

**EAST AYRSHIRE COUNCIL**

**NORTHERN LOCAL PLANNING COMMITTEE**

**MINUTES OF MEETING HELD ON FRIDAY 7 DECEMBER 2007 AT  
1000 HRS IN THE MEETING ROOM, COUNCIL HEADQUARTERS, LONDON  
ROAD, KILMARNOCK**

**PRESENT:** Councillors Alan Brown, Rose-Ann Cuninghame, John MacKay, John McGhee, Willie Coffey, Maureen McKay, Tom Cook, Robert Keohone, Douglas Reid, John Campbell, Gordon Cree, Drew McIntyre, John Knapp, Hugh Ross, Jim Todd, Stuart Finlayson and Robert McDill.

**ATTENDING:** Fiona Finlay and Bill Stewart, Principal Planning Officers; John Trakalo, Senior Engineer, Department of Roads and Transportation; Avril Forrest, Solicitor and Christine Baillie, Administrative Officer.

**APOLOGIES:** Councillors Helen Coffey and Jim Buchanan and Provost Stephanie Young.

**CHAIR:** Councillor John Campbell, Vice-Chair for Item 2 and Councillor Alan Brown, Chair for all other items.

**HEARING PROCEDURE**

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

**CONSIDERATION OF APPLICATIONS**

2. **APPLICATION NO 06/0970/FL: BARRATT WEST SCOTLAND: BELVEDERE VIEW, GALSTON**

- 2.1. **Declaration of Interest**

The Chair, Councillor Alan Brown declared a non financial interest in accordance with Paragraphs 5.17 and 5.18 of the Councillors' Code of Conduct and withdrew from the meeting.

The Vice-Chair Councillor John Campbell took the Chair.

- 2.2. **Consideration of Item**

There was submitted an executive summary sheet and report dated 26 November 2007 (both circulated) by the Head of Planning and Economic Development on a full planning application for the proposed erection of 38 houses and associated works at Belvedere View, Galston.

Bill Stewart, Principal Planning Officer reported that (i) the Executive Summary sheet relevant to the application, as shown on page 4 of the report, was incorrect and referred Members to the recommendation as shown on page 19 of the report which was correct, (ii) Condition 15, line 6, of the TP24 should read (as required by Condition 7b) and (iii) that 145 letters of objections had been received from 58 persons, 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, as detailed within the report and that the issuing of the decision notice be withheld until the Solicitor to the Council had satisfactorily concluded a formal agreement with the applicant regarding the obligations referred to in Section 7.1 of the report.

It was noted that Members of the Committee had attended a site visit in respect of this application prior to the meeting.

### **2.3. Planning Hearing**

The Committee then heard Mr Hood, Mrs Winning, Mr and Mrs Logan, Mr Richmond and Mr Turner in respect of their own objections and also on behalf of a number of other residents and Mr McGhee in respect of the objections submitted by Mr Craig.

Members of the Committee asked questions of the objectors in accordance with the Hearing Procedure.

The Committee then heard Ms Clark and Mr Dodson the applicant's representatives in support of the application.

Members of the Committee asked questions of the applicant's representatives in accordance with the Hearing Procedure.

The Chair closed the Hearing.

### **2.4. Determination of Application**

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

Councillor Jim Todd, seconded by Councillor Douglas Reid, moved that the application be continued to a future meeting to allow the Head of Planning and Economic Development to investigate with the applicant and the Head of Roads alternative access to the site.

Councillor John McGhee, seconded by Councillor Robert Keohone, moved as an amendment that the application be approved subject to the conditions and for the reasons, detailed in the report and that the issuing of the decision notice be withheld until the Solicitor to the Council had satisfactorily concluded a formal agreement with the applicant regarding the obligations referred to in Section 7.1 of the report.

On a division by a show of hands the motion was carried by 11 votes to 4.

At this point Councillors Gordon Cree and Robert Keohone left the meeting, Councillor Alan Brown rejoined the meeting and Councillor Robert McDill joined the meeting.

## **3. APPLICATION NO 07/0847/FL: MR JIM BROWNLIE: BRAES COURT AVENUE, DARVEL**

There was submitted an executive summary sheet and report dated 27 November 2007 (both circulated) by the Head of Planning and Economic Development on a full planning application for change of use of open space and the erection of 3 dwellinghouses at Braes Court Avenue, Darvel.

### **3.1. Consideration of Item**

Bill Stewart, Principal Planning Officer reported that 37 letters of objections from 43 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:- refusal for the reasons detailed in the report.

It was noted that Members of the Committee had attended a site visit in respect of the application prior to the meeting.

### **3.2. Planning Hearing**

The Committee then heard Mr Flemmich in respect of the objection submitted by Darvel and District Community Council and Mr McLachlan, Mrs Gibson, Mr Jardine and Mrs McNeish in respect of their objections.

Members of the Committee asked questions of the objectors in accordance with the Hearing Procedure.

The applicant was not present or represented at the meeting.

The Chair closed the Hearing.

### **3.3. Determination of Application**

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

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

Councillor John Knapp left the meeting at this point.

## **4. APPLICATION NO 07/0860/FL: HAZEL MALCOLMSON: BURN ROAD/ANDERSON DRIVE, DARVEL**

There was submitted an executive summary sheet and report dated 27 November 2007 (both circulated) by the Head of Planning and Economic Development on a full planning application for change of use of open space and the erection of 2 dwellinghouses at Burn Road/Anderson Drive, Darvel.

### **4.1. Consideration of Item**

Bill Stewart, Principal Planning Officer reported that 22 letters of objections from 27 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:- refusal for the reasons detailed in the report.

It was noted that Members of the Committee had attended a site visit in respect of the application prior to the meeting.

### **4.2. Planning Hearing**

The Committee then heard Mr Flemmich in respect of the objections submitted by Darvel and District Community Council and Mr Malcolm, Mr Lennon and Mr Mrugala in respect of their objections.

The applicant was not present or represented at the meeting.

The Chair closed the Hearing.

#### **4.3. Determination of Application**

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

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

#### **5. APPLICATION NO 07/0801/RM: TESCO STORES LTD: WEST SHAW STREET/HIGH GLENCAIRN STREET/WEST NETHERTON STREET/TITCHFIELD STREET/MILL STREET, KILMARNOCK**

There was submitted an executive summary sheet and report dated 27 November 2007 (both circulated) by the Head of Planning and Economic Development on a reserved matters planning application for the proposed erection of class 1 retail unit with coffee shop and ancillary facilities service yard, associated car parking, road works, environmental improvements and revised access arrangements at West Shaw Street/High Glencairn Street/West Netherton Street/Titchfield Street/ Mill Street, Kilmarnock.

Fiona Finlay, Principal Planning Officer reported that no letters of objection had been received; 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 and that the decision notice not be issued until the Council was in receipt of the contribution offered by the applicant relative to the provision of two bus stops on High Glencairn Street as required under the terms of the outline consent 02/0005/OL, conditions 14(v) and 14(viii).

With the agreement of the Committee the Principal Planning Officer read out part of a letter of support received from the applicant.

It was agreed to approve the application subject to the conditions, and for the reasons, detailed in the report and that the decision notice not be issued until the Council was in receipt of the contribution offered by the applicant relative to the provision of two bus stops on High Glencairn Street as required under the terms of the outline consent 02/0005/OL, conditions 14(v) and 14 (viii).

The meeting terminated at 1220 hours.