

**EAST AYRSHIRE COUNCIL**

**DEVELOPMENT SERVICES COMMITTEE - SITTING AS A PLANNING  
COMMITTEE**

**MINUTES OF MEETING HELD ON WEDNESDAY 8 MARCH 2006 AT 1400  
HOURS IN THE MEETING ROOM, COUNCIL HEADQUARTERS, LONDON  
ROAD, KILMARNOCK**

**PRESENT:** Councillors Eric Ross, John McGhee, Brian Reeves, Douglas Reid, Drew McIntyre, John Campbell, Ray Murray, Stuart Finlayson, Robert McDill, George Smith, Jimmy Kelly, Elaine Dinwoodie and Jimmy Carmichael.

**ATTENDING:** David Mitchell, Head of Administrative and Legal Services; Alan Neish, Head of Planning, Development and Building Standards; Hugh Melvin, Principal Planning Officer; and Robert Beaton, Administrative Officer.

**APOLOGIES:** Councillors Maureen McKay, Jim O'Neill, Stephanie Young, Isabella Macrae, Iain Linton, Eric Jackson and Tommy Farrell.

**CHAIR:** Councillor Eric Ross, Chair.

**HEARING PROCEDURE**

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

**CONSIDERATION OF APPLICATIONS**

2. **APPLICATION NO 05/1241/FL: PROPOSED RE-CONFIGURATION AND EXTENSION OF MAUCHLINE PRIMARY SCHOOL TO PROVIDE A PRIMARY SCHOOL, NURSERY AND COMMUNITY FACILITIES AT MAUCHLINE PRIMARY SCHOOL, THE LOAN, MAUCHLINE BY FIRST CLASS SCHOOLS**

There was submitted an executive summary sheet and report dated 23 February 2006 (both circulated) by the Head of Planning, Development and Building Standards on a full planning application for the proposed re-configuration and extension of Mauchline Primary School to provide a primary school, nursery and community facilities at Mauchline Primary School, The Loan, Mauchline.

**2.1 Consideration of Item**

The Head of Planning, Development and Building Standards reported that four letters of objection with five signatories had been received, details of which were contained within the report; summarised the planning considerations in respect of the application; and gave the recommendation, viz:- Approval, subject to the conditions, and for the reasons, as detailed in the report; and subject to notification of the application to the Scottish Ministers under the Town and Country Planning (Notification of Applications) (Scotland) Direction 1997.

**2.2 Planning Hearing**

The Committee then heard Jackie Bingham and Marion Bingham, in support of their objections. Members of the Committee asked questions of the objectors, all in accordance with the agreed Hearing Procedure.

The Committee then heard Brian Mumford, representing the applicant, in support of the application.

The Chair closed the Hearing.

### **2.3 Determination of Application**

Councillor Smith, seconded by Councillor Ross, moved that the application be approved subject to a condition regarding the redesign of the new access and vehicular drop-off points to serve the school.

Councillor Kelly, seconded by Councillor Reeves, moved as an amendment that the application be approved, subject to the conditions, and for the reasons, detailed in the report; and that the application be notified to Scottish Ministers under the Town and Country Planning (Notification of Applications) (Scotland) Direction 1997.

On a division by a show of hands, the amendment was carried by 7 votes to 6.

Councillor Reid left the meeting at this point.

### **3. PROPOSED ERECTION OF 95 WIND TURBINES AND ASSOCIATED WORKS COMPRISING PERMANENT MONITORING MASTS, BORROW PITS, TEMPORARY SITE COMPOUNDS, CONCRETE BATCHING PLANT, ELECTRICAL SUB-STATIONS, FORMATION OF INTERNAL ACCESS ROADS AND NEW SITE ACCESS, UPGRADING OF EXISTING ROADS AND CONSTRUCTION OF CONTROL BUILDING AT KYLE FOREST, NEAR DALMELLINGTON BY AMEC PROJECT INVESTMENTS LIMITED**

There was submitted a report dated 28 February 2006 (circulated) by the Head of Planning, Development and Building Standards which advised of an application made under Section 36 of the Electricity Act 1989 for a proposed wind farm development at Kyle Forest, near Dalmellington, and for the Committee to take a formal view on the proposed development.

On the recommendation of the Head of Administrative and Legal Services it was agreed to circulate a letter from AMEC Project Investments Limited dated 7 March 2006.

Having heard the Head of Planning, Development and Building Standards, Councillor Carmichael, seconded by Councillor Finlayson, moved that the Council offer no objections, as in their view, the project was in accordance with the Scottish Executive's renewable energy policy, and consequently, the benefits of the project outweighed any dis-benefit to the local environment, as generating electricity by wind power was preferred over nuclear power.

Councillor Smith, seconded by Councillor Kelly, moved as an amendment (i) that the Council formally objects to the proposed development on the following grounds:- (a) the Council considers that the proposed development would result in significant skyline disruption from most locally important vantage points and would, therefore, be contrary to provisions of Policy E1(E) of the approved Ayrshire Joint Structure Plan; (b) the Council considers that the proposed Kyle development would cause unacceptable cumulative landscape and visual impacts on the wider landscape within which the development is located, taking cognisance of wind farm development (existing and proposed) and existing opencast coal extraction developments in the same locality: The proposal is, therefore, considered to be contrary to the provisions of Policy E10(B) and 11(B) of the approved Ayrshire Joint

Structure Plan; (c) the proposed Kyle development, although not lying within a Sensitive Landscape Character Area, will be situated very close to the boundary of that designated area which extends along the Doon Valley to Loch Doon. The cumulative visual impact of the proposed wind farm with the existing and proposed turbines at Windy Standard would erode the natural beauty of the designated area through the stringing of turbines across valued panoramas; (d) the proposed Kyle development does not fall within the Preferred Areas of Search as identified within the Key Diagram of the Finalised Ayrshire Joint Structure Plan 2006 and the proposal would, therefore, not conform to the provisions of Policy ECON7(A) which directs large scale wind farm developments to these areas of search which have been identified primarily on landscape capacity assessment and as areas with transmission grid access; (ii) that the Council expresses its strong concerns to the Scottish Ministers that the scale of the proposed Kyle development, in providing a generating capacity would meet one sixth of the Scottish Executive's renewable energy 2010 target, places a disproportionate burden on the local communities in East Ayrshire in satisfying the energy needs of the wider community. This is of particular relevance when considering the contribution already made by East Ayrshire in terms of existing renewable energy production and also in terms of the contribution through the production of opencast coal with consented reserves being greater than that of any Local Authority area in the UK; (iii) that a copy of this report be forwarded to the Scottish Ministers as presenting this Council's formal response to the consultation on the Section 36 application for the Kyle Wind Farm development in terms of the Electricity Act 1989; and (iv) in the event that the Scottish Ministers are minded to grant consent for the Kyle Wind Farm development, the Council would respectfully request that the conditions listed in Appendix I of the report are incorporated in any consent granted or secured by means of a Section 75 Agreement in terms of the Town and Country Planning Act 1997.

On a division by a show of hands, the amendment was carried by 10 votes to 2.

The meeting terminated at 1507 hours.