

EAST AYRSHIRE COUNCIL

SOUTHERN LOCAL PLANNING COMMITTEE

**MINUTES OF MEETING HELD ON FRIDAY 17 JUNE 2005 AT 1002 HOURS IN
MAUCHLINE COMMUNITY CENTRE, KILMARNOCK ROAD, MAUCHLINE**

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

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

APOLOGY: Councillor William Crawford.

CHAIR: Councillor Neil McGhee, Chair.

HEARING PROCEDURE

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

2. **APPLICATION NO 05/0226/FL: NORTHKIRK LIMITED: RIGG ROAD, CUMNOCK**

There was submitted an executive summary sheet and report dated 6 June 2005 (both circulated) by the Head of Planning, Development and Building Standards on a full planning application for a proposed housing development for the erection of 92 dwellinghouses (Phase 1) at Rigg Road, Cumnock.

- 2.1 **Consideration of Item**

The Principal Planning Officer reported that in addition to the objections submitted by Scottish Water, 12 letters of objection with 20 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 Steve Strachan, objector, in support of his objections and also those submitted by Mr Eric Dougan; and Mr Charles Beadle in support of his objections.

The Committee then heard Mr John Dick, representing the applicant, in support of the application. Members asked questions of the applicant's representative who responded to the issues raised, all in accordance with the hearing procedure.

The Chair closed the Hearing.

- 2.3 **Determination of Application**

Councillor Menzies, seconded by Councillor Jackson moved that this application be referred to the Development Services Committee with a recommendation for approval on the basis that the proposed development would represent an acceptable departure from the Development Plan for the following reasons, namely:-

- (i) there is currently a need for the significant release of land for housing development in and around the settlement of Cumnock, notwithstanding the review of the East Ayrshire Local Plan which is presently underway and as part of which the supply of housing land will be examined with a Draft Plan expected towards the end of this year; and
- (ii) the proposed development includes the provision of a new emergency access off Bute Road which would also serve as an emergency access to the wider Holmhead area, thereby enhancing public safety, subject to the imposition of appropriate conditions to ensure that the emergency access is not available for general vehicular access.

Councillor McGhee, 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 motion was carried by 8 votes to 2.

3. APPLICATION NO 05/0307/OL: MR ANDREW McLEAN: VACANT GROUND AT MUIRKIRK ROAD, LUGAR

There was submitted an executive summary sheet and report dated 5 June 2005 (both circulated) by the Head of Planning, Development and Building Standards on an outline planning application for the proposed change of use of vacant ground to a contractor's yard and the erection of a dwellinghouse at Muirkirk Road, Lugar.

3.1 Consideration of Item

The Principal Planning Officer reported that one objection, from Lugar and Logan Community Council, 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.

3.2 Planning Hearing

The Committee heard Mr Brian Broadley, in support of the objection submitted by Lugar and Logan Community Council.

The Committee then heard Mr Andrew McLean, 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.

3.3 Determination of Application

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

Councillor Kelly, seconded by Councillor Jackson, moved as an amendment that the application be referred to the Development Services Committee with a recommendation for approval, in view of the economic benefit of the proposed development to the area, subject to the imposition of appropriate conditions (i) to safeguard the visual amenity of the rural area and the location on the approach to Lugar Village; and (ii) to prevent contamination of the adjacent water course.

On a division by a show of hands, the motion was carried by 8 votes to 2.

4. APPLICATION NO 04/1188/OL: ALEX BREWSTER AND SONS: LAND ADJACENT TO SKERRINGTON FARM, CUMNOCK

There was submitted an executive summary sheet and report dated 1 June 2005 (both circulated) by the Head of Planning, Development and Building Standards on an outline planning application for a proposed residential development on land adjacent to Skerrington Farm, Cumnock.

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: Refusal, for the reasons detailed in the report.

No Hearing took place as the objectors were either not present or represented, or did not wish to address the Committee.

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

5. APPLICATION NO 05/0325/FL: SPRINGFIELD HOMES LIMITED: BARRHILL INDUSTRIAL ESTATE, BARRHILL TERRACE, CUMNOCK

There was submitted an executive summary sheet and report dated 7 June 2005 (both circulated) by the Head of Planning, Development and Building Standards on a full planning application for a proposed change of use to residential and the erection of 26 dwellinghouses at Barrhill Industrial Estate, Barrhill Terrace, Cumnock.

The Principal Planning Officer reported that in addition to the objection from Scottish Water, four 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 as the objectors were not present or represented.

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

6. APPLICATION NO 05/0423/FL: MR A SIMPSON: 6 HOLMHEAD ROAD, CUMNOCK

There was submitted an executive summary sheet and report dated 3 June 2005 (both circulated) by the Head of Planning, Development and Building Standards on a full planning application for the proposed erection of a dwellinghouse at 6 Holmhead Road, Cumnock.

6.1 Consideration of Item

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.

6.2 Planning Hearing

The Committee heard Mr Robert Harper and Mr Alex Cochrane, objectors, in support of their objections.

The Committee then heard Mr Andrew Simpson, applicant, in support of the application.

The Chair closed the Hearing.

6.3 Determination of Application

Councillor Ross, seconded by Councillor Smith, moved that the application be refused since the proposed development would adversely affect the privacy and amenity of the neighbouring properties, and the amenity of the area and the setting of the existing dwellinghouse at 6 Holmhead Road.

Councillor Carmichael, seconded by Councillor Stewart, moved as an amendment that the application be approved, subject to the conditions, and for the reasons, detailed within the report.

On a division by a show of hands, the amendment was carried by 8 votes to 2.

7. APPLICATION NO 05/0388/LB: MR JOHN CAMPBELL: FORMER PRIMARY SCHOOL, SCHOOL ROAD, AUCHINLECK

There was submitted an executive summary sheet and report dated 2 June 2005 (both circulated) by the Head of Planning, Development and Building Standards on a listed building consent application for the proposed complete demolition of the former Primary School, School Road, Auchinleck.

7.1 Consideration of Item

The Principal Planning Officer reported that objections had been received from the Scottish Civic Trust and the Architectural Heritage Society of Scotland, details of both of which were contained within the report; advised of the terms of one other objection which 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.

7.2 Planning Hearing

The Committee heard Mrs Greta Roberts, objector, in support of her objections. Members of the Committee then asked questions of Mrs Roberts who responded to the issues raised, all in accordance with the Hearing Procedure.

The applicant, although present, did not wish to address the Committee.

The Chair closed the Hearing.

7.3 Determination of Application

Whilst recognising the architectural merit and the Category C(s) listing of the former Primary School, it was, notwithstanding, agreed to approve the application, the Committee being of the view that the proposed development would represent an acceptable departure from the Development Plan since the building (i) had fallen into a state beyond reasonable repair such that it would not be economically feasible for necessary repairs to be carried out in order to render the building suitable for use as a business/storage unit or for any other end use; and (ii) represented a danger to

public safety, this approval to be subject to conditions, and for reasons, to be determined by the Head of Planning, Development and Building Standards.

8. APPLICATION NO 05/0470/FL: TAY LIMITED: BOX CAFÉ, 14 NEW BRIDGE STREET, CUMNOCK

There was submitted an executive summary sheet and report dated 7 June 2005 (both circulated) by the Head of Planning, Development and Building Standards on a full planning application for the proposed change of use to licensed public house at the Box Café, 14 New Bridge Street, Cumnock.

The Principal Planning Officer 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; 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 as the objectors were not present or represented.

Councillor Ross, seconded by Councillor Kelly, moved that the application be refused in view of the detrimental impact of the proposed development on the neighbouring Cumnock Health Centre.

Councillor McGhee, seconded by Councillor Menzies, moved as an amendment to approve the application subject to the conditions, and for the reasons, detailed in the report.

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

9. APPLICATION NO 05/0390/FL: MR F LAU: 63 MAIN STREET, MUIRKIRK

There was submitted an executive summary sheet and report dated 1 June 2005 (both circulated) by the Head of Planning, Development and Building Standards on a full planning application for the proposed erection of a flue at Garan Fishbar, 63 Main Street, Muirkirk.

The Principal Planning Officer 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; and gave the recommendation of the Head of Planning, Development and Building Standards: Approval.

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

It was agreed to approve the application.

Councillors Kelly and Farrell left the meeting at this point.

10. APPLICATION NO 04/0856/FL: OTTERBURN CENTRE: BRIDGEHOUSE FARM, HURLFORD

There was submitted an executive summary sheet and report dated 2 June 2005 (both circulated) by the Head of Planning, Development and Building Standards on a full planning application for proposed alterations and change of use to form an outdoor activity centre and ancillary uses at Bridgehouse Farm, Hurlford.

The Principal Planning Officer reported that one 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 as the objector was not present or represented.

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

Councillor Jackson left the meeting at this point.

11. APPLICATION NO 05/0415/OL: MR A ALSTON: GROUND BY WELLHILL COTTAGE, NEW CUMNOCK

There was submitted an executive summary sheet and report dated 31 May 2005 (both circulated) by the Head of Planning, Development and Building Standards on an outline planning application for the proposed erection of a dwellinghouse on ground by Wellhill Cottage, New Cumnock.

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: Refusal, for the reasons detailed in the report.

No Hearing took place as the objector, although present, did not wish to address the Committee.

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

Councillor Jackson rejoined the meeting at this point.

12. APPLICATION NO 05/0416/OL: MR A ALSTON: LAND ADJACENT TO A ALSTON AND SONS LIMITED, NEW CUMNOCK

There was submitted an executive summary sheet and report dated 31 May 2005 (both circulated) by the Head of Planning, Development and Building Standards on an outline planning application for the proposed erection of a dwellinghouse on land adjacent to A Alston and Sons Ltd., 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.

It was agreed to continue consideration of this application to the next meeting in order to enable the Head of Planning, Development and Building Standards to seek clarification from the applicant as to whether there was any business related justification for the proposed development.

13. APPLICATION NO 05/0171/CA: HALF FULL DEVELOPMENTS LIMITED: PROPERTY AT 4/5 CATHCARTSTON AND 20/21 KENNEDY'S CLOSE, DALMELLINGTON

There was submitted an executive summary sheet and report dated 30 May 2005 (both circulated) by the Head of Planning, Development and Building Standards on a conservation area consent application for the proposed demolition of property at 4/5 Cathcartston and 20/21 Kennedy's Close, Dalmellington.

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 approve the application, the Committee being of the view that the proposal would represent an acceptable departure from the Development Plan in light of the risk to public safety arising from the poor condition of the building, and its detrimental impact on visual amenity, subject to conditions, and for the reasons, to be determined by the Head of Planning, Development and Building Standards.

**VENUES FOR MEETINGS OF THE SOUTHERN LOCAL PLANNING COMMITTEE:
AUGUST TO DECEMBER 2005**

14. There was submitted a report dated 30 May 2005 (circulated) by the Depute Chief Executive/Executive Director of Corporate Support which advised of the dates on which meetings of the Local Planning Committee were scheduled to take place during the period August to December 2005 and invited the Committee to consider how the venues at which these meetings are to be held should be determined.

It was agreed:-

- (i) to note the dates fixed for the meetings of the Committee for the period August to December 2005, as detailed in (ii) below;
- (ii) that venues for meetings of the Committee during the period August to December 2005 be determined on a rota basis, and that, accordingly, venues be as follows, namely:-

<u>DATE</u>	<u>VENUE</u>
Friday 12 August 2005	Drongan Community Centre
Friday 9 September 2005	New Cumnock Community Centre
Friday 7 October 2005	Rankinston Community Centre
Friday 4 November 2005	Ochiltree Community Centre
Friday 2 December 2005	Dalrymple Community Centre

- (iii) to authorise the Administration Manager, following consultation with the Chair, to change the venue for an individual meeting, where appropriate or necessary in view of particular circumstances pertaining to the meeting concerned.

The meeting terminated at 1203 hours.