

EAST AYRSHIRE COUNCIL**DEVELOPMENT SERVICES COMMITTEE - SITTING AS A PLANNING COMMITTEE****MINUTES OF MEETING HELD ON TUESDAY 10 FEBRUARY 2004 AT 1400 HOURS IN THE MEETING ROOM, COUNCIL HEADQUARTERS, LONDON ROAD, KILMARNOCK**

PRESENT: Councillors Eric Ross, Maureen McKay, Jim O'Neill, John McGhee, Stephanie Young, Brian Reeves, Daniel Coffey, Douglas Reid, Drew McIntyre, Isabella Macrae, John Campbell, Ray Murray, Stuart Finlayson, Robert McDill, Eric Jackson, George Smith and Jimmy Kelly.

ATTENDING: David Mitchell, Head of Administrative and Legal Services; Alan Neish, Head of Planning and Building Control; Hugh Melvin, Principal Planner; Karen McLeod, Solicitor; Robert Beaton, Administrative Officer; and Lynn Chapman, Trainee Administrative Officer.

APOLOGIES: Councillors Iain Linton, Tommy Farrell, Elaine Dinwoodie and Jimmy Carmichael.

CHAIR: Councillor Eric Ross, Chair.

CONSIDERATION OF APPLICATIONS**1. HEARING PROCEDURE**

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

2. APPLICATION NO 02/0757/OL: PROPOSED DEVELOPMENT OF LAND FOR RESIDENTIAL PURPOSES AND REFURBISHMENT OF MANSION HOUSE TO FORM FLATS AT BALLOCHMYLE HOUSE, MAUCHLINE BY NORTHKIRK LIMITED

The Committee was advised that this application had been withdrawn from the Agenda.

3. APPLICATION NO 03/0628/FL: PROPOSED ERECTION OF 12 RESIDENTIAL DWELLINGS AT FENWICK ROAD, KILMAURS BY HOPE HOMES SCOTLAND

There was submitted an executive summary sheet and report dated 20 January 2004 (circulated) by the Head of Planning and Building Control on a full planning application for the erection of 12 dwellinghouses in a mixture of styles at Fenwick Road, Kilmaurs.

It was noted that Members had had the opportunity to visit the application site prior to the meeting.

3.1 Consideration of Item

The Head of Planning and Building Control reported that 16 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, viz:- Approval, (i) subject to the conditions, and for the reasons, detailed in the report;

(ii) subject to notification to the Scottish Ministers in terms of the Notification of Applications Direction 1997; and (iii) that the issuing of the Planning Decision Notice be withheld until the Solicitor to the Council had satisfactorily concluded a formal agreement under Section 75 of the Town and Country Planning (Scotland) Act 1997 with the applicant in respect of the matters referred to in Paragraphs 5.6 and 7.2 of the report.

3.2 Planning Hearing

The Committee then heard Mr Andrew Tait, on behalf of Kilmaurs Community Council, in respect of their objections, Mr James Sharpe in respect of his objections, Mr George Rome, in respect of his objections and those of Mr William Rome, Ms Janetta Fairbairn, in respect of her objections, Mr Lindsay Aitcheson, in respect of his objections and those of Mr and Mrs Ince, Mr Nick Creed, in respect of his objections and Mrs Greta Roberts on behalf of the objections from Mrs Lind. The Committee then heard Mr Ian Hope, applicant, in support of the application. Members asked questions of the objectors and the applicant. The objectors and the applicant responded to the issues raised, all in accordance with the Hearing Procedure.

The Chair closed the Hearing.

3.3 Determination of Application No 03/0628/FL

Councillor Kelly, seconded by Councillor Smith, moved that the application be approved, (i) subject to the conditions, and for the reasons, detailed in the report; (ii) subject to notification to the Scottish Ministers in terms of the Notification of Applications Direction 1997; and (iii) that the issuing of the Planning Decision Notice be withheld until the Solicitor to the Council had satisfactorily concluded a formal agreement under Section 75 of the Town and Country Planning (Scotland) Act 1997 with the applicant in respect of the matter referred to in Paragraphs 5.6 and 7.2 of the report.

Councillor John McGhee, seconded by Councillor O'Neill, moved as an amendment to refuse the application as the proposed development would constitute an over development of the site and would have a detrimental effect on the existing residential amenity.

On a division by a show of hands, the amendment was carried by 13 votes to 4.

4. APPLICATION NO 02/0910/FL: CONVERSION OF EXISTING STABLES BLOCK AND NEW RESIDENTIAL HOUSING DEVELOPMENT CONSISTING OF 36 VILLAS AND BUNGALOWS AT GLAISNOCK HOUSE ESTATE, GLAISNOCK ROAD, CUMNOCK; APPLICATION NO 02/0865/LB: PROPOSED ALTERATIONS TO FURTHER EDUCATION COLLEGE AND CONVERSION OF STABLES BLOCK, GLAISNOCK HOUSE, GLAISNOCK ROAD, CUMNOCK (BOTH APPLICATIONS BY BONNINGTON DEVELOPMENTS LIMITED); AND APPLICATION NO 03/1108/FL: PROPOSED REFURBISHMENT OF EXISTING BUILDING, REBUILDING OF CONSERVATORY, NEW DISABLED ACCESS RAMP AND NEW ACCESS TO COURTYARD AT GLAISNOCK HOUSE, GLAISNOCK ROAD, CUMNOCK BY THE GLAISNOCK TRUST

There was submitted a report dated 29 January 2004 (circulated) by the Head of Planning and Building Control for (i) Application no 02/0910/FL: Proposed conversion of existing stables block to form 10 residential units and for the erection of 36 detached dwellings; (ii) Application no 02/0865/LB: Proposed conversion of, and

alterations to, the existing stables block and the refurbishment of Glaisnock House, the rebuilding of the conservatory, construction of a new disabled access ramp and formation of a new access to the courtyard; and (iii) Application no 03/1108/FL: Proposed refurbishment of Glaisnock House, the rebuilding of the conservatory, construction of a new disabled access ramp and formation of a new access to the courtyard, all at Glaisnock House, Glaisnock Road, Cumnock.

The Head of Planning and Building Control reported that two letters of objection had been received, details of which were contained within the report; summarised the planning considerations in respect of the application; reported that the Garden History Society had withdrawn its principal objection on the basis that an additional condition be attached to the consent covering landscaping of the proposed car park area; and gave the recommendation of the Head of Planning and Building Control, viz:- (i) Approval of Application no 02/0910/FL subject to the conditions, and for the reasons detailed within the report, and that the issue of the Decision Notice be withheld until the Solicitor to the Council had satisfactorily concluded a Section 75 Agreement with the applicant regarding the obligations referred to in Section 8.11 of the report; (ii) Approval of Application no 02/0865/LB subject to the conditions, and for the reasons detailed within the report, and that the decision be withheld until the application had been formally notified to and had been cleared by Historic Scotland under the Listed Buildings and Buildings in Conservation Areas (Scotland) Regulations 1997; and (iii) Approval of Application no 03/1108/FL subject to the conditions, and for the reasons detailed within the report; and subject to an additional condition that prior to the commencement of development on site, the applicant shall submit to and have approved by the Planning Authority, details of the finishes of the proposed car parking area, including surfacing, kerbing and other associated landscaping works; Reason, viz:- in the interest of visual amenity.

No Hearing took place as the objectors were not present or represented.

It was agreed to (i) approve Application no 02/0910/FL subject to the conditions, and for the reasons detailed within the report, and that the issue of the Decision Notice be withheld until the Solicitor to the Council had satisfactorily concluded a Section 75 Agreement with the applicant regarding the obligations referred to in Section 8.11 of the report; (ii) approve Application no 02/0865/LB subject to the conditions, and for the reasons detailed within the report, and that the decision be withheld until the application had been formally notified to and had been cleared by Historic Scotland under the Listed Buildings and Buildings in Conservation Areas (Scotland) Regulations 1997; and (iii) approve Application no 03/1108/FL subject to the conditions, and for the reasons detailed within the report, and to the additional condition as detailed above.

5. APPLICATION NO 03/0990/OL: PROPOSED OUTLINE PLANNING APPLICATION FOR A RESIDENTIAL AND COMMERCIAL DEVELOPMENT; 2 NO FOOTBALL PITCHES WITH CHANGING FACILITIES; A LOCATION FOR A SHOP; ASSOCIATED STRATEGIC OPEN SPACE AND PLAY AREAS; 2 NO SITE ACCESS ROUNDABOUTS; SUDS PONDS AND DISTRIBUTOR ROAD AT LAND AT ALTONHILL, KILMARNOCK BY GEORGE WIMPEY STRATEGIC LAND

There was submitted an executive summary sheet and report dated 2 February 2004 (both circulated) by the Head of Planning and Building Control on an outline planning

application for residential and commercial development, and improved access at land at Altonhill, Kilmarnock, by George Wimpey Strategic Land.

Councillor Kelly left the meeting at this point.

The Head of Planning and Building Control 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, viz:- Approval, (i) subject to the conditions, and for the reasons, detailed within the report; and (ii) that the issuing of the Planning Decision Notice be withheld until the Solicitor to the Council had satisfactorily concluded a formal agreement under Section 75 of the Town and Country Planning (Scotland) Act 1997 with the applicant in respect of the matters detailed in section 7.1 of the report.

No Hearing took place as the objectors were not present or represented.

It was agreed (i) to approve the application subject to the conditions, and for the reasons, detailed within the report; and (ii) that the issuing of the Planning Decision Notice be withheld until the Solicitor to the Council had satisfactorily concluded a formal agreement under Section 75 of the Town and Country Planning (Scotland) Act 1997 with the applicant in respect of the matters detailed in section 7.1 of the report.

The meeting terminated at 1550 hours.