

**EAST AYRSHIRE COUNCIL****DEVELOPMENT SERVICES COMMITTEE - SITTING AS A PLANNING COMMITTEE****MINUTES OF SPECIAL MEETING HELD ON TUESDAY 20 DECEMBER 2005 AT 1000 HOURS IN THE MEETING ROOM, COUNCIL HEADQUARTERS, LONDON ROAD, KILMARNOCK**

**PRESENT:** Councillors George Smith, Maureen McKay, Jim O'Neill, John McGhee, Daniel Coffey, Douglas Reid, Drew McIntyre, Isabella Macrae, John Campbell, Ray Murray, Stuart Finlayson, Robert McDill, Tommy Farrell, Elaine Dinwoodie and Jimmy Carmichael.

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

**APOLOGIES:** Councillors Eric Ross, Stephanie Young, Brian Reeves, Iain Linton, Eric Jackson and Jimmy Kelly.

**CHAIR:** Councillor George Smith, Vice-Chair.

**CONSIDERATION OF APPLICATIONS**

**1. APPLICATION NO 05/0417/FL: PROPOSED STRIPPING AND BUNDING ON SITE OF TOPSOIL, ERECTION OF POST AND WIRE PERIMETER FENCE AND THE LAYING OF LOW GROUND DRAINAGE AT CROFHEAD ROAD, KILMAURS BY HOPE HOMES, SCOTLAND (Item 8, Page 1859, 03/07)**

There was submitted an executive summary sheet and report dated 14 December 2005 (both circulated) by the Head of Planning, Development and Building Standards on a full planning application for the proposed stripping and bunding on site of topsoil, erection of post and wire perimeter fence and the laying of low ground drainage at Crofthead Road, Kilmaurs.

The Head of Planning, Development and Building Standards reported that 10 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, subject to the conditions, and for the reasons, as detailed in the report.

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

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

**2. APPLICATION NO 05/0513/AD: PROPOSED 2 NO. FREESTANDING SIGNS (RETROSPECTIVE) AT CROFHEAD ROAD/IRVINE ROAD, KILMAURS BY HOPE HOMES, SCOTLAND (Item 8, Page 1859, 03/07)**

There was submitted an executive summary sheet and report dated 14 December 2005 (both circulated) by the Head of Planning, Development and Building Standards on an advert application for proposed 2 No. freestanding signs (retrospective) at Crofthead Road/Irvine Road, Kilmaurs.

The Head of Planning, Development and Building Standards 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, subject to the condition, and for the reason, as detailed in the report.

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

It was agreed to approve the application subject to the condition, and for the reason, as detailed within the report.

**3. DECISION OF THE SOUTHERN LOCAL PLANNING COMMITTEE HELD ON 2 DECEMBER 2005 RELATING TO PLANNING APPLICATION NO 05/1059/OL: PROPOSED RE-DEVELOPMENT OF BROWNFIELD SITE AND ERECTION OF 5 DWELLINGS AT FORMER POLQUHIRTER NURSERY, NEW CUMNOCK BY MESSRS J & R WILSON (Item 5, Page 1843, 03/07)**

There was submitted a report dated 13 December 2005 (circulated) by the Depute Chief Executive/Executive Director of Corporate Support which informed of the decision of the Southern Local Planning Committee held on 2 December 2005 regarding the above planning application; an executive summary sheet and report dated 16 November 2005 (both circulated) by the Head of Planning, Development and Building Standards which presented for determination an outline planning application for the proposed re-development of brownfield site and erection of 5 dwellings at former Nursery, Polquhirter, New Cumnock.

The Head of Planning, Development and Building Standards 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:- Refusal, for the reasons detailed in the report.

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

Councillor Smith, seconded by Councillor McIntyre, moved to refuse the application as the proposed development would constitute erection of five new dwellings in the countryside without agricultural or other appropriate justification and contrary to the relevant policy criteria in terms of Policies RES 13 and RES 14 of the Adopted East Ayrshire Local Plan, and that the proposal would, therefore, not be in accordance with Policy G6 of the Approved Ayrshire Joint Structure Plan and Policies RES 13 and RES 14 of the Adopted East Ayrshire Local Plan.

Councillor Carmichael, seconded by Councillor Dinwoodie, moved as an amendment to approve the application on the basis that the proposed development would represent, in their view, an acceptable departure from the Development Plan for the following reasons, namely:-

- (i) notwithstanding the review of the East Ayrshire Local Plan which is presently underway and, as part of which the supply of housing land would be examined, there is currently a need for the release of land for housing development in and around New Cumnock in order to promote sustainability of the community, particularly in view of the recent planning guidance issued by the Scottish Executive directed towards stabilising and revitalising the rural economy in Scotland; and

- (ii) in view of the previous use of the application site as a commercial market garden, and of adjacent land for industrial purposes, the proposed development was considered a more suitable alternative use for what is currently an unused brownfield site.

On a division by a show of hands, the amendment was carried by 10 votes to 5.

**4. APPLICATION NO 05/0990/FL: PROPOSED DEMOLITION OF EXISTING VACANT RETAIL UNIT, ERECTION OF NEW NON-FOOD RETAIL UNITS, 25,000 SQ FT TOTAL AT 167-187 TITCHFIELD STREET, KILMARNOCK BY BROOM ESTATES LIMITED**

There was submitted an executive summary sheet and report dated 15 December 2005 (both circulated) by the Head of Planning, Development and Building Standards on a full planning application for the proposed demolition of existing vacant retail unit, erection of new non-food retail units, 25,000 sq ft total at 167-187 Titchfield Street, Kilmarnock.

The Head of Planning, Development and Building Standards reported that no third party objections had been received; summarised the planning considerations in respect of the application, and gave the recommendation, viz:- (i) approval, subject to the conditions, and for the reasons detailed within the report; and (ii) to request that the Head of Planning, Development and Building Standards enter into discussions with the applicant to tidy up the appearance of the frontage of the application site.

It was agreed (i) to approve the application subject to the conditions, and for the reasons as detailed in the report; and (ii) to request that the Head of Planning, Development and Building Standards enter into discussions with the applicant to tidy up the appearance of the frontage of the application site.

The meeting terminated at 1025 hours.