

EAST AYRSHIRE COUNCIL

**DEVELOPMENT SERVICES COMMITTEE - SITTING AS A PLANNING
COMMITTEE**

**MINUTES OF MEETING HELD ON TUESDAY 8 APRIL 2003 AT 1008 HOURS IN
THE MEETING ROOM, COUNCIL HEADQUARTERS, LONDON ROAD,
KILMARNOCK**

PRESENT: Councillors Eric Ross, Stephanie Young, Daniel Coffey, Douglas Reid, Lilian MacLean, Harry Wilson, Iain Linton, John Knapp, Jim Raymond, Finlay MacLean, Robert McDill, Eric Jackson, George Smith, Tommy Farrell, Julie Faulds, Provost Jimmy Boyd and Councillors Elaine Stewart and Jimmy Carmichael.

ATTENDING: Stephen Chorley, Director of Development Services; David Mitchell, Head of Administrative and Legal Services; Alan Neish, Head of Planning and Building Control; Jim Kane, Head of Roads and Transportation; Keith Orton, Principal Engineer; David Morgan, Public Relations Officer; Karen McLeod, Solicitor; and Robert Beaton, Administrative Officer.

APOLOGIES: Councillors Drew McIntyre and Jimmy Kelly.

CHAIR: Councillor Eric Ross, Chair.

CONSIDERATION OF APPLICATION

1. HEARING PROCEDURE

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

2. APPLICATION NO 03/0056/RM: PROPOSED ERECTION OF 98 DWELLINGS INCORPORATING 78 FLATS, 20 TERRACED TOWNHOUSES AND 02/0894/FL: PROPOSED ERECTION OF NEW HEALTH CLUB (PRIVATE AT GROUND FLOOR OF PROPOSED RESIDENTIAL DEVELOPMENTS FOR RESIDENTS USE ONLY) AT FORMER SITE OF KILMARNOCK INFIRMARY, HILL STREET/GARDEN STREET/PORTLAND STREET, KILMARNOCK, BY KLIN HOLDINGS LIMITED

There was submitted an executive summary sheet and report dated 1 April 2003 (both circulated) by the Head of Planning and Building Control for application nos 03/0056/RM: Proposed erection of 98 dwellings incorporating 78 flats, 20 terraced townhouses and 02/0894/FL: Proposed erection of new health club (private at ground floor of proposed residential developments for residents use only) at former site of Kilmarnock Infirmary, Hill Street/Garden Street/Portland Street, Kilmarnock.

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

2.1 Consideration of Item

The Head of Planning and Building Control reported that 291 letters of objection to the residential development and 441 letters of objection to the health club development had been received, details of which were contained within the report; summarised the planning considerations in respect of the application and gave the

recommendation by the Head of Planning and Building Control, viz:- (i) Approval of both Application Nos 03/0056/RM and 02/0894/FL subject to the conditions and for the reasons, detailed within the report and notification to the Scottish Ministers under the Town and Country Planning (Notification of Applications) (Scotland) Direction 1997 as the Council had an interest in part of the land and there had been a substantial body of objection.

2.2 Planning Hearing for Application Nos 03/0056/RM and 02/0894/FL

The Committee then heard Rebecca Neil on behalf of Bonnyton Community Council, Ivy Howie, Greta Roberts, David Dempster, Pierre Sinfioriani; and representing St Joseph's Church: the Very Reverend Dennis Quinlan, Paul Dorby, Pat Cosgrove, Charles McGowan and John McGill in support of their objections and Graeme Pert and Drew Macklin, on behalf of the applicant.

ADJOURNMENT OF MEETING

- 2.3** It was agreed to adjourn the meeting at 1200 hours to allow a comfort break.

RECONVENTION OF MEETING

- 2.4** The Meeting reconvened at 1215 hours with the same Councillors, parties and Officers, present and in attendance.

2.5 Continuation of Planning Hearing for Application Nos 03/0056/RM and 02/0894/FL

Members asked questions of the objectors and of the applicant's representatives. The objectors and the applicant's representatives responded to the issues raised, all in accordance with the Hearing Procedure.

The Chair closed the Hearing.

2.6 Determination of Application Nos 03/0056/RM and 02/0894/FL

Councillor Jackson, seconded by Councillor Knapp, moved that the applications be deferred to a future meeting to allow further consideration to be given to the proposed road layout and to allow discussions to take place between the applicant and St Joseph's Church.

Councillor Reid, seconded by Councillor Linton, moved as an amendment that the applications be refused on the grounds that the applications (i) were considered detrimental to the visual amenity of the townscape of Kilmarnock; (ii) that the residential application represented an inordinately high density and was an over development of the site; and (iii) the proposed open space and vehicular access represented a significant departure from the East Ayrshire Local Plan and Roads Development Guidance respectively.

On a division by a show of hands, 9 Members voted for the amendment and 9 Members voted for the motion.

There being an equality of votes, in terms of Standing Order 38, the Chair exercised his casting vote in favour of the motion.

The meeting terminated at 1320 hours.