

EAST AYRSHIRE COUNCIL

NORTHERN LOCAL PLANNING COMMITTEE

**MINUTES OF MEETING HELD ON THURSDAY 18 JUNE 2009 AT 1400 HOURS
IN THE DUNLOP PUBLIC HALL, DUNLOP**

PRESENT: Councillors Alan Brown, John MacKay, John McGhee, Tom Cook, Robert Keohone, Douglas Reid, John Campbell, Gordon Cree, John Knapp, Jim Todd, Stuart Finlayson and Provost Stephanie Young.

ATTENDING: Neil Bell, Acting Principal Engineer, Roads and Transportation; Fiona Finlay and Craig Iles, Principal Planning Officers; Kerr Chalmers, Senior Engineer, Roads and Transportation; Melanie Barbour, Solicitor; and Jennifer Morrison, Administrative Officer.

APOLOGIES: Rose-Ann Cuninghame, Helen Coffey, Willie Coffey, Maureen McKay, Iain Linton, Jim Buchanan, Drew McIntyre, Hugh Ross and Robert McDill.

CHAIR: Councillor Alan Brown, Chair for Agenda Items 1, 3, 4, 5 and 6 and Councillor John Campbell, Vice-Chair for Agenda Item 2.

HEARING PROCEDURE

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

CONSIDERATION OF APPLICATIONS

2. **APPLICATION NO 08/0691/FL: WM TRACEY LTD: DUNNIFLATS, LUGTON (Item 3, Page 702, 07/12)**

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 Code of Conduct and left the meeting.

Councillor John Campbell, Vice-Chair, took the Chair.

2.2 Members Participation in the Determination of the Application

The Administrative Officer advised that only those Elected Members present who were involved in the Hearing on 30 April 2009 (Councillors John Campbell, John MacKay, John McGhee, Tom Cook, Robert Keohone, Douglas Reid, Gordon Cree, Stuart Finlayson and Provost Stephanie Young) should participate in the determination of this application.

At this point Councillor Jim Todd left the meeting.

2.3 Consideration of Item

There was submitted a supplementary report dated 9 June 2009 and executive summary sheet and report (all circulated) by the Head of Planning and Economic Development on a full planning application for formation of hard standing, suds pond and change of use from vacant land to treatment of contaminated soils at Dunniflats, Lugton. The application had been continued at the meeting on 30 April 2009 for further investigation into a traffic modelling system given the concerns about the

movement of heavy goods vehicles to and from the site within the East Ayrshire Boundary. Furthermore the Committee also wished to receive information as to the composition and powers of the Liaison Committee proposed through planning condition 15.

Craig Iles, Principal Planning Officer summarised the terms of the supplementary report by the Head of Planning and Economic Development; reported that two objections had been received one from Dunlop and Lugton Community Council, and the other from Stewarton and District Community Council with a petition of 50 signatures received fully endorsing the objections of Dunlop and Lugton Community Council; 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 as amended at the Committee meeting on 30 April 2009, and for the reasons detailed in the report.

2.4 Adjournment/Reconvention of Meeting

It was agreed to adjourn the meeting at 1440 hours in order that the Committee might receive legal advice as to what options were available in respect of controlling traffic movements to and from the application site.

The meeting reconvened at 1500 hours with the same Members and Officers present and in attendance.

2.5 Determination of Application

It was agreed to grant the application subject to the conditions, as amended at the Committee meeting on 30 April 2009, and for the reasons detailed in the report and subject to an amendment to Condition (15) in order that, as soon as established, the Community Liaison Committee would receive as its first item of business at every meeting, a Traffic Report outlining vehicle movements in the previous quarter and anticipated vehicle movements in the forthcoming quarter, together with a note of any issues in order that the Committee could endeavour to resolve any problems: Reason:- To establish a forum between the community and the developer through which relevant operational and associated issues can be discussed in the interests of maintaining the residential amenity of the surrounding area.

The Chair, Councillor Alan Brown, and Councillor Jim Todd re-joined the meeting at this point and Councillor Brown retook the Chair.

Councillor John Knapp joined the meeting at this point.

3. APPLICATION NO 08/0776/FL: LBL HOMES LTD: FORMER GARAGE SITE, BELLFIELD AVENUE, HURLFORD

There was submitted an executive summary sheet and report dated 10 June 2009 (circulated) by the Head of Planning and Economic Development on a full planning application for the proposed erection of 14 dwellinghouses and all associated works at former garage site, Bellfield Avenue, Hurlford.

3.1 Consideration of Item

Fiona Finlay, Principal Planning Officer report that seven letters of objection from 10 individual parties and a petition of objections with 19 signatures, eight of which related to individual objections already received, 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 that 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 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.

3.2 Planning Hearing

The Committee heard Mr McMillan in respect of his own objections and in respect of his petition of objection.

Members of the Committee asked questions of the objector.

The Committee then heard Mr Mair, 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

Fiona Finlay, Principal Planning Officer, provided clarification on points raised during the Hearing.

It was agreed to grant the application 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. In respect of this formal agreement it was agreed to include an additional stipulation that the applicant's contribution to the Sports, Leisure and Recreation Fund in terms of Policy TLR 5 be ringfenced for the local area.

The Committee also requested that the Head of Roads and Transportation take cognisance of the issues raised during the Hearing regarding traffic congestion in the area and if speed restrictions were being considered, to give consideration to including road markings to keep the area clear at the junction of Bellfield Avenue/Riccarton Road and to providing signage regarding lane management at the Bellfield roundabout.

Councillor Douglas Reid left the meeting at this point.

4. APPLICATION NO 09/0236/FL: MRS A STEVEN: GRASSYARDS, A719, WATERSIDE

4.1 Declaration of Interest

Provost Stephanie Young declared a non-financial interest in accordance with paragraphs 5.17 and 5.18 of the Code of Conduct and retired to the Public Gallery.

4.2 Consideration of Item

There was submitted an executive summary sheet and report dated 18 June 2009 (circulated) by the Head of Planning and Economic Development on a full planning application for variation of condition 21 of planning consent 08/0734/FL to allow use of standard road signs and bollards instead of variable message signs at Grassyards, A719, Waterside.

Craig Iles, Principal Planning Officer, reported that one letter of objection 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: Refusal for the reasons detailed in the report.

4.3 Planning Hearing

The Committee heard Lillian Meikle in support of the objections of Moscow and Waterside Community Council.

The Committee then heard Jack Steven, the applicant's representative in support of the application.

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

The Chair closed the Hearing.

4.4 Determination of Application

Craig Iles, Principal Planning Officer, provided clarification on points raised during the Hearing.

Councillor Tom Cook, seconded by Councillor John MacKay moved that the application be refused for the reasons detailed in the report.

Councillor Alan Brown, seconded by Councillor Robert Keohone moved as an amendment that the application be approved subject to the addition of a condition to include a variable message warning sign southbound and to appropriate signage as required by the Roads Division northbound: Reason in the interests of road safety and to highlight the potential speeding issue and the junction arrangement ahead.

Councillor Stuart Finlayson, seconded by Councillor John Knapp, moved as an alternative amendment that the application be approved.

On a division by a show of hands there voted 2 for the motion, 6 for the amendment, and 2 for the alternative amendment.

The amendment by Councillor Alan Brown, seconded by Councillor Robert Keohone, having received the support of a majority of the Members taking part in the vote was declared to be the decision of the meeting.

Provost Stephanie Young left the meeting at this point.

5. APPLICATION NO 09/0173/FL: PB PROPERTIES LTD: 25 RIGG STREET, STEWARTON

There was submitted an executive summary sheet and report dated 10 June 2009 (circulated) by the Head of Planning and Economic Development on a full planning application for proposed change of use of commercial shed to proposed car wash/valet service and tyre/exhaust change unit at 25 Rigg Street, Stewarton.

5.1 Consideration of Item

Craig Iles, Principal Planning Officer, reported an amendment to page 89, paragraph 2.2 to show that the applicant's proposed hours of operation of the business were 8am to 5pm Monday to Saturday and 9am to 5pm on Sundays; reported that one letter of objection and a petition of objections with 15 signatures 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.

5.2 Planning Hearing

The Committee heard Mrs McKie in support of her objection.

The Committee heard Mr Brown, 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

Craig Iles, Principal Planning Officer, provided clarification on the points raised during the Hearing.

Councillor John Knapp, seconded by Councillor Stuart Finlayson, moved that the application be approved subject to the conditions and for the reasons detailed in the report.

Councillor John McGhee, 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 but that condition (1) be amended to restrict the hours of operation to 1000 hours – 1400 hours on Sundays: Reason, viz:- in the interest of residential amenity.

On a division by a show of hands the motion was carried by 7 votes to 3.

Councillors John MacKay, John Campbell, Jim Todd and Stuart Finlayson left the meeting at this point.

PRESENTATION

6. E-PLANNING

The Committee received a joint presentation from the Development Management Manager and the Technical Support Manager on the Scottish Government's recommended introduction of e-planning as it affected East Ayrshire Council.

The Development Management Manager advised that Members would be issued information on the e-planning process in the form of a guidance document and a DVD to highlight the advice given during the presentation.

Councillors Robert Keohone and Gordon Cree left the meeting during this item.

The meeting terminated at 1640 hours.