

EAST AYRSHIRE COUNCIL**NORTHERN LOCAL PLANNING COMMITTEE****MINUTES OF SPECIAL MEETING HELD ON THURSDAY 19 AUGUST 2010 AT
1000 HOURS IN THE COUNCIL CHAMBERS, COUNCIL HEADQUARTERS,
LONDON ROAD, KILMARNOCK**

PRESENT: Councillors Alan Brown, John MacKay, John McGhee, Helen Coffey, Willie Coffey, Maureen McKay, Tom Cook, Robert Keohone, Iain Linton, Douglas Reid, John Campbell, Drew McIntyre, Stuart Finlayson, and Robert McDill.

ATTENDING: Fiona Finlay and Hugh Melvin, Principal Planning Officers; Avril Forrest, Solicitor; Gwen Findlay, Team Leader, Roads and Transportation and Jennifer Morrison, Administrative Officer.

APOLOGIES: Councillors Rose-Ann Cuninghame, Jim Buchanan, Gordon Cree, John Knapp, Hugh Ross, Jim Todd and Provost Stephanie Young.

CHAIR: Councillor Alan Brown, Chair.

HEARING PROCEDURE

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

CONSIDERATION OF APPLICATIONS

2. **APPLICATION NO 10/0357/PP: EAST AYRSHIRE COUNCIL: BANK STREET, KILMARNOCK**

- 2.1 **Declaration of Interest**

Councillor Tom Cook declared a non-financial interest in respect of this item of business which he considered significant in terms of paragraph 7.11 of the Code of Conduct and withdrew from the meeting.

- 2.2 **Consideration of Item**

There was submitted an executive summary sheet and report dated 10 August 2010 (both circulated) by the Head of Planning and Economic Development on an application for planning permission for environmental improvements to Bank Street, Kilmarnock comprising of installation of bollards with LED lighting along the length of Bank Street and formation of a loading bay with associated works.

Fiona Finlay, Principal Planning Officer, reported a correction to paragraph 2.2 which should read "109 bollards" and not "10 bollards", which had subsequently been reduced to 94 bollards; that ten objections had been received from nine parties and one letter of objection had also been received on behalf of eight of the retailers in the area, in addition to objections from the Access Panel and Bonnyton Community Council all as detailed in the report; reported that a petition of support had been received from eight retailers however this had been omitted from the report and details of this petition were given; summarised the planning considerations in respect of the application; and gave the recommendation of the Head of Planning and Economic Development: Approval, subject to the conditions and for the reasons detailed in the report.

2.3 Planning Hearing

The Committee heard Greta Roberts and Eric Brown in support of their objections.

Members of the Committee asked questions of the objectors.

The Committee then heard Colin McKee and Robert Cooper, the applicant's representatives, in support of the application.

Members of the Committee asked questions of the applicant's representatives.

The Chair closed the Hearing.

2.4 Determination of Application

Fiona Finlay, Principal Planning Officer and Gwen Findlay, Team Leader, Roads and Transportation, provided clarification on points raised during the Hearing.

Councillor Douglas Reid, seconded by Councillor Iain Linton, moved that the application be approved subject to the conditions and for the reasons detailed in the report.

Councillor Maureen McKay, seconded by Councillor Robert Keohone, moved as an amendment that the application be refused on the grounds that they were not convinced that the proposals presented best met the stated objectives of the project.

On a division by a show of hands, the motion was carried by 9 votes to 3.

Councillors Iain Linton, Douglas Reid and John Campbell left the meeting at this point.

Councillor Drew McIntyre joined the meeting, and Councillor Tom Cook re-joined the meeting at this point.

3. APPLICATION NO 10/0463/PP: TARMAC LTD: CRAIGNAUGHT QUARRY, DUNLOP

There was submitted an executive summary sheet and report dated 10 August 2010 (both circulated) by the Head of Planning and Economic Development on an application to continue restoration operations without compliance of condition 5 of planning consent 07/0143/FL to allow time extension of 5 years to complete restoration works at Craignaught Quarry, Dunlop.

Hugh Melvin, Principal Planning Officer, summarised the planning considerations in respect of the application; and gave the recommendation of the Head of Planning and Economic Development: Approval, subject to the conditions and for the reasons detailed in the report.

Councillor Maureen McKay, seconded by Councillor John McGhee, moved that the application be approved subject to the conditions and for the reasons detailed in the report but that the time extension be reduced to three years to complete the restoration works which was a compromise between the needs of the developer and the needs of the affected community.

Councillor Alan Brown, seconded by Councillor Tom Cook, moved as an amendment that the application be approved subject to the conditions and for the reasons detailed in the report but that condition (1) be revised so that the extension be approved for three years to complete the restoration works and if the restoration contour levels had not been achieved in this time, the Planning Authority would seek

a plan showing restoration levels and thereafter completion within a further year, and that it be remitted to the Head of Planning and Economic Development to prepare a satisfactorily re-worded condition (1) to this effect.

On a division by a show of hands, the amendment was carried by 6 votes to 5.

4. APPLICATION NO 10/0474/PP: AYRSHIRE RIVERS TRUSTS, AUCHINCUIVE, AYR: KAY PARK, KILMARNOCK

There was submitted an executive summary sheet and report dated 26 July 2010 (both circulated) by the Head of Planning and Economic Development on an application for the erection of two concrete retaining walls with fish passes to provide improved fish passage over a modified and infilled pool below the waterfall at Black Rocks Waterfall, Kay Park, Kilmarnock.

Hugh Melvin, Principal Planning Officer, summarised the planning considerations in respect of the application; and gave the recommendation of the Head of Planning and Economic Development: Approval.

It was agreed to approve the application.

5. APPLICATION NO 10/0456/PP: GAUCHALLAND TENANTS AND RESIDENTS ASSOCIATION, GALSTON: SHIELD ROAD AND CATHERINE DRIVE JUNCTION, GALSTON

There was submitted an executive summary sheet and report dated 11 August 2010 (both circulated) by the Head of Planning and Economic Development on an application for change of use from public open space to form community garden with modular cabin etc and erection of 2.4M boundary fence at land adjacent to Shield Road and Catherine Drive junction, Galston.

Fiona Finlay, Principal Planning Officer, summarised the planning considerations in respect of the application; and gave the recommendation of the Head of Planning and Economic Development: Approval, subject to the conditions and for the reasons detailed in the report.

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

The meeting terminated at 1125 hours.