

EAST AYRSHIRE COUNCIL**NORTHERN LOCAL PLANNING COMMITTEE****MINUTES OF MEETING HELD ON FRIDAY 5 MARCH 2010 AT 1000 HOURS IN CROOKEDHOLM COMMUNITY CENTRE, GROUGAR ROAD, CROOKEDHOLM**

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

ATTENDING: Dave Morris, Development Management Manager; Fiona Finlay and Hugh Melvin, Principal Planning Officers; Avril Forrest, Solicitor; Stuart Norval, Team Leader, Roads and Transportation; and Jennifer Morrison, Administrative Officer.

APOLOGIES: Councillors Maureen McKay, Robert Keohone, Iain Linton, Jim Buchanan and Hugh Ross.

CHAIR: Councillor Alan Brown, Chair.

HEARING PROCEDURE

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

CONSIDERATION OF APPLICATIONS

2. **APPLICATION NO 07/0621/FL: JAMES GIBB: THREEWOOD FARM, SORN ROAD, GALSTON (ITEM 2, PAGE 562, 07/12)**

There was submitted an executive summary sheet and report dated 24 February 2010 (both circulated) by the Head of Planning and Economic Development on a full planning application for change of use of farm buildings for storage of vehicles, equipment, tools and materials and the operation of landscaping, fencing and site clearance business (in retrospect) at Threewood Farm, Sorn Road, Galston.

2.1 Consideration of Item

Dave Morris, Development Management Manager reported (i) the word 'site' should be inserted before the word 'clearance' on Condition (i) in the report; (ii) that the application had previously been considered at a meeting on 5 December 2008 when it was continued to allow an investigation into clarifying the position with regard to the ownership of a piece of land adjacent to the applicant's site which could have implications for road improvements necessary to the application (this was in the context of the Roads and Transportation Division at that time requiring substantial roads improvements); (iii) that during 2009 extensive discussions had taken place with the applicant's agent which initially took forward the Committee's decision to seek certain ownership information. However, the applicant subsequently presented a case for this application requiring a lesser set of road improvements as the more extensive roads improvement works had been targeted at the much larger operation which application was refused at a previous meeting (07/0190/FL) (Item 2, Page 562, 07/12). Over a period of six months, the applicant's roads consultants negotiated with the Roads and Transportation Division to arrive at an agreed, lesser schedule of road improvements which were submitted for consideration within the

continued application; (iv) that neighbours and objectors were then advised of the proposed improvements to the public road, the access route through the site to the proposed landscape business buildings, and that they could comment on the application in its entirety and would have the opportunity if they wished to speak to their objections at a Hearing at Committee; (v) that 27 objections had been received as well as a single third party letter of support in relation to the application, 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 McClelland in support of the objections of Galston Community Council; and Mr Paton, Mrs Scott, Mr Iles, Mrs Tait and Mrs Cogley in respect of their objections.

Members of the Committee asked questions of the objectors.

The Committee then heard Mr Telfer and Mr Neaves 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.

2.3 Determination of Application

Dave Morris, Development Management Manager, provided clarification on points raised during the Hearing.

Provost Stephanie Young, seconded by Councillor Stuart Finlayson moved that the application be refused on the grounds that the proposal did not meet the rural diversification criteria; that the proposal was industrial development and was unacceptable in the countryside; and that the proposal would have a detrimental affect on the environment and on the visual amenity of the surrounding area.

Councillor Alan Brown, seconded by Councillor John MacKay moved as an amendment that the application be approved subject to the conditions and for the reasons detailed in the report.

On a division by a show of hands the motion was carried by 10 votes to 6.

ADJOURNMENT/RECONVENTION OF MEETING

3. The meeting adjourned at 1205 hours and reconvened at 1215 hours. Councillors Gordon Cree, Drew McIntyre and Provost Stephanie Young left the meeting during the adjournment.

4. APPLICATION NO 09/0800/PP: MR TONY KONG: THE BRIDGEND 22-24 MAIN STREET, NEWMILNS

There was submitted an executive summary sheet and report dated 22 February 2010 (both circulated) by the Head of Planning and Economic Development on an application for planning permission for change of use from public house to form hot food takeaway, alterations and installation of flue at the Bridgend, 22-24 Main Street, Newmilns.

4.1 Consideration of Item

Hugh Melvin, Principal Planning Officer reported (i) that the report heading should read 22-24 Main Street and not 22-24 Bridgend as stated; (ii) that eight letters of objection as well as a petition of objection with three signatories had been received in relation to the application, 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.

4.2 Planning Hearing

The Committee head Mr Robb in support of his objections.

Members of the Committee asked questions of the objector.

The Committee then heard Mr Stewart 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.

4.3 Determination of Application

It was agreed to grant the application subject to the conditions and for the reasons detailed in the report and subject to an additional condition (4) prior to the use hereby approved being implemented on site, the applicant shall submit to, and have approved by the Planning Authority in consultation with the Environmental Health Authority, details of the proposed method of storage and disposal of waste foodstuffs generated on site. The approved waste storage details shall be in place prior to the use being implemented on site and shall be maintained thereafter for the life of the approved use. Reason:- In the interests of amenity and public health.

5. APPLICATION NO 06/0806/FL: CLANSMAN HOMES LTD: IRVINE ROAD, KILMARNOCK

There was submitted 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 a residential development for the erection of 183 houses and flats at Irvine Road, Kilmarnock.

5.1 Consideration of Item

Hugh Melvin, Principal Planning Officer reported that two letters of objections 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 and that the issuing of the decision notice should be withheld until the applicant has provided the Developer Contribution as referred to in Section 7 of this report, consistent with Policy TLR5 of the adopted plan, and Policy RES29 of the Alteration to the East Ayrshire Local Plan.

5.2 Planning Hearing

The Committee heard Mr McCall in respect of the objections of Grange Howard Community Council and Mr Cassidy in respect of the objections of Redgulf Ltd.

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

The Committee then heard Mr Glover 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.

5.3 Determination of Application

Hugh Melvin, Principal Planning Officer, provided clarification on points raised during the Hearing.

It was agreed to continue consideration of the application to a future meeting to allow for (i) an assessment by Environmental Health of the impact of noise from the existing neighbouring industrial estate, as well as an assessment as to how any future development/expansion by the companies on this estate might be affected by a new housing development. Environmental Health were also asked to inform the Committee of the extent to which they would be able to sympathetically deal, under the powers available to them, with persistent complaints about noise from residents of any new houses (ii) more information from Roads and Transportation regarding the entrance/exit to the site and the number of vehicles entering and leaving as the Committee had concerns over road safety and (iii) more information on how the proposed four storey block of flats would be acoustically and visually screened from the industrial estate. It was also agreed to provide feedback to the local Community Councils on the outcome of the Environmental Health and Roads investigations.

6. APPLICATION NO 09/0872/PP: ATRIUM HOMES: LAND ADJACENT CAIRNDUFF PLACE, NETHER ROBERTLAND, STEWARTON

There was submitted an executive summary sheet and report dated 25 February 2010 (both circulated) by the Head of Planning and Economic Development on an application for planning permission for erection of 64 new dwellings at land adjacent to Cairnduff Place, Nether Robertland, Stewarton.

Fiona Finlay, Principal Planning Officer reported that two letters of objection had been received in relation to the application, 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.

No hearing took place as the objectors were not present or represented.

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

Councillors Rose-Ann Cuninghame and Robert McDill left the meeting at this point.

7. APPLICATION NOS 10/0048/PP; 10/0049/PP; 10/0055/PP AND 10/0056/PP: EAST AYRSHIRE COUNCIL: STRAND STREET, KILMARNOCK; JOHN FINNIE STREET, KILMARNOCK; NELSON STREET, KILMARNOCK; ST MARNOCK PLACE, KILMARNOCK; AND SANDBED STREET, KILMARNOCK

There was submitted an executive summary sheet and report dated 22 February 2010 (both circulated) by the Head of Planning and Economic Development on four applications for planning permission for various environmental improvements (as detailed in the report) to Strand Street, Kilmarnock; John Finnie Street, Kilmarnock;

Nelson Street, Kilmarnock; St Marnock Place, Kilmarnock, and Sandbed 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 applications for planning permission 10/0048/PP, 10/0049/PP, 10/0055/PP and 10/0056/PP subject to the conditions and for the reasons detailed in the report.

It was agreed to grant applications for planning permission 10/0048/PP, 10/0049/PP, 10/0055/PP and 10/0056/PP subject to the conditions and for the reasons detailed in the report.

8. APPLICATION NOS (i) 10/0050/PP (ii) 10/0053/PP AND (iii) 10/0054/PP: EAST AYRSHIRE COUNCIL IN RESPECT OF (i) JOHN FINNIE STREET/DUNDONALD ROAD/ST MARNOCK STREET/PORTLAND ROAD, KILMARNOCK, (ii) DUNLOP STREET, JOHN FINNIE STREET JUNCTION, KILMARNOCK AND (iii) JOHN FINNIE STREET ADJACENT TO NELSON STREET, KILMARNOCK

There was submitted an executive summary sheet and report dated 5 March 2010 (both circulated) by the Head of Planning and Economic Development on three applications for planning permission for (i) installation of new quartz aggregate surface to existing pedestrian crossing at John Finnie Street/Dundonald Road/St Marnock Street/Portland Road, Kilmarnock (ii) installation of new quartz aggregate surface to existing pedestrian crossing at Dunlop Street, John Finnie Street junction, Kilmarnock and (iii) installation of new quartz aggregate surface to existing pedestrian crossing at John Finnie Street adjacent to Nelson Street junction, Kilmarnock.

The Chair highlighted that the Dunlop Street/John Finnie Street crossing had been omitted from the agenda heading but was fully detailed in the report.

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 applications for planning permission 10/0050/PP, 10/0053/PP and 10/0054/PP subject to the conditions and for the reasons detailed in the report.

It was agreed to grant applications for planning permission 10/0050/PP, 10//0053/PP and 10/0054/PP subject to the conditions and for the reasons detailed in the report.

9. APPLICATION NOS (i) 10/0051/PP AND (ii) 10/0052/PP: EAST AYRSHIRE COUNCIL IN RESPECT OF (i) BANK STREET, KILMARNOCK AND (ii) NELSON STREET, KILMARNOCK

There was submitted an executive summary sheet and report dated 22 February 2010 (both circulated) by the Head of Planning and Economic Development on two applications for planning permission for (i) replacement of existing street pole and installation of pole mounted CCTV camera with ancillary equipment at Bank Street, Kilmarnock and (ii) installation of pole mounted CCTV camera with ancillary equipment at Nelson 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 applications for planning permission

10/0051/PP and 10/0052/PP subject to the conditions and for the reasons detailed in the report.

It was agreed to grant applications for planning permission 10/0051/PP and 10/0052/PP subject to the conditions and for the reasons detailed in the report.

The meeting terminated at 1330 hours.