

EAST AYRSHIRE COUNCIL

NORTHERN LOCAL PLANNING COMMITTEE

MINUTES OF MEETING HELD ON FRIDAY 28 MARCH 2008 AT 1010 HRS IN THE MEETING ROOM, COUNCIL HEADQUARTERS, LONDON ROAD, KILMARNOCK

PRESENT: Councillors Alan Brown, Rose-Ann Cuninghame, John MacKay, John McGhee, Helen Coffey, Willie Coffey, Maureen McKay, Tom Cook, Robert Keohone, Douglas Reid, John Campbell, Gordon Cree, Drew McIntyre, Stuart Finlayson, Robert McDill and Provost Stephanie Young.

ATTENDING: Bill Stewart, Principal Planning Officer; John Trakalo, Senior Engineer, Roads and Transportation Division; Avril Forrest, Solicitor and Jennifer Morrison, Administrative Officer.

APOLOGIES: Councillors Iain Linton, Jim Buchanan, John Knapp, Hugh Ross and Jim Todd.

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 07/0973/FL: S A CHOUDHRY: 10-12 MAXWOOD ROAD, GALSTON**

There was submitted an executive summary sheet and report dated 18 March 2008 (both circulated) by the Head of Planning and Economic Development on a full planning application for the installation of extract canopy, ducting and fans to kitchen (in retrospect) at Maxwood Hotel, 10-12 Maxwood Road, Galston.

2.1 **Consideration of Item**

Bill Stewart, Principal Planning Officer reported that one petition with 17 signatures, and 3 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 and Economic Development, viz:- Approval subject to the condition, and for the reason, detailed in the report.

2.2. **Planning Hearing**

The Committee then heard Mr McLelland in respect of the objections submitted by Galston Community Council, and Mrs Dykes and Mr Barclay in respect of their own objections.

Members of the Committee asked questions of the objectors.

The Committee then heard Mr Choudhry the applicant in support of the application.

Members of the Committee asked questions of the applicant.

The Chair closed the Hearing.

2.3. Determination of Application

Bill Stewart, Principal Planning Officer provided clarification on points raised during the Hearing.

Provost Stephanie Young, seconded by Councillor Drew McIntyre, moved that the application be approved subject to the extract canopy being fitted within 28 days of the date of this consent, with charcoal filters to minimise the escape of smells and noise generated by the restaurant use and which shall thereafter be maintained or replaced as necessary for as long as the flues are operational. The details of the charcoal filters shall be agreed in writing by the Planning Authority prior to their installation. Furthermore the noise levels of the charcoal filters was to be examined, and appropriate baffles installed both to the satisfaction of the Environmental Health Service. Reason for conditions, viz:- to protect the amenity of the surrounding residential area by preventing undue smells and noise.

Councillor Maureen McKay, seconded by Councillor Robert Keohone moved as an amendment that the application be approved subject to the condition and for the reason detailed in the report.

On a division by a show of hands the motion was carried by 13 votes to 3.

3. APPLICATION NO 07/0817/FL: MANOR KINGDOM LTD: CRAGSTON HOUSE, 13 LOUDOUN STREET, STEWARTON

There was submitted an executive summary sheet and report dated 19 March 2008 (both circulated) by the Head of Planning and Economic Development on a full planning application for the proposed erection of eight dwellinghouses and associated traffic calming works at Cragston House, 13 Loudoun Street, Stewarton.

3.1. Consideration of Item

Bill Stewart, Principal Planning Officer reported that 7 letters of objections from 8 objectors 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 and Economic Development, viz:- Approval subject to the conditions, and for the reasons, detailed in the report and that the issuing of the Planning Decision Notice be withheld until the Solicitor to the Council had satisfactorily concluded a formal agreement with the applicants in respect of the matters detailed in paragraphs 7.1 and 7.2 of the report.

3.2. Planning Hearing

The Committee then heard Mr Fulton in respect of the objections submitted by Stewarton and District Community Council, and Mr McCaffrey and Mr Clibborn in respect of their own objections.

Members of the Committee asked questions of the objectors.

The Committee then heard Mr Watt, the applicant's representative, in support of the application.

Members of the Committee then asked questions of the applicant's representative.

The Chair closed the Hearing.

3.3 Determination of Application

Bill Stewart, Principal Planning Officer and John Trakalo, Senior Roads Engineer provided clarification on points raised during the Hearing.

Councillor John McGhee, seconded by Provost Stephanie Young moved that the application be refused on the grounds that it failed to satisfy many of the requirements of the current Local Plan.

Councillor Alan Brown, seconded by Councillor Douglas Reid moved as an amendment that the application be approved subject to the conditions and for the reasons detailed in the report, subject to a further additional condition (15) that a Traffic Management Plan be submitted by the applicant and approved thereafter by the Head of Planning and Economic Development, Reason: In the interests of traffic safety, to avoid deliveries to the site during peak traffic periods on Loudoun Street, Stewarton; and that the issuing of the Planning Decision Notice be withheld until the Solicitor to the Council had satisfactorily concluded a formal agreement with the applicants in respect of the matters detailed in paragraphs 7.1 and 7.2 of the report.

On a division by a show of hands the amendment was carried by 12 votes to 4.

It was further agreed that following the approval of this application the Head of Planning and Economic Development be requested to approach Historic Scotland to request that consideration be given to listing Cragston House.

The meeting terminated at 1210 hours.