

**EAST AYRSHIRE COUNCIL**

**NORTHERN LOCAL PLANNING COMMITTEE**

**MINUTES OF MEETING HELD ON FRIDAY 23 MAY 2008 AT 1000 HRS  
IN THE MEETING ROOM, COUNCIL HEADQUARTERS,  
LONDON ROAD, KILMARNOCK**

**PRESENT:** Councillors Alan Brown, Rose-Ann Cuninghame, John McGhee, Helen Coffey, Willie Coffey, Maureen McKay, Tom Cook, Robert Keohone, Iain Linton, Douglas Reid, John Campbell, Gordon Cree, John Knapp, Hugh Ross, Stuart Finlayson, Robert McDill and Provost Stephanie Young.

**ATTENDING:** Bill Stewart and Fiona Finlay, Principal Planning Officers; Kerr Chalmers, Senior Engineer (Roads and Transportation); Marion Fergusson, Senior Planning Officer; Avril Forrest, Solicitor; and Jennifer Morrison, Administrative Officer.

**APOLOGIES:** Councillors John Mackay, Jim Buchanan, Drew McIntyre 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 08/0189/FL: MR AND MRS P GILFEATHER: 163 IRVINE ROAD, KILMARNOCK**

There was submitted an executive summary sheet and report dated 12 May 2008 (both circulated) by the Head of Planning and Economic Development on a full planning application for the erection of a garden fence, garden shed and playhouse to the rear of a flatted dwellinghouse at 163 Irvine Road, Kilmarnock.

**2.1 Consideration of Item**

Fiona Finlay, Principal Planning Officer, reported that 8 letters of objection had been received representing 7 parties and reported a correction to the report to confirm that one petition with 21 signatories had been received, details of which were contained in the report; 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.

**2.2 Planning Hearing**

The Committee heard Mr Mabbett and Mrs Reid in support of their objections.

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

Members of the Committee asked questions of the applicant.

The Chair closed the Hearing.

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

### **3. APPLICATION NO 07/1043/FL: EAST AYRSHIRE COUNCIL: ANNANDALE GARDENS, CROSSHOUSE**

There was submitted an executive summary sheet and report dated 13 May 2008 (both circulated) by the Head of Planning and Economic Development on a full planning application for a new Area Resource Centre for shared Council and NHS Services and access, parking, landscaping and associated works at Annandale Gardens, Crosshouse.

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

Fiona Finlay, Principal Planning Officer, reported that three 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: Approval subject to the conditions and for the reasons detailed in the report.

#### **3.2 Planning Hearing**

The Committee then heard Mrs McLardy in respect of her objections.

The Committee then heard Alan Paterson, the applicant's representative in support of the application.

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

The Chair closed the Hearing.

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

It was agreed to grant the application subject to the conditions and for the reasons detailed in the report with an addition to condition (22) to insert after (GTP) "(which shall include details of the range of measures to encourage users of the Resource Centre to access the site by Playingfield Road at the Kilmarnock Road junction rather than via Gatehead Road)": Reason for addition to condition: in the interest of road safety.

Councillor Douglas Reid joined the meeting at this point.

### **4. APPLICATION NO 08/0116/FL: DUFFIELD MORGAN LTD: ROWALLAN CASTLE ESTATE**

There was submitted an executive summary sheet and report dated 13 May 2008 (both circulated) by the Head of Planning and Economic Development on a full planning application for the erection of 14 residential units and associated car parking at Rowallan Castle Estate by Duffield Morgan Ltd.

#### **4.1 Declaration of Interest**

Provost Stephanie Young declared a non-financial interest in accordance with paragraphs 5.18 and 5.18 of the Code of Conduct and retired to the public gallery.

#### **4.2 Consideration of Item**

Bill Stewart, 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; reported that paragraph 7.3 was erroneous and should be removed from the report; and following a point raised advised that Historic Scotland had the day before advised that they raised no objection to the proposals. Avril Forrest, Solicitor, reported that the word "implementation" should replace the word "implantation" in paragraph 7.2(2) and sought an amendment to the proposed Section 75 Agreement as detailed in paragraph 7.2(3) by inserting at the end "or can otherwise demonstrate a viable programme for completion of the works". Bill Stewart, Principal Planning Officer then gave the recommendation of the Head of Planning and Economic Development: Approval subject to the conditions and for the reasons detailed in the report but that the decision notice not be issued until the Solicitor to the Council had concluded an Agreement with the applicant under Section 75 of the Town and Country Planning (Scotland) Act 1997 to secure the points identified within Section 7 of the report (as amended at the meeting).

#### **4.3 Planning Hearing**

The Committee heard Lord Rowallan in respect of his objections.

The Committee then heard Niall Campbell, the applicant's representative, in support of the application.

The Chair closed the Hearing.

#### **4.4 Determination of Application**

It was agreed to grant the application subject to the conditions and for the reasons detailed in the report but that the decision notice not be issued until the Solicitor to the Council had concluded an Agreement with the applicant under Section 75 of the Town and Country Planning (Scotland) Act 1997 to secure the points identified within Section 7 of the report (as amended at the meeting).

The meeting terminated at 1110 hrs.