cunningham (appointed representative of objectors), Suzanne Jones and Yvonne McDowall (representing Beechwood Nursery), John Ferguson (appointed representative of objectors) and Tom Cook (representing Grange/Howard Community Council).

The Committee then heard Brian Murphy and Ian Irvine, representing Turning Point (Scotland). Members of the Committee asked questions of the representative of the applicant, all in accordance with the agreed Hearing Procedure.

The Chair closed the Hearing.

4.3 Determination of Application

It was agreed to refuse the application for the reasons given at Paragraph 4.1 above.

Councillor Jackson left the meeting at this point.

5. DECISION OF THE SOUTHERN LOCAL PLANNING COMMITTEE HELD ON 24 MARCH 2006 RELATING TO PLANNING APPLICATION NO 05/1167/OL: PROPOSED RESIDENTIAL DEVELOPMENT ON LAND ADJACENT TO MANSEFIELD HEIGHTS, MANSEFIELD ROAD, NEW CUMNOCK BY KINDBUILD LIMITED (Item 3, Page 2097, 03/07)

There was submitted a report dated 6 April 2006 (circulated) by the Depute Chief Executive/Executive Director of Corporate Support which informed of the decision of the Southern Local Planning Committee held on 24 March 2006, regarding the above planning application and executive summary sheet and report dated 13 March 2006 (both circulated) by the Head of Planning, Development and Building Standards which presented for determination an application for outline planning permission for the proposed residential development on land adjacent to Mansefield Heights, Mansefield Road, New Cumnock.

It was agreed that the application be approved as in the Committee's view the proposed development would represent an acceptable departure from the Local Plan since it would (i) due to the condition of the existing building on site, result in a significant enhancement to the amenity of the locality within which it is located; and (ii) constitute only a minor encroachment beyond the settlement boundary into the countryside. The Committee also agreed to delegate to the Head of Planning, Development and Building Standards that appropriate conditions and reasons be attached to the consent.

The meeting terminated at 1530 hours.