

EAST AYRSHIRE COUNCIL**DEVELOPMENT SERVICES COMMITTEE - SITTING AS A PLANNING COMMITTEE****MINUTES OF MEETING HELD ON TUESDAY 30 MAY 2006 AT 1400 HOURS IN THE MEETING ROOM, COUNCIL HEADQUARTERS, LONDON ROAD, KILMARNOCK**

PRESENT: Councillors George Smith, Jim O'Neill, John McGhee, John Weir, Drew McIntyre, John Campbell, Ray Murray, Stuart Finlayson, Jimmy Kelly, Elaine Dinwoodie and Jimmy Carmichael.

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

APOLOGIES: Councillors Eric Ross, Maureen McKay, Brian Reeves, Douglas Reid, Isabella Macrae, Iain Linton, Robert McDill, Eric Jackson and Tommy Farrell.

CHAIR: Councillor George Smith, Vice-Chair.

CONSIDERATION OF PLANNING APPLICATIONS

1. DECISION OF THE SOUTHERN LOCAL PLANNING COMMITTEE HELD ON 28 APRIL 2006 RELATING TO PLANNING APPLICATION NO 05/1087/OL: PROPOSED ERECTION OF A DWELLINGHOUSE ON THE SITE OF THE FORMER ARDNITH HOUSE, BOIG ROAD, NEW CUMNOCK BY MR G CALDWELL (Item 8, Page 2163, 03/07)

There was submitted a report dated 5 May 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 28 April 2006, regarding the above planning application and executive summary sheet and report dated 14 April 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 erection of a dwellinghouse on the site of former Ardnith House, Boig Road, New Cumnock.

The Head of Planning, Development and Building Standards reported that no letters of objection were submitted in respect of this application; summarised the planning considerations in respect of the application; and gave the recommendation: Refusal, for the reasons as detailed in the report.

Councillor Smith, seconded by Councillor O'Neill, moved that the application be refused for the reasons as detailed in the report.

Councillor Carmichael, seconded by Councillor Kelly, moved as an amendment that the application be approved as it represented an acceptable departure from the Development Plan in view of the former residential use of the application site which had previously been occupied by Ardnith House.

On a division by a show of hands there were 5 votes for the motion and 5 votes for the amendment.

There being an equality of votes, the Chair exercised his casting vote in favour of the motion which became the decision of the meeting.

Councillor McIntyre joined the meeting during discussion of the above item and did not take part in the decision.

2. DECISION OF THE SOUTHERN LOCAL PLANNING COMMITTEE HELD ON 28 APRIL 2006 RELATING TO PLANNING APPLICATION NO 05/1117/OL: PROPOSED ERECTION OF FOUR DWELLINGHOUSES ON LAND AT BOIG ROAD, NEW CUMNOCK BY MR G CALDWELL (Item 9, Page 2163, 03/07)

There was submitted a report dated 5 May 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 28 April 2006, regarding the above planning application and executive summary sheet and report dated 14 April 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 erection of four dwellinghouses on land at Boig Road, New Cumnock.

The Head of Planning, Development and Building Standards reported that no letters of objection were submitted in respect of this application; summarised the planning considerations in respect of the application; and gave the recommendation: Refusal, for the reasons as detailed in the report.

Councillor Smith, seconded by Councillor O'Neill, moved that the application be refused for the reasons as detailed in the report.

Councillor Carmichael, seconded by Councillor Kelly, moved as an amendment that the application be approved on the grounds that the proposed development would represent an acceptable departure from the Development Plan (i) since it would constitute only a minor encroachment beyond the settlement boundary into the countryside; and (ii) in view of the former residential use of the application site which had previously been occupied by a row of miners' cottages.

On a division by a show of hands the amendment was carried by 7 votes to 4.

Councillor Dinwoodie left the meeting at this point.

3. DECISION OF THE SOUTHERN LOCAL PLANNING COMMITTEE HELD ON 28 APRIL 2006 RELATING TO PLANNING APPLICATION NO 06/0054/OL: PROPOSED DEVELOPMENT OF LAND FOR RESIDENTIAL PURPOSES AT CAIRN ROAD, CUMNOCK BY LYNCH ENVIRONMENTAL SOLUTIONS LIMITED (Item 10, Page 2164, 03/07)

There was submitted a report dated 5 May 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 28 April 2006, regarding the above planning application and executive summary sheet and report dated 14 April 2006 (both circulated) by the Head of Planning, Development and Building Standards which presented for determination an application for outline planning permission for proposed development of land for residential purposes at Cairn Road, Cumnock.

The Head of Planning, Development and Building Standards reported that no letters of objection were submitted in respect of this application; summarised the planning

considerations in respect of the application; and gave the recommendation: Refusal, for the reasons as detailed in the report.

It was agreed that this application be approved on the grounds that the proposed development would represent an acceptable departure from the Development Plan since proceeds from the proposed sale of the application site for residential purposes would form part of the necessary funding package for development of the applicant's business, Lynch Environmental Solutions Limited; which, in turn, had the potential to provide significant economic and employment benefits within the local area; that the issue of the Decision Notice be withheld until the Solicitor to the Council had satisfactorily concluded an agreement with the applicant in terms of Section 75 of the Town and Country Planning (Scotland) Act 1997, to ensure that all planning gain arising from the sale of the application site will be applied to the additional investment by Lynch Environmental Solutions Limited; and delegate to the Head of Planning, Development and Building Standards that appropriate conditions and reasons be attached to the consent.

The meeting terminated at 1435 hours.