

EAST AYRSHIRE COUNCIL

SOUTHERN LOCAL PLANNING COMMITTEE

**MINUTES OF MEETING HELD ON FRIDAY 28 APRIL 2006 AT 1000 HOURS IN
THE BARRHILL CENTRE, BANK AVENUE, CUMNOCK**

PRESENT: Councillors Neil McGhee, Eric Jackson, George Smith, Jimmy Kelly, Tommy Farrell, William Crawford, Elaine Dinwoodie, Elaine Stewart and Jimmy Carmichael.

ATTENDING: Hugh Melvin, Principal Planning Officer; Craig Young, Solicitor; and Stuart Nelson, Administrative Officer.

APOLOGIES: Councillors William Menzies and Eric Ross.

CHAIR: Councillor Jimmy Kelly, Vice-Chair.

HEARING PROCEDURE

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

2. **APPLICATION NO 06/0057/FL: MR JOHN CAMPBELL: RAILWAY HOTEL, MAIN STREET, AUCHINLECK**

There was submitted an executive summary sheet and report dated 19 April 2006 (both circulated) by the Head of Planning, Development and Building Standards on a full planning application for a proposed extension to the function suite and formation of a bridal suite and change of use of land and alterations to car park and formation of landscaped area at the Railway Hotel, Main Street, Auchinleck.

2.1 Consideration of Item

The Principal Planning Officer reported that five letters of objection had been received, together with a petition with 17 signatories, details of all 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: Approval, subject to the conditions, and for the reasons, detailed in the report.

2.2 Planning Hearing

The Committee heard Mr David Gavin, who spoke in support of the objections submitted by Mrs Alyson Gavin, Mr Simon Gavin and himself.

The Committee then heard Mr John Campbell, applicant, in support of the application.

The Chair closed the Hearing.

2.3 Determination of Application

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

3. APPLICATION NO 05/1305/FL: MR E SHANKLAND: GROUND ADJACENT TO 25 LOCH ROAD, MAUCHLINE

3.1 Declaration of Interest

Councillor Jackson declared a non financial interest in this item which he did not consider significant in terms of Paragraphs 5.17 and 5.18 of the Code of Conduct and indicated his intention to remain and participate in consideration of this item.

3.2 Consideration of Item

There was submitted an executive summary sheet and report dated 10 April 2006 (both circulated) by the Head of Planning, Development and Building Standards on a full planning application for the proposed erection of two dwellinghouses on ground adjacent to 25 Loch Road, Mauchline.

The Principal Planning Officer reported that three letters of objection had been received, details of all 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: Approval, subject to the conditions, and for the reasons, detailed in the report.

No Hearing took place because the objectors were neither present nor represented.

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

4. APPLICATION NO 05/1208/FL AND APPLICATION NO 05/1209/LB: HOPE HOMES SCOTLAND LIMITED: FORMER OCHILTREE PRIMARY SCHOOL, MAIN STREET, OCHILTREE

There was submitted an executive summary sheet and report dated 14 April 2006 (both circulated) by the Head of Planning, Development and Building Standards on a full planning application for the proposed change of use and alterations to former Primary School to form six dwellings and erection of two blocks of flatted dwellings comprising 16 flats and a listed building consent application for proposed internal refurbishment of the existing school building to form six dwellings, all at the former Ochiltree Primary School, Main Street, Ochiltree.

4.1 Consideration of Item

The Principal Planning Officer reported that, in addition to objections from Ochiltree Community Council, Scottish Water and the Architectural Heritage Society of Scotland, one other letter of objection had been received, and details of all of these 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: Approval of both applications, subject to the conditions, and for the reasons, detailed in the report.

4.2 Planning Hearing

The Committee heard Mrs Sarah Brown, in support of her objections.

The Committee then heard Mr Ian Hope, applicant, in support of the applications.

The Chair closed the Hearing.

4.3 Determination of Applications

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

5. APPLICATION NO 05/1125/FL: HOPE HOMES SCOTLAND LIMITED: 8 CORRIE PLACE, DRONGAN

There was submitted an executive summary sheet and report dated 9 April 2006 (both circulated) by the Head of Planning, Development and Building Standards on a full planning application for the proposed continued use of a building as office premises at 8 Corrie Place, Drongan.

The Principal Planning Officer reported that one letter 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, Development and Building Standards: Approval, subject to the conditions, and for the reasons, detailed in the report.

No Hearing took place because the objector was neither present nor represented.

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

6. APPLICATION NO 06/0160/FL: MR B BAIN: 33 ARRAN DRIVE, AUCHINLECK

There was submitted an executive summary sheet and report dated 10 April 2006 (both circulated) by the Head of Planning, Development and Building Standards on a full planning application for the proposed erection of a one and a half storey dwelling at 33 Arran Drive, Auchinleck.

The Principal Planning Officer reported that one letter 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, Development and Building Standards: Approval, subject to the conditions, and for the reasons, detailed in the report.

No Hearing took place because the objector was neither present nor represented.

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

7. APPLICATION NO 06/0028/FL: MR MICHAEL KELSO: GROUND AT DRUMBROCHAN ROAD, CUMNOCK

There was submitted an executive summary sheet and report dated 4 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 public open space to garden ground, erection of a garage and fence at Drumbrochan Road, Cumnock.

7.1 Consideration of Item

The Principal Planning Officer reported that one letter of objection had been received, from Cumnock Community Council, 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: Approval, subject to the conditions, and for the reasons, detailed in the report.

7.2 Planning Hearing

The Committee heard Mr Robert Graham, in support of the objections submitted by Cumnock Community Council.

The Committee then heard Mr Michael Kelso, applicant, in support of the application. Members asked questions of the applicant who responded to the issues raised, all in accordance with the Hearing Procedure.

The Chair closed the Hearing.

7.3 Determination of Application

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

8. APPLICATION NO 05/1087/OL: MR G CALDWELL: SITE OF FORMER ARDNITH HOUSE, BOIG ROAD, NEW CUMNOCK

There was submitted an executive summary sheet and report dated 14 April 2006 (both circulated) by the Head of Planning, Development and Building Standards on an outline planning application for the proposed erection of a dwellinghouse on the site of the former Ardnith House, Boig Road, New Cumnock.

The Principal Planning Officer reported that no objections had been received; 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.

Councillor Carmichael, seconded by Councillor Kelly, moved that this application be referred to the Development Services Committee with a recommendation for approval, since the proposed development would represent 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.

Councillor Smith, seconded by Councillor Farrell, moved as an amendment that approval of this application for the reason proposed would be premature in view of the forthcoming review of the East Ayrshire Local Plan and, therefore, that the application be refused for the reasons detailed in the report.

On a division by a show of hands, the motion was carried by 7 votes to 2.

9. APPLICATION NO 05/1117/OL: MR G CALDWELL: LAND AT BOIG ROAD, NEW CUMNOCK

There was submitted an executive summary sheet and report dated 14 April 2006 (both circulated) by the Head of Planning, Development and Building Standards on an outline planning application for the proposed erection of four dwellinghouses on land at Boig Road, New Cumnock.

The Principal Planning Officer reported that no objections had been received; 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.

Councillor Carmichael, seconded by Councillor Kelly, moved that this application be referred to the Development Services Committee with a recommendation for approval, 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.

Councillor Smith, seconded by Councillor Farrell, moved as an amendment that approval of this application for the reasons proposed would be premature in view of the forthcoming review of the East Ayrshire Local Plan and, therefore, that the application be refused for the reasons detailed in the report.

On a division by a show of hands, the motion was carried by 6 votes to 3.

10. APPLICATION NO 06/0054/OL: LYNCH ENVIRONMENTAL SOLUTIONS LIMITED: LAND AT CAIRN ROAD, CUMNOCK

There was submitted an executive summary sheet and report dated 14 April 2006 (both circulated) by the Head of Planning, Development and Building Standards on an outline planning application for the proposed development of land for residential purposes at Cairn Road, Cumnock.

The Principal Planning Officer reported that no objections had been received; 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.

Councillor Crawford, seconded by Councillor Farrell, moved that this application be referred to the Development Services Committee with a recommendation for approval, 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 Ltd., which, in turn, had potential to provide significant economic and employment benefits within the local area; but 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 would be applied to additional investment in Lynch Environmental Solutions Ltd.

Councillor Smith, seconded by Councillor Stewart, moved as an amendment that the application be refused for the reason detailed in the report.

On a division by a show of hands, the motion was carried by 7 votes to 2.

11. APPLICATION NO 05/1193/FL: MR WILLIAM LOY: 20 MAIN STREET, DALMELLINGTON (Item 7, Page 2019, 03/07)

There was submitted a report dated 21 April 2006 (circulated) by the Head of Planning, Development and Building Standards on a full planning application previously considered by the Local Planning Committee under the Scheme of Delegation because the proposed development was subject to objections.

It was agreed to note the terms of the report which advised that, on the basis of amended plans submitted to the Planning Authority by the applicant, all previous objections to this application had been withdrawn and consequently the amended application had been dealt with by the Head of Planning, Development and Building Standards under delegated powers.

The meeting terminated at 1112 hours.