

EAST AYRSHIRE COUNCIL

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

**MINUTES OF MEETING HELD ON WEDNESDAY 7 FEBRUARY 2007 AT 1400
HOURS IN THE MEETING ROOM, COUNCIL HEADQUARTERS, LONDON
ROAD, KILMARNOCK**

PRESENT: Councillors Eric Ross, Brian Reeves, Douglas Reid, Iain Linton, John Campbell, Stuart Finlayson, Robert McDill, Jimmy Kelly and Tommy Farrell.

ATTENDING: Alan Neish, Head of Planning, Development and Building Standards; John McRobert, Principal Roads Engineer; Kerr Chalmers, Senior Roads Engineer; Barry Douglas, Senior Planning Officer; Peter Hessel, Team Leader - Litigation and Advice; and Stuart Nelson, Administrative Officer.

APOLOGIES: Councillors Maureen McKay, Jim O'Neill, John McGhee, Stephanie Young, Drew McIntyre, Isabella Macrae, Ray Murray, Eric Jackson, George Smith, Elaine Dinwoodie and Jimmy Carmichael.

CHAIR: Councillor Eric Ross, Chair.

HEARING PROCEDURE

1. The Administrative Officer established that the Hearing Procedure was understood by all participants (circulated).
2. **APPLICATION NO 06/0686/FL: ERECTION OF 199 RESIDENTIAL UNITS WITH ASSOCIATED LANDSCAPING, OPEN SPACE, ACCESS ARRANGEMENTS AND FLOOD DEFENCE WORKS AT STODDARD CARPET FACTORY, BARBADOES ROAD, KILMARNOCK BY FM DEVELOPMENTS LTD**

There was submitted an executive summary sheet and report dated 29 January 2007 (both circulated) by the Head of Planning, Development and Building Standards on a full planning application for the proposed erection of 199 residential units with associated landscaping, open space, access arrangements and flood defence works at the former Stoddard Carpet Factory, Barbadoes Road, Kilmarnock.

2.1 Consideration of Item

The Head of Planning, Development and Building Standards reported that 78 objections had been received in respect of this application details of which were contained in the report; summarised the planning considerations in respect of the application; and gave the recommendation: Approval subject (i) to the conditions, and for the reasons, detailed in the report: (ii) to notification of the Scottish Ministers under the Town and Country Planning (Notification of Applications) (Scotland) Direction; and (iii) to the issue of the Planning Decision Notice being withheld until the Solicitor to the Council had satisfactorily concluded a Section 75 Agreement with the applicant regarding the matters referred to in Section 7.2 of the report.

2.2 Planning Hearing

The Committee heard Mr Robert Faulds, in support of his objections and the objections submitted by a number of other residents of Blackwood Avenue,

Kilmarnock; and Mr B Gillespie, Mr Peter Morton and Mr Colin Urie in support of their own objections. Members of the Committee asked questions of Mr Faulds, Mr Gillespie and Mr Urie, who responded to issues raised, all in accordance with the agreed Hearing Procedure.

The Committee then heard Mr Mark Russell, agent for the applicant, in support of the application. Members of the Committee asked questions of the applicant's representative, and also Mr Anthony Duthie, applicant, who responded to the issues raised, all in accordance with the agreed Hearing Procedure.

The Chair closed the Hearing.

2.3 Determination of Application

It was agreed to continue consideration of this application to a future meeting in order to enable the Head of Planning, Development and Building Standards to consult with the applicant regarding possible amendment to the application to incorporate a second vehicular access to the proposed residential development.

Councillor Linton left the meeting at this point.

3. APPLICATION NO 06/1084/LA: CHANGE OF USE OF PART OF OPEN SPACE TO FORM CAR PARK AT GROUGAR ROAD, CROOKEDHOLM BY EAST AYRSHIRE COUNCIL, ROADS AND TRANSPORTATION DIVISION

There was submitted an executive summary sheet and report dated 29 January 2007 (circulated) by the Head of Planning, Development and Building Standards on an application for the proposed change of use of part of an open space to form a car park at Grougar Road, Crookedholm.

3.1 Consideration of Item

The Head of Planning, Development and Building Standards reported that four letters of objection from six parties had been received, details of which were contained within the report; summarised the planning considerations in respect of the application; advised of amendment to Section 2.1 of the Executive Summary Sheet to reflect the recommendation as detailed in Section 9.1 of the report, and of amendments to Section 6.5 of the report to indicate that while it was acknowledged that the proposal would have an impact on the amenity of the area, this was not considered to be significantly detrimental and should be weighed against the benefits of the proposal in terms of alleviating on street parking and traffic congestion and enhancing road safety at the location concerned; and gave the recommendation: that the Notice of Intention to Develop be submitted to Scottish Ministers in accordance with the Development by Planning Authorities Regulations 1981 – 1984 on the basis that the proposal was considered to be acceptable subject to the condition, and for the reason, detailed in the report.

3.2 Planning Hearing

The Committee heard Mr A Meenaghan, objector in support of his objections.

The Committee then heard Mr Neil Bell, representing the applicant, in support of the application. Members of the Committee asked questions of the applicant's representative who responded to the issues raised, all in accordance with the agreed Hearing Procedure.

The Chair closed the Hearing.

3.3 Determination of Application

It was agreed that the Notice of Intention to Develop be submitted to Scottish Ministers in accordance with the Development by Planning Authorities Regulations 1981-1984 on the basis that the proposal was considered to be acceptable, subject to the condition, and for the reason, detailed in the report.

The meeting terminated at 1542 hours.