

**EAST AYRSHIRE COUNCIL****NORTHERN LOCAL PLANNING COMMITTEE****MINUTES OF MEETING HELD ON WEDNESDAY 12 MAY 2010 AT 1300 HOURS  
IN CROOKEDHOLM COMMUNITY CENTRE, GROUGAR ROAD,  
CROOKEDHOLM**

**PRESENT:** Councillors Alan Brown, Rose-Ann Cuninghame, John MacKay, Helen Coffey, Robert Keohone, Douglas Reid, John Campbell, Drew McIntyre, Hugh Ross, Stuart Finlayson and Provost Stephanie Young.

**ATTENDING:** Mark Scott, Engineer, Roads and Transportation; Fiona Finlay and Hugh Melvin, Principal Planning Officers; Avril Forrest, Solicitor; and Jennifer Morrison, Administrative Officer.

**APOLOGIES:** Councillors John McGhee, Willie Coffey, Maureen McKay, Tom Cook, Gordon Cree, John Knapp, Jim Todd and Robert McDill.

**CHAIR:** Councillor Alan Brown, Chair.

**CHAIR'S REMARKS**

1. The Chair reported and it was noted that Application No 09/0541/PP: Proposed Neighbourhood Centre comprising community facilities (creche, library and medical centre), retail units, pub/restaurant and associated access roads at Southcraig Drive, Kilmarnock by Hallam Land Management had been withdrawn from the agenda.

**CONSIDERATION OF APPLICATIONS**

2. **APPLICATION NO 06/0806/FL: CLANSMAN HOMES LTD: IRVINE ROAD, KILMARNOCK (ITEM 2, PAGE 562, 07/12)**

There was resubmitted an executive summary sheet and report dated 24 November 2009 (both circulated) by the Head of Planning and Economic Development on a full planning application for the erection of 183 houses and flats at Irvine Road, Kilmarnock.

**2.1 Members Participation in the Determination of the Application**

The Administrative Officer reminded Members that only those Elected Members (Councillors Alan Brown, Rose-Ann Cuninghame, John MacKay, Helen Coffey, Douglas Reid, John Campbell and Stuart Finlayson) who were involved in the Hearing associated with the application relating to this item at the meeting held on 5 March 2010 should participate in the determination of the application at this meeting.

At this point Councillors Robert Keohone, Drew McIntyre and Hugh Ross retired to the public gallery and Provost Stephanie Young left the meeting.

**2.2 Consideration of Item**

Hugh Melvin, Principal Planning Officer, reported that two letters of objections had been received, details of which were contained within the report; reported that this application had been continued at the meeting on 5 March 2010 for clarification on issues regarding noise and road safety which information was provided to the Committee by Hugh Melvin, Principal Planning Officer; proposed an additional condition (29) prior to the commencement of development on site, the applicant shall

undertake a Noise Impact Assessment to determine the contribution made to noise environment by activities in the existing industrial premises to the east of the proposed development site. The results of this assessment and its conclusions shall be used to inform what noise mitigation measures, if any, may be necessary to minimise the potential for noise nuisance complaints from residents within the proposed residential development site. The details of the proposed mitigation measures shall be submitted to the Planning Authority for approval in consultation with the Environmental Health Authority, prior to works commencing on site. The approved mitigation measures shall thereafter be implemented to the satisfaction of the Planning Authority. Reason, in the interests of residential amenity; proposed an amendment to condition (16) to read as follows, viz:- no development shall take place on site until a formal Traffic Regulation Order, in terms of the Road Traffic Regulation Act 1984, has been promoted and implemented to secure the reduction of the speed limit on the B7081 Irvine Road between Crosshouse and Kilmarnock, in consultation and agreement with Strathclyde Police and the Roads Authority. Notwithstanding the approved drawings, the driveway position of plot 1 will require either a road hump prior to the final position of the driveway or alternatively will require the driveway position to be re-located to take access off the shared surface road onto which it fronts. Reason, in the interest of public road safety; 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 as amended and subject to the additional condition as reported and that the issuing of the decision notice be withheld until the applicant had provided the developer contribution as referred to in section 7 of the report, as the applicant had agreed to make an up front contribution in this case.

It was agreed to refuse the application on the grounds (i) that it was considered that the proposed development, by reason of its scale, would generate a significant increase in traffic movements on the B7081 Irvine Road, to the detriment of public road safety and (ii) that it was considered that the proposed development, by reason of its scale, layout and proximity to the adjacent industrial estate, would give rise to potential noise nuisance complaints to the detriment of the ability of existing operators within this industrial estate to conduct their business in a normal manner.

Councillors Robert Keohone, Drew McIntyre, Hugh Ross and Provost Stephanie Young rejoined the meeting at this point.

### **3. APPLICATION NO 09/0597/PP: MR AND MRS MCDONALD: 4 KAY PARK GROVE, KILMARNOCK**

There was submitted an executive summary sheet and report dated 5 May 2010 (both circulated) by the Head of Planning and Economic Development on an application for planning permission for change of use of public open space to form garden ground and the erection of a boundary fence at 4 Kay Park Grove, Kilmarnock.

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: Refusal, for the reasons detailed in the report.

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

**4. APPLICATION NOS 10/103/PP AND 10/0104/AD: DARREN LINTERN OF NEW LOOK RETAILERS LTD: 8-10 KING STREET, KILMARNOCK**

There was submitted an executive summary sheet and report dated 5 May 2010 (both circulated) by the Head of Planning and Economic Development on two applications for planning permission for (i) alterations and formation of new shop front and (ii) installation of fascia and projecting signage both at 8-10 King Street, Kilmarnock.

Fiona Finlay, Principal Planning Officer summarised the planning considerations in respect of the applications; and gave the recommendation of the Head of Planning and Economic Development: Approval, of application for planning permission 10/103/PP, subject to the conditions and for reasons detailed in the report and Approval of advertisement consent application 10/0104/AD, subject to the conditions and for the reasons detailed in the report.

It was agreed to grant application for planning permission 10/103/PP and advertisement consent application 10/0104/AD subject to the conditions and for the reasons detailed in the report.

**5. APPLICATION NO 10/0140/CA: EAST AYRSHIRE COUNCIL: 13/15 CROSS STREET, GALSTON**

There was submitted an executive summary sheet and report dated 5 May 2010 (both circulated) by the Head of Planning and Economic Development on an application for Conservation Area Consent for demolition of shed at 13/15 Cross Street, 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, of Conservation Area Consent subject to the conditions and for the reasons detailed in the report and that prior to the Decision Notice being released, the application shall be notified to Historic Scotland under the Planning (Listed Building and Conservation Areas) (Scotland) Act 1997.

It was agreed to grant the application for Conservation Area Consent subject to the conditions and for the reasons detailed in the report and that prior to the Decision Notice being released the application be notified to Historic Scotland under the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.

The meeting terminated at 1335 hours.