

EAST AYRSHIRE COUNCIL**SOUTHERN LOCAL PLANNING COMMITTEE****MINUTES OF MEETING HELD ON FRIDAY 28 JANUARY 2005 AT 1000 HOURS
IN DALMELLINGTON COMMUNITY CENTRE, AYR ROAD, DALMELLINGTON**

PRESENT: Councillors Neil McGhee, George Smith, William Menzies, William Crawford, Eric Ross, Elaine Dinwoodie, Elaine Stewart and Jimmy Carmichael.

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

APOLOGIES: Councillors Jimmy Kelly and Tommy Farrell.

CHAIR: Councillor Neil McGhee, Chair.

HEARING PROCEDURE

1. The Administrative Officer established that the Hearing Procedure was understood by all participants.
2. **APPLICATION NO 04/1032/OL: MR J BAILLIE AND MR J McEWAN: LAND AT TOP OF KINGS WAY, CUMNOCK**

There was submitted an executive summary sheet and report dated 19 January 2005 (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 the top of Kings Way, Cumnock.

2.1 Consideration of Item

The Principal Planning Officer reported that four letters of objection with seven signatories 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: Refusal, for the reasons detailed in the report.

2.2 Planning Hearing

The Committee heard Mr O Murray, objector, in support of the objections submitted by his wife and himself and also by Mrs M Archibald.

The Committee then heard Mr J Baillie accompanied by Mr J McEwan, applicants, in support of the application.

The Chair closed the Hearing.

2.3 Determination of Application

Councillor Ross, seconded by Councillor Smith, moved that the application be refused for the reasons detailed in the report.

Councillor Stewart, seconded by Councillor Dinwoodie, moved as an amendment that this application be referred to the Development Services Committee with a recommendation for approval since the proposed development would constitute only a minor encroachment from the settlement boundary into the countryside, and

therefore would represent an acceptable departure from the policies contained within the Development Plan.

On a division by a show of hands, the motion was carried by 6 votes to 2.

3. APPLICATION NO 04/1005/FL: MR C LIVINGSTONE: GARDEN GROUND AT 11 MURRAY COURT, CUMNOCK

There was submitted an executive summary sheet and report dated 16 January 2005 (both circulated) by the Head of Planning, Development and Building Standards on a full planning application for the proposed erection of a dwellinghouse within garden ground at 11 Murray Court, Cumnock.

3.1 Consideration of Item

The Principal Planning Officer reported that three letters of objection with five signatories 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: Refusal, for the reasons detailed in the report.

3.2 Planning Hearing

The Committee heard Mr W McNish, objector, in support of his objections.

The applicant was not present or represented.

The Chair closed the Hearing.

3.3 Determination of Application

It was agreed to refuse the application for the reasons detailed in the report.

4. APPLICATION NO 04/0827/FL AND APPLICATION NO 04/0875/LB: PRESTWICK BUILDING PROJECTS LIMITED: HIGH BARBETH, DRONGAN

There was submitted an executive summary sheet and report dated 16 January 2005 (both circulated) by the Head of Planning, Development and Building Standards on a full planning application and a listed building application for a proposed change of use, alteration and extensions to form nine houses at High Barbeth, Drongan.

The Principal Planning Officer reported that one objection, from the Scottish Civic Trust, had been received, details of which were contained within the report; summarised the planning considerations in respect of the applications; and gave the recommendation of the Head of Planning, Development and Building Standards: (a) Approval of Application No 04/0827/FL subject to the conditions, and for the reasons, detailed in the report; but that the issue of the 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 detailed in Paragraph 7.1 of the report; and (b) Approval of Application No 04/0875/LB subject to the conditions, and for the reasons, detailed in the report.

No Hearing took place as the objector was not present or represented.

It was agreed (a) to approve Application No 04/0827/FL subject to the conditions, and for the reasons, detailed in the report; but that the issue of the 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 detailed in Paragraph 7.1 of the report; and (b) to approve Application No 04/0875/LB subject to the conditions, and for the reasons, detailed in the report.

On the matter being raised by Councillor Ross, it was agreed to request the Head of Planning, Development and Building Standards to write to the Scottish Civic Trust, on behalf of this Committee, expressing the Committee's disappointment at the nature of the objection which the Trust had submitted in respect of this application.

5. APPLICATION NO 04/0509/LB: AUCHINLECK BUSINESS CENTRE: AUCHINLECK PRIMARY SCHOOL, SCHOOL ROAD, AUCHINLECK

There was submitted an executive summary sheet and report dated 16 January 2005 (both circulated) by the Head of Planning, Development and Building Standards on an application for listed building consent for the proposed demolition of a building at the former Auchinleck Primary School, School Road, Auchinleck.

The Principal Planning Officer reported that one objection, from the Scottish Civic Trust, 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: Refusal, for the reasons detailed in the report.

No Hearing took place as the objector was not present or represented.

It was agreed to continue consideration of this application to the next meeting in order to enable the Members to undertake a site visit for the purpose of inspecting the condition of the building concerned.

6. APPLICATION NO 04/1161/OL: MR J MUIR AND MR J HODGE: LAND AT STONEPARK, LOGANHILL ROAD, LOGAN

There was submitted an executive summary sheet and report dated 11 January 2005 (both circulated) by the Head of Planning, Development and Building Standards on an outline planning application for a proposed change of use from derelict land to the erection of two dwellinghouses at Stonepark, Loganhill Road, Logan.

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.

It was agreed to refuse the application for the reasons detailed in the report.

7. APPLICATION NO 04/1066/OL: MESSRS J & R WILSON: FORMER NURSERY SITE AT POLQUHIRTER NURSERY, NEW CUMNOCK

There was submitted an executive summary sheet and report dated 11 January 2005 (both circulated) by the Head of Planning, Development and Building Standards on an outline planning application for a proposed housing development of five dwellings at the former Nursery Site, Polquhirter Nursery, 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 Menzies, moved that this application be referred to the Development Services Committee, with a recommendation for approval (a) in view of the history of the proposed development site which had previously accommodated glass houses and a commercial market garden; and (b) since there is a justifiable need for the proposed development on this site in view of the lack of availability of land generally within New Cumnock for housing development.

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

On a division by a show of hands, the amendment was carried by 6 votes to 2.

8. APPLICATION NO 04/0699/FL: G & S HOMES: LAND AT ROBERT BURNS AVENUE, DRONGAN (Item 4, Page 1139, 03/07)

It was noted that Members of the Committee had attended a site visit in respect of this application prior to the meeting.

There was submitted an executive summary sheet and report dated 16 January 2005 (both circulated) by the Head of Planning, Development and Building Standards on a full planning application for a proposed residential development on land at Robert Burns Avenue, Drongan.

The Principal Planning Officer reported that, in addition to objections from Scottish Power and East Ayrshire Council's Neighbourhood Services Department, one letter 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; but that the issue of the 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 those matters detailed in Paragraph 7.1 of the report.

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

Councillor McGhee, seconded by Councillor Menzies, moved that the Committee continue consideration of this application to the next meeting in order to enable the Head of Planning, Development and Building Standards to enter into further discussions with the applicant on the proposed site layout, in view of amenity/privacy issues associated with the location of two storey houses overlooking Drongan Cemetery.

Councillor Stewart, seconded by Councillor Dinwoodie, moved as an amendment that the application be approved subject to the conditions, and for the reasons, detailed in the report; but that the issue of the 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 those matters detailed in Paragraph 7.1 of the report.

On a division by a show of hands, the amendment was carried by 5 votes to 3.

9. APPLICATION NO 04/0642/FL: TAY LIMITED: 46-48 MAIN STREET, PATNA (Item 5, Page 1140, 03/07)

9.1 Members Eligible to Participate

Councillors Ross and Stewart left the meeting prior to consideration of this item on the basis that this application had been continued following an earlier Hearing at which they were not present and they could not therefore participate in consideration or determination of this application at this stage.

9.2 Consideration of Application

There was submitted an executive summary sheet and report dated 16 January 2005 (both circulated) by the Head of Planning, Development and Building Standards on a full planning application for the proposed erection of six dwellinghouses at 46-48 Main Street, Patna.

The Principal Planning Officer reported that, in addition to objections from Scottish Water, two objections 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 within the report; but that the issue of the 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 Paragraph 7.1 of the report.

9.3 Determination of Application

It was agreed to approve the application subject to the conditions and for the reasons, detailed within the report; but that the issue of the 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 Paragraph 7.1 of the report.

The meeting terminated at 1117 hours.