

EAST AYRSHIRE COUNCIL

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

**MINUTES OF MEETING HELD ON TUESDAY 9 JANUARY 2007 AT 1400 HOURS
IN THE MEETING ROOM, COUNCIL HEADQUARTERS, LONDON ROAD,
KILMARNOCK**

PRESENT: Eric Ross, Jim O'Neill, John McGhee, John Weir, Drew McIntyre, Isabella Macrae, John Campbell, Ray Murray, Stuart Finlayson, Robert McDill, Jimmy Kelly and Tommy Farrell.

ATTENDING: Alan Neish, Head of Planning, Development and Building Standards; Peter Hessett, Team Leader, Litigation and Advice; and Christine Baillie, Administrative Officer.

APOLOGIES: Councillors Maureen McKay, Stephanie Young, Brian Reeves, Douglas Reid, Iain Linton, Eric Jackson, George Smith and Elaine Dinwoodie.

CHAIR: Councillor Eric Ross, Chair.

HEARING PROCEDURE

1. The Administrative Officer established that the Hearing Procedure was understood by all participants (circulated).
2. **DECISION OF THE SOUTHERN LOCAL PLANNING COMMITTEE HELD ON 1 DECEMBER 2006 RELATING TO PLANNING APPLICATION NO 06/0833/OL: PROPOSED ERECTION OF TWO DWELLINGHOUSES AND GARAGES ON LAND AT CROSSHILL WOOD, SKARES BY MR JOHN CAMPBELL (Item 3, Page 2579, 03/07)**

There was submitted a report dated 4 December 2006 (circulated) by the Depute Chief Executive/Executive Director of Corporate Support which informed the Committee of the decision of the Southern Local Planning Committee held on 1 December 2006 which related to the above planning application, together with an executive summary sheet and report dated 17 November 2006 (both circulated) by the Head of Planning, Development and Building Standards which presented for determination an outline planning application for the proposed erection of two dwellinghouses and garages at Crosshill Wood, Skares.

2.1 Consideration of Application

The Head of Planning, Development and Building Standards reported that, following discussion with the applicant, the Acting Head of Roads and Transportation was now satisfied that the minimum visibility requirements could now be achieved at the point of access and that, therefore, the objections, as detailed in Paragraph 3.1 of the report, had now been withdrawn; that two letters of objection had been received, details of which were contained within the report; summarised the planning considerations in respect of the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, Development and Building Standards: Refusal, for the reasons detailed in the report.

2.2 Planning Hearing

The Committee then heard Mr Richardson on behalf of his own objections and Mr Corson on behalf of the objections submitted by Ochiltree Community Council. Members of the Committee asked questions of the objectors.

The Committee then heard Mr Campbell, applicant, in support of the application.

2.3 Adjournment/Reconvention of Meeting

Following a request from Mr Campbell to circulate, for illustrative purposes only, photographs of the site, it was agreed to adjourn the meeting at 1421 hours to allow the objectors to have sight of the photographs.

The meeting reconvened at 1430 hours with the same Members and Officers present and in attendance.

The photographs were then circulated to Members of the Committee, the objectors having intimated that they had no objections.

2.4 Planning Hearing Continued

The Committee then heard Mr Campbell, applicant, in support of his application. Members of the Committee asked questions of the applicant.

The Committee then again heard from Mr Richardson who spoke on his own behalf and also on behalf of Mr Corson who was representing Ochiltree Community Council, who had been given an opportunity to respond to the photographs circulated.

The Chair closed the Hearing.

2.5 Determination of Application

It was agreed to approve the application as the proposed development would represent an acceptable departure from the Development Plan since it would contribute to the sustainability of the wider local community; and to remit to the Head of Planning, Development and Building Standards to attach appropriate conditions to the consent.

3. DECISION OF THE CENTRAL LOCAL PLANNING COMMITTEE HELD ON 8 DECEMBER 2006 RELATING TO PLANNING APPLICATION NO 06/0546/OL: PROPOSED RESIDENTIAL DEVELOPMENT AT LAND AT SAMSON AVENUE, KILMARNOCK BY 21ST AYRSHIRE SCOUTS (Item 6, Page 2591, 03/07)

There was submitted a report dated 19 December 2006 (circulated) by the Depute Chief Executive/Executive Director of Corporate Support which informed the Committee of the decision of the Central Local Planning Committee held on 8 December 2006 regarding the above planning application and an executive summary sheet and report dated 27 November 2006 (both circulated) by the Head of Planning, Development and Building Standards which presented for determination an outline planning application for proposed residential development at land at Samson Avenue, Kilmarnock, by 21st Ayrshire Scouts.

The Head of Planning, Development and Building Standards reported that no letters of objection had been received; summarised the planning considerations in respect of the application; and gave the recommendation of the Head of Planning, Development and Building Standards: Refusal, for the reasons detailed in the report.

It was agreed to approve the application on the grounds that the proposed development was acceptable subject to the proposal being designated to accommodate the existing culvert and given the fact that, notwithstanding the flooding issue, another development had recently been approved in the area; and to remit to the Head of Planning, Development and Building Standards to attach appropriate conditions to the consent and to advise the applicant that cognisance should be taken of the potential flooding risk.

4. APPLICATION NO 06/1024/OL: RESIDENTIAL DEVELOPMENT IN OUTLINE AT SITE OFF B7081 AT THORNTOUN ESTATE, CROSSHOUSE BY BRAEHEAD FOODS

There was submitted a report dated 3 January 2007 (circulated) by the Head of Planning, Development and Building Standards which presented for determination an outline planning application for the development of ten houses in the countryside outwith the settlement boundary. The application required to be considered by the Development Services Committee in terms of the Scheme of Delegation as the proposed development would constitute a significant departure from the Development Plan and, if approved, would require notification to the Scottish Ministers under the Town and Country Planning (Notification of Applications) (Scotland) Direction 1997.

The Head of Planning, Development and Building Standards reported that no letters of objection had been received; summarised the planning considerations in respect of the application; and gave the recommendation of the Head of Planning, Development and Building Standards: Approval, subject to notification to the Scottish Ministers under the Town and Country Planning (Notification of Applications) (Scotland) Direction 1997 and subject to the conditions detailed in the report, but that any Decision Notice not be issued until the Solicitor to the Council had concluded an agreement with the applicant under Section 75 of the Town and Country Planning (Scotland) Act 1997 to secure the points identified within Section 7 of the report.

It was agreed to approve the application in accordance with the recommendation of the Head of Planning, Development and Building Standards as detailed above and that when the Reserved Matters application is to be considered then it be submitted to the appropriate Local Planning Committee for consideration.

5. APPLICATION NO 06/1030/OL: PROPOSED ERECTION OF INDUSTRIAL UNIT FOR FOOD PROCESSING AT PLOT 7, MOORFIELD NORTH INDUSTRIAL ESTATE, KILMARNOCK BY BRAEHEAD FOODS

There was submitted a report dated 3 January 2007 (circulated) by the Head of Planning, Development and Building Standards which presented for determination an outline planning application to be considered by the Development Services Committee under the Scheme of Delegation as it was economically linked to planning application 06/1024/OL for residential development at a site at Thorntoun Estate, Crosshouse, which lay outwith the settlement boundary in the Rural Protection Area.

The Head of Planning, Development and Building Standards reported that no letters of objection had been received; summarised the planning considerations in respect of the application; and gave the recommendation of the Head of Planning, Development and Building Standards: Approval, subject to the conditions detailed in

the report, but that any Decision Notice not be issued until the Solicitor to the Council had concluded an agreement with the applicant under Section 75 of the Town and Country Planning (Scotland) Act 1997 to secure the points identified within Section 7 of the report.

It was agreed to approve the application in accordance with the recommendation of the Head of Planning, Development and Building Standards as detailed above.

The meeting terminated at 1520 hours.