

**EAST AYRSHIRE COUNCIL**

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

**MINUTES OF MEETING HELD ON TUESDAY 24 SEPTEMBER 2002 AT 1000  
HOURS IN THE MEETING ROOM, COUNCIL HEADQUARTERS, LONDON ROAD,  
KILMARNOCK**

**PRESENT:** Councillors Eric Ross, Stephanie Young, Daniel Coffey, Douglas Reid, Drew McIntyre, John Knapp, Eric Jackson, George Smith, Jimmy Kelly, Tommy Farrell, Provost Jimmy Boyd and Councillors Elaine Stewart and Jimmy Carmichael.

**ATTENDING:** David Montgomery, Chief Executive; Stephen Chorley, Director of Development Services; Alan Neish, Head of Planning and Building Control; Karen McLeod, Solicitor; Craig Isles, Planning Officer; Avril Forrest, Solicitor; and Robert Beaton, Administrative Officer.

**APOLOGIES:** Councillors Lilian MacLean, Harry Wilson, Iain Linton, Jim Raymond, Finlay MacLean, Robert McDill and Julie Faulds.

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

**HEARING PROCEDURE**

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

**CONSIDERATION OF APPLICATIONS**

2. **APPLICATION NO 01/0502/OL: PROPOSED DEVELOPMENT OF LAND FOR RESIDENTIAL PURPOSES AT HANNAHSTON, DRONGAN BY ATH RESOURCES**

There was submitted an executive summary sheet and report dated 13 September 2002 (both circulated) by the Director of Development Services for application no 01/0502/OL: Proposed development of land for residential purposes at Hannahston, Drongan.

**2.1 Declaration of Interest**

Councillor Jackson declared an indirect pecuniary interest in this item.

**2.2 Consideration of Item**

The Head of Planning and Building Control reported that 3 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 and Building Control: (i) Approval, subject to the conditions and for the reasons, detailed in the report; (ii) that the issuing of the Planning Decision Notice be withheld until the application had been formally notified to and had been cleared by the Scottish Ministers in terms of the Town and Country Planning (Notification of Applications) (Scotland) Direction 1997 (As Amended); and (iii) that the issuing of the Planning Decision Notice be withheld until the Solicitor to the Council had formally concluded a satisfactory agreement under Section 75 of the Town and Country Planning (Scotland) Act 1997 with the applicant, in respect of the matters described in Section 8.7 of the report.

No Hearing took place as the objectors were not present or represented.

### **2.3 Determination of Application No 01/0502/OL**

It was agreed that the application be approved subject to (i) the conditions, and for the reasons, detailed in the report; (ii) the issuing of the Planning Decision Notice being withheld until the application had been formally notified to and had been cleared by the Scottish Ministers in terms of the Town and Country Planning (Notification of Applications) (Scotland) Direction 1997 (As Amended); and (iii) the issuing of the Planning Decision Notice being withheld until the Solicitor to the Council had formally concluded a satisfactory agreement under Section 75 of the Town and Country Planning (Scotland) Act 1997 with the applicant, in respect of the matters described in Section 8.7 of the report.

### **3. APPLICATION NO 02/0299/LA: PROPOSED FORMATION OF EMBANKMENTS AND SHEET PILE WALL ON BOTH BANKS OF RIVER IRVINE FROM HURLFORD BRIDGE UPSTREAM, HURLFORD, BY HEAD OF ROADS AND TRANSPORTATION, EAST AYRSHIRE COUNCIL**

There was submitted an executive summary sheet and report dated 13 September 2002 (both circulated) by the Director of Development Services for application no 02/0299/LA: Proposed formation of embankments and sheet pile wall on both banks of River Irvine from Hurlford Bridge upstream, Hurlford.

#### **3.1 Consideration of Item**

The Head of Planning and Building Control reported that 4 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 and Building Control: (i) that a Notice of Intention to Develop be forwarded to the Scottish Ministers in accordance with the Development by Planning Authorities Regulations 1981-1984; and (ii) that the development be subject to the conditions, and for the reasons, detailed in the report.

No Hearing took place as the objectors were not present or represented.

#### **3.2 Determination of Application No 02/0299/LA**

It was agreed:-

- (i) that a Notice of Intention to Develop be forwarded to the Scottish Ministers in accordance with the Development by Planning Authorities Regulations 1981-1984; and
- (ii) that the development be subject to the conditions, and for the reasons, detailed in the report.

### **4. APPLICATION NO 02/0300/LA: PROPOSED PROVISION OF EARTH EMBANKMENTS FOR ATTENUATION SCHEME AND CONSTRUCTION OF NEW ACCESS AT LAND BOUNDED BY A71/CESSNOCK TRIBUTARY/RIVER IRVINE AND ALL SEASONS SITE, HURLFORD BY HEAD OF ROADS AND TRANSPORTATION, EAST AYRSHIRE COUNCIL**

There was submitted an executive summary sheet and report dated 13 September 2002 (both circulated) by the Director of Development Services for application 02/0300/LA: Proposed provision of earth embankments for attenuation scheme and

construction of new access at land bounded by A71/Cessnock Tributary/River Irvine and All Seasons Site, Hurlford.

#### **4.1 Consideration of Item**

The Head of Planning and Building Control reported that 2 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 and Building Control: (i) that a Notice of Intention to Develop be forwarded to the Scottish Ministers in accordance with the Development by Planning Authorities Regulations 1981-1984; and (ii) that the development be subject to the conditions, and for the reasons, detailed in the report.

#### **4.2 Planning Hearing for Application No 02/0300/LA**

The Committee then heard Mr Fullarton on behalf of the River Irvine Angling Improvement Association in support of their objection and Mr J Kane and Mr J McRoberts on behalf of the applicant. Members asked questions of the objector, and of the applicant. The objector, and the applicant, responded to the issues raised, all in accordance with the Hearing Procedure.

The Chair closed the Hearing.

#### **4.3 Determination of Application No 02/0300/LA**

It was agreed:-

- (i) that a Notice of Intention to Develop be forwarded to the Scottish Ministers in accordance with the Development by Planning Authorities Regulations 1981-1984; and
- (ii) that the development be subject to the conditions and for the reasons, detailed in the report.

#### **5. APPLICATION NO 02/0301/LA: PROPOSED FORMATION OF BUNDS, SHEET PILES/CONCRETE WALLS INCLUDING RAISING HEIGHT OF OLD STREET BRIDGE AND CAMPBELL STREET BRIDGE PARAPETS, AT OLD STREET BRIDGE/CAMPBELL STREET BRIDGE, KILMARNOCK; APPLICATION NO 02/0302/LB: PROPOSED RAISING OF HEIGHT OF PARAPETS APPROXIMATELY 400MM AT OLD STREET BRIDGE, KILMARNOCK; AND APPLICATION NO 02/0303/LB: PROPOSED RAISING OF HEIGHT PARAPETS APPROX 420MM DOWNSTREAM AND 470MM UPSTREAM AT CAMPBELL STREET BRIDGE, KILMARNOCK BY HEAD OF ROADS AND TRANSPORTATION, EAST AYRSHIRE COUNCIL**

There was submitted an executive summary sheet and report dated 13 September 2002 (both circulated) by the Director of Development Services for application no 02/0301/LA: Proposed formation of bunds, sheet piles/concrete walls including raising height of Old Street Bridge and Campbell Street Bridge Parapets, at Old Street Bridge/Campbell Street Bridge, Kilmarnock; application no 02/0302/LB: Proposed raising of height of parapets approximately 400mm at Old Street Bridge, Kilmarnock; and application no 02/0303/LB: Proposed raising of height parapets approx 420mm downstream and 470mm upstream at Campbell Street Bridge, Kilmarnock.

## **5.1 Consideration of Item**

The Head of Planning and Building Control reported that one letter of objection had been received, details of which was contained within the report; summarised the planning considerations in respect of the application and gave the recommendation of the Head of Planning and Building Control: (i) that Notices of Intention to Develop be forwarded to the Scottish Ministers in accordance with the Development of Planning Authorities Regulations 1981-1984; (ii) that the developments be subject to the conditions and for the reasons, detailed in the report; and (iii) that an application for Listed Building consent be made to the Scottish Ministers under Section 73 of the Planning (Listed Building and Conservation Areas) (Scotland) Act 1997 in respect of Listed Building Application Nos 02/0303/LB and 02/0302/LB.

## **5.2 Planning Hearing for Application No 02/0301/LA**

The Chair having ascertained that the objection lodged by the River Irvine Angling Improvement Association as per Mr Fullarton was exactly the same as for application no 02/0300/LA as detailed in Paragraph 4.2 above, and having confirmed that the objector and the applicant had nothing further to add, the position was noted.

## **5.3 Determination of Application No 02/0301/LA; 02/0302/LB and 02/0303/LB**

It was agreed:-

- (i) that Notices of Intention to Develop be forwarded to the Scottish Ministers in accordance with the Development by Planning Authorities Regulations 1981-1984;
- (ii) that the developments be subject to the conditions and for the reasons, detailed in the report; and
- (iii) that an application for Listed Building Consent be made to the Scottish Ministers under Section 73 of the Planning (Listed Building and Conservation Areas) (Scotland) Act 1997 in respect of Listed Building Application Nos 02/0303/LB and 02/0302/LB.

The meeting terminated at 1024 hours.