

EAST AYRSHIRE COUNCIL

NORTHERN LOCAL PLANNING COMMITTEE

MINUTES OF MEETING HELD ON FRIDAY 9 SEPTEMBER 2011 AT 1000 HOURS IN THE COUNCIL CHAMBERS, COUNCIL HEADQUARTERS, LONDON ROAD, KILMARNOCK

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

ATTENDING: Hugh Melvin, Acting Development Management Manager; Fiona Finlay, Principal Planning Officer; Craig Young, Team Leader, Litigation and Advice; Mark Scott, Traffic Engineer; and Jennifer Morrison, Administrative Officer.

APOLOGIES: Councillors Jim Buchanan, Hugh Ross, Jim Todd, Robert McDill and Provost Stephanie Young.

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 01/0859/OL: MRS DIANE FRASER: DRAFFEN EAST, STEWARTON**

There was submitted an executive summary sheet and report dated 30 August 2011 (both circulated) by the Head of Planning and Economic Development on an application for outline planning permission for proposed residential development at Draffen East, Stewarton.

2.1 Consideration of Item

Fiona Finlay, Principal Planning Officer; reported the receipt of 40 letters of objection from 36 signatories, details of which were summarised within the report; reported that condition (16) read condition (14) on page 21 of 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 but that the issue of the Decision Notice be withheld until the Solicitor to the Council has satisfactorily concluded a formal agreement under Section 75 of the Town and Country Planning (Scotland) Act 1997 with the applicants in respect of the matters detailed in paragraphs 5.7 and 7.1 of the report.

2.2 Planning Hearing

The Committee heard Scott Saunders in respect of his own objections and those of Michelle Barnett, John and Gillian McDowell, Kirsteen and Ian Murray, Cheryl and David Graham, Abigail Heaton, Yvonne Wallace and Mr Laurie Pollacchi.

Members of the Committee asked questions of the objector.

The Committee then heard Andrew Bennie 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.

2.3 Determination of Application

Fiona Finlay, Principal Planning Officer; Mark Scott, Traffic Engineer and Craig Young, Team Leader, Litigation and Advice provided clarification on points raised during the Hearing.

Councillor Alan Brown, seconded by Councillor Iain Linton moved that the application be approved subject to the conditions and for the reasons detailed in the report, subject to an amendment to Condition (11) to restrict hours of construction activity on the site to 8am-5pm Monday-Friday, 8am-1pm on Saturday and with no construction work taking place on Sundays; and to the following additional condition (15) requiring construction traffic and works vehicles to be parked within the application site boundaries for the duration of all construction works on site - Reason - in the interests of the surrounding area; and subject to the addition of a further Advisory Note (4) that the applicant take cognisance of the boundary issues associated with this site and to give consideration to these when developing the site, having regard to the different levels on this site and neighbouring sites, and to satisfy themselves of the ground stability of the site. Furthermore the issue of the Decision Notice be withheld until the Solicitor to the Council has satisfactorily concluded a formal agreement under 75 of the Town and Country Planning (Scotland) Act 1997 with the applicants in respect of the matters detailed in paragraphs 5.7 and 7.1 of the report.

Councillor John McGhee, seconded by Councillor John Mackay moved as an amendment that the application be refused on the grounds that it was detrimental to local amenity.

On a division by a show of hands, the motion was carried by 9 votes to 4.

Councillor Douglas Reid left the meeting at this point.

3. APPLICATION NO 10/0955/PP: CLOWES DEVELOPMENTS (SCOTLAND) LIMITED: FORMER STODDART CARPET FACTORY, BARBADOES ROAD, KILMARNOCK

There was submitted an executive summary sheet and report dated 29 August 2011 (both circulated) by the Head of Planning and Economic Development on an application for planning permission for the erection of 68 dwellingshouses and associated works at former Stoddart Carpet Factory, Barbadoes Road, Kilmarnock.

3.1 Consideration of Item

Fiona Finlay, Principal Planning Officer; reported the receipt of 20 letters of objection, details of which were summarised 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 reasons detailed in the report but that the consent be withheld until

the developer contribution under Policy RES29 and the payment proposed towards a scheme of traffic calming is received by the Council.

3.2 Planning Hearing

The Committee heard June Howie in support of the objections of Peter Murray and Anne McAndrew in support of her objections.

Members of the Committee asked questions of the objectors.

The Committee then heard Gordon Arthur and David Harrold, 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.

3.3 Determination of Application

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

Councillor Iain Linton seconded by Councillor Tom Cook moved to continue the application to a future meeting as they wished to see more detail and information with regard to the Traffic Management Plan, including the works programmed by Scottish Water to the country road which they owned, and which was also being proposed as the main construction vehicle access to the site.

Councillor Gordon Cree seconded by Councillor John McGhee moved as an amendment that the application be approved as they were satisfied that the details of the Traffic Management Plan and the Section 96 Agreement would be dealt with by the Head of Roads and Transportation.

On a division by a show of hands, the motion was carried by 8 votes to 6.

ADJOURNMENT/RECONVENTION OF MEETING

4. The Meeting adjourned at 1220 hours and reconvened at 1228 hours. Councillors John McGhee, Iain Linton and Gordon Cree left the meeting during the adjournment. Councillor Douglas Reid rejoined the meeting during the adjournment.

5. APPLICATION NO 10/0918/PPP: HALLAM LAND MANAGEMENT LIMITED: LAND AT NORTHCRAIGS, KILMARNOCK

There was submitted an executive summary sheet and report dated 22 August 2011 (both circulated) by the Head of Planning and Economic Development on an application for planning permission in principle for proposed change of use from agricultural to class 4 business use forming an extension to existing business park with associated means of access, landscaping and ancillary works at land at Northcraigs, Kilmarnock.

5.1 Consideration of Item

Hugh Melvin, Acting Development Management Manager reported the receipt of 16 letters of objection, 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 Andrew McKeen in support of his own objections and those of Southcraigs and Dean Community Council.

Members of the Committee asked questions of the objector.

The Committee then heard Scott Mackay 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, Acting Development Management Manager; Craig Young, Team Leader, Litigation and Advice and Mark Scott, Traffic Engineer provided clarification on points raised during the Hearing.

Councillor Alan Brown seconded by Councillor Douglas Reid moved that the application be approved subject to the conditions and for the reasons detailed in the report.

Councillor Stuart Finlayson, seconded by Councillor Maureen McKay moved that the application be referred to Council with a recommendation of refusal on the grounds of road safety issues.

On a division by a show of hands, the motion was carried by 9 votes to 3.

6. APPLICATION NO 10/0917/PPP: HALLAM LAND MANAGEMENT LIMITED: LAND AT SOUTHCRAIGS DRIVE, KILMARNOCK

There was submitted an executive summary sheet and report dated 22 August 2011 (both circulated) by the Head of Planning and Economic Development on an application for planning permission in principle for proposed change of use from agricultural to residential use incorporating a means of access, open space landscaping and associated works at land at Southcraigs Drive, Kilmarnock.

6.1 Consideration of Item

Hugh Melvin, Acting Development Management Manager; reported the receipt of 15 letters of objections, details of which were contained within the report; reported an amendment to the report to show that as there was a right of way from Southcraigs to Northcraigs Farm which lay within the application site, an alternative route for the said right of way would require to be sought during construction to ensure public safety. An amendment to condition (3) was therefore suggested as follows: addition of new sub-paragraph (j) to read '(j) details of measures to retain, amend and provide for alternative routes as necessary in relation to the existing Right of Way which passes through the application site. The details shall provide for appropriate linkages into the new path network proposed within the masterplan document for the site'; 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, and reasons detailed in the report but that the issue of the Decision Notice be withheld until the Solicitor to the Council has

satisfactorily concluded a formal agreement under Section 75 of the Town and Country Planning (Scotland) Act 1997 with the applicants in respect of the matters detailed in paragraphs 5.6, 7.1 and 7.2 of the report.

6.2 Planning Hearing

The Committee heard Andrew McKeen in support of his own objections and those of Southcraigs and Dean Community Council in support of their objections.

Members of the Committee asked questions of the objector.

The Committee then heard Scott MacKay 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.

6.3 Determination of Application

Hugh Melvin, Acting Development Management Manager and Mark Scott, Traffic Engineer provided clarification on points raised during the Hearing.

It was agreed to grant the application subject to the conditions, as amended, and for the reasons detailed in the report with an additional condition that the SUDS System be constructed to adoptable standards, but that the issue of the decision notice be withheld until the Solicitor to the Council has satisfactorily concluded a formal agreement under Section 75 of the Town and Country Planning (Scotland) Act 1997 with the applicants in respect of the matters detailed in paragraphs 5.6, 7.1 and 7.2 of the report.

Councillor Helen Coffey left the meeting during this item and did not take part in the decision.

The meeting terminated at 1425 hours.