

EAST AYRSHIRE COUNCIL

CENTRAL LOCAL PLANNING COMMITTEE

MINUTES OF SPECIAL MEETING HELD ON FRIDAY 1 AUGUST 2003 AT 1000 HOURS IN THE MEETING ROOM, COUNCIL HEADQUARTERS, LONDON ROAD, KILMARNOCK

PRESENT: Councillors Gordon Cree, Daniel Coffey, Willie Coffey, Douglas Reid, John Weir, Iain Linton, John Campbell, Ray Murray, Provost Jane Darnbrough and Councillor John Knapp.

ATTENDING: Pamela Clifford, Principal Planning Officer; Karen McLeod, Solicitor; Fiona Finlay, Planning Officer and Christine Baillie, Administrative Officer

APOLOGIES: Councillors Brian Reeves and Drew McIntyre

CHAIR: Councillor Gordon Cree, Chair

CONSIDERATION OF APPLICATIONS

HEARING PROCEDURE

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

2. **OVERVIEW REPORT RELATING TO PLANNING APPLICATIONS 03/0313/OL, 03/0434/OL AND 02/0992/FL AT MOORFIELD, KILMARNOCK**

There was submitted a report dated 23 July 2003 (circulated) by the Head of Planning and Building Control which provided an overview of issues which related to all three planning applications at Moorfield, Kilmarnock to be considered by the Local Planning Committee.

It was agreed to consider sections 3, 4 and 5 of the report in the determination of the three planning applications (03/0313/OL, 03/0434/OL and 02/0992/FL) before the Committee.

3. **APPLICATION NO 02/0992/FL: LAND IMPROVEMENT HOLDINGS PLC: MOORFIELD, B7064, KILMARNOCK**

There was submitted an executive summary sheet and report dated 22 July 2003 (both circulated) by the Head of Planning and Building Control presenting for determination a full planning application for a 4 arm roundabout to serve future development sites at Moorfield, Kilmarnock.

- 3.1 **Consideration of Item**

The Principal Planning Officer reported 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 and Building Control: Approval, subject to the conditions and for the reasons detailed in the report and that the issuing of the Planning Decision Notice be withheld until the Solicitor to the Council had satisfactorily concluded a formal agreement under Section 75 of the Town and Country Planning (Scotland) Act 1997

with the applicant in respect of the matters detailed in Section 5 of the Overview Report.

3.2 Planning Hearing

The Committee heard Mr Scott, in respect of his objection and Mr Jenkins, applicant in support of the application. Members asked questions of the objector and the applicant. The objector and the applicant responded to the issues raised, all in accordance with the Hearing procedure.

The Chair closed the Hearing.

3.3 Determination of Application

It was agreed to approve the application, subject to the conditions and for the reasons detailed in the report, and that the issuing of the Planning Decision Notice be withheld until the Solicitor to the Council had satisfactorily concluded a formal agreement under Section 75 of the Town and Country Planning (Scotland) Act 1997 with the applicant in respect of the matters detailed in Section 5 of the Overview Report.

4. APPLICATION NO 03/0313/OL: LAND IMPROVEMENT HOLDINGS PLC: LAND EAST OF MOORFIELD ROUNDABOUT, CROSSHOUSE ROAD, KILMARNOCK

There was submitted an executive summary sheet and report dated 22 July 2003 (both circulated) by the Head of Planning and Building Control presenting for determination an outline planning application for residential development and improved joint access at land east of Moorfield Roundabout, Crosshouse Road, Kilmarnock.

4.1 Consideration of Item

The Principal Planning Officer reported 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 and Building Control: Approval, subject to the conditions and for the reasons detailed in the report, and that the issuing of the Planning Decision Notice be withheld until the Solicitor to the Council had satisfactorily concluded a formal agreement under Section 75 of the Town and Country Planning (Scotland) Act 1997 with the applicant in respect of the matters detailed in Section 5 of the Overview Report.

4.2 Planning Hearing

The Committee heard Mr Ashbridge, in respect of his objection and Mr Jenkins, applicant, in support of the application. Members asked questions of the objector and 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

It was agreed to approve the application, subject to the conditions and for the reasons detailed in the report, and that the issuing of the Planning Decision Notice be withheld until the Solicitor to the Council had satisfactorily concluded a formal agreement under Section 75 of the Town and Country Planning (Scotland) Act 1997 with the applicant in respect of the matters detailed in Section 5 of the Overview

Report. It was also agreed that the Section 75 agreement would include the provision of lights, of an adoptable standard, to be erected on all pedestrian links.

5. APPLICATION NO 03/0434/OL: LAND IMPROVEMENT HOLDINGS PLC: LAND TO WEST OF CROSSHOUSE ROAD, MOORFIELD, KILMARNOCK

There was submitted an executive summary sheet and report dated 24 July 2003 (both circulated) by the Head of Planning and Building Control presenting for determination an outline planning application for industrial and business development at land to the west of Crosshouse Road, Moorfield, Kilmarnock.

5.1 Consideration of Item

The Principal Planning Officer reported 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 and Building Control: Approval, subject to the conditions and for the reasons detailed in the report, and that the issuing of the Planning Decision Notice be withheld until the Solicitor to the Council had satisfactorily concluded a formal agreement under Section 75 of the Town and Country Planning (Scotland) Act 1997 with the applicant in respect of the matters detailed in Section 5 of the Overview Report.

5.2 Planning Hearing

The Committee heard Mr Ashbridge, in respect of his objection, and Mr Jenkins the applicant, in support of the application. Members asked questions of the objector and the applicant. The objector and the applicant responded to the issues raised, all in accordance with the Hearing procedure.

The Chair closed the Hearing.

5.3 Determination of Application

It was agreed to approve the application, subject to the conditions and for the reasons detailed in the report and that the issuing of the Planning Decision Notice be withheld until the Solicitor to the Council had satisfactorily concluded a formal agreement under Section 75 of the Town and Country Planning (Scotland) Act 1997 with the applicant in respect of the matters detailed in Section 5 of the Overview Report.

6. APPLICATION NO 02/0692/FL: BILLY BOWIE SPECIAL PROJECTS LIMITED: MOORFIELD INDUSTRIAL ESTATE, KILMARNOCK

There was submitted an executive summary sheet and report dated 22 July 2003 (both circulated) by the Head of Planning and Building Control presenting for determination a full planning application for the erection of a waste transfer station incorporating waste reception area for storing/sorting of low hazardous solid waste and desludging ramp and skip for tankers at Moorfield Industrial Estate, Kilmarnock.

6.1 Consideration of Item

The Principal Planning Officer reported that six letters of objection had been received, the objection from Bonnyton Community Council having been withdrawn, 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: Approval, subject to the conditions and for the reasons detailed in the report.

6.2 Planning Hearing

The Committee heard Mr Ashbridge and Mrs Caldwell, in respect of their objections and Mr McCall and Mr Meldrum agents for the applicant, in support of the application. Members asked questions of the objectors and the agents for the applicant. The objectors and the agents for the applicant responded to the issues raised, all in accordance with the Hearing procedure.

The Chair closed the Hearing.

6.3 Determination of Application

Councillor Knapp joined the meeting at this point but took no part in the consideration or determination of this application.

Councillor Linton, seconded by Councillor Reid, moved that the application be refused on the grounds that the de-sludging process is not an industrial process and as such is a non-conforming use for an industrial estate contrary to Policy IND4 of the East Ayrshire Local Plan and there is a high probability that offensive odours arising from the proposed use taking place out-of-doors of the application site will have a detrimental effect on those living and working nearby.

Councillor Cree, seconded by Provost Darnbrough, moved as an amendment, that the application be approved subject to the conditions and for the reasons detailed in the report.

On a division by a show of hands, the motion was carried by 6 votes to 3.

The Meeting terminated at 1137 hours.