

**EAST AYRSHIRE COUNCIL**

**DEVELOPMENT SERVICES COMMITTEE**

**MINUTES OF MEETING HELD ON TUESDAY 3 AUGUST 1999 AT 1000 HOURS  
IN THE MEETING ROOM, COUNCIL HEADQUARTERS, LONDON ROAD,  
KILMARNOCK**

**PRESENT:** Councillors George Smith, Daniel Coffey, Willie Coffey, Douglas Reid, Drew McIntyre, Harry Wilson, John Knapp, Jim Raymond, Finlay MacLean, Eric Jackson, Jimmy Kelly, Julie Faulds, Robert Taylor and Jimmy Carmichael.

**ATTENDING:** Fiona Lees, Depute Chief Executive; Bill Stafford, Director of Community Services; Stephen Chorley, Director of Development Services; Bill Taylor, Head of Roads and Transportation; Bill Walkinshaw, Principal Administrative Officer; Keith Orton, Principal Engineer (Traffic); David Mitchell, Principal Solicitor; John Spooner, Business Development Manager; David Morris, Development Promotion Manager; Graham Kerr, Public Relations Officer; and Alex Hewetson, Administrative Officer.

**APOLOGIES:** Councillors Eric Ross, Stephanie Young, Iain Linton, Robert McDill, Tommy Farrell and Provost Jimmy Boyd.

**CHAIR:** Councillor George Smith, Chair.

**CONSIDERATION OF PLANNING APPLICATIONS**

**1.1 Declaration of Interest**

Councillor Jim Raymond declared a non-pecuniary interest in respect of the following Item 1.2 and left the meeting.

Councillor Douglas Reid joined the meeting.

**1.2 APPLICATION NO 99/0320/FL: BEAZER PARTNERSHIP HOMES**

There was submitted an Executive Summary Sheet and a report dated 15 July 1999 (circulated) by the Director of Development Services on a full planning application for proposed residential development of 29 houses with associated parking and landscaping at land at Lomond Avenue, Hurlford.

The Director of Development Services reported:-

- (i) that 4 letters of objection, with 5 signatories, and a letter of representation had been received, details of which were contained within the report;
- (ii) the receipt and content of a further letter of objection; and
- (iii) an additional recommendation, to read, viz:- `to request Beazer Partnership Homes to undertake, in conjunction with the Planning and Building Control Division and the Roads and Transportation Division, a consultative exercise on traffic calming measures, with representatives of the adjacent community.

The Director of Development Services summarised the planning considerations in respect of the application; and recommended:- That the application be approved subject to appropriate notification to the Secretary of State under the Notification of Applications (Scotland) Direction 1997 and subject to the following conditions, viz:- (1) The development to which this permission relates must be begun within five years

from the date of this permission; (2) The proposed development shall be carried out in accordance with the application form and plans submitted on 4 May 1999 as revised by the location plan and site layout plan received by the Planning Authority on 6 July 1999; (3) A landscaping scheme including the treatment of the boundary of the site/areas for public open space/play areas shall be submitted to and approved by the Planning Authority prior to commencement of any development and shall be implemented not later than the next appropriate planting season after the development has been carried out. The scheme shall include details of the provision to be made for the maintenance of soft and hard landscaped areas and shall be maintained thereafter in accordance with those details; (4) Notwithstanding the plan(s) hereby approved, details/samples of the external finishing materials to be used shall be submitted to and approved by the Planning Authority before any development commences on the site; (5) No houses shall be occupied until traffic calming measures are complete. Details of such measures shall be submitted to and approved by the Planning Authority prior to the commencement of development; (6) During the construction of housing on this site, the developer shall ensure that no mud or other materials is carried onto the public roads and any material which is carried onto such roads shall be swept from the road surface as it arises; (7) Details of fencing/enclosure of the site during the construction process shall be submitted to and approved prior to the commencement of development; (8) Notwithstanding the submitted plans, details of the design and construction of all fences and walls to be erected on the site shall be submitted to and approved by the Planning Authority before any development commences on the site; (9) That prior to the commencement of works on the site, the applicant shall satisfy himself as to the suitability of the site for construction purposes; (10) Notwithstanding the details submitted, prior to commencement of any works on site, alternative details of works and precautionary measures to be undertaken to the mine shaft shall be submitted to and approved by the Planning Authority. Such details as are approved shall be implemented prior to occupation of the first house on site; (11) At no time shall the emergency route along the east of the site be used by any vehicles other than emergency vehicles; (12) Notwithstanding the approved plans, sightlines of 2.5m x 35m shall be provided and maintained at all junctions; sightlines of 2m x 20m shall be provided and maintained at all vehicular entrances to houses and forward sightlines of 20m shall be maintained at all bends; and (13) Notwithstanding the approved plans, all traffic calming measures within and on approaches to the development site to be located, designed and installed to comply with the East Ayrshire Roads Development Guide and current regulations related to the appropriate measures; Condition (1) being imposed to comply with Section 58 of the Town and Country Planning (Scotland) Act 1997; Condition (2) to ensure that the development is carried out in accordance with the approved details; Condition (3) to ensure that adequate provision of public open space is provided to an adequate standard and that it is subsequently maintained in the interest of residential and visual amenity; Conditions (4) and (8) in the interest of visual amenity; Conditions (5), (6), (12) and (13) in the interest of road safety; Condition (7) to restrict access in the interests of public safety and thereby to limit the potential for mud and other material being carried from the site; Conditions (9) and (10) in the interest of public safety; and Condition (11) in the interest of road safety and residential amenity.

It was agreed:-

- (i) to grant the application subject to appropriate notification to the Secretary of State under the Notification of Applications (Scotland) Direction 1997 and subject to the conditions and for the reasons detailed; and
- (ii) to request Beazer Partnership Homes to undertake, in conjunction with the Planning and Building Control Division and the Roads and Transportation Division, a consultative exercise on traffic calming measures, with representatives of the adjacent community.

Councillor Jim Raymond re-joined the meeting.

### **1.3 APPLICATION NO 99/0304/FL: CRUDEN ESTATES LIMITED**

There was submitted an Executive Summary Sheet and a report dated 26 July 1999 (circulated) by the Director of Development Services on a full planning application for proposed residential development at Kirkland Avenue, Kilmarnock.

The Director of Development Services reported:-

- (i) that no objections had been received; and
- (ii) an additional condition, to read, viz:- 'That prior to the commencement of works on the site, the applicant shall satisfy himself as to the suitability of the site for construction purposes; being imposed in the interest of public safety'.

The Director of Development Services summarised the planning considerations in respect of the application; and recommended:- That the application be approved subject to appropriate notification to the Secretary of State under the Notification of Applications (Scotland) Direction 1997 and subject to the following conditions, viz:- (1) The development to which this permission relates must be begun within five years from the date of this permission; (2) The proposed development shall be carried out in accordance with the application form and plans submitted on 4 May 1999 as revised by the site layout plan received by the Planning Authority on 15 June 1999; (3) Details/samples of external finishing materials shall be submitted to and approved by the Planning Authority before any development commences on the site; (4) A landscaping scheme including the treatment and future maintenance of the boundary of the site/areas for public open space, a toddlers play area and all other land outwith the public road or any house plot, including land to the rear of Plots 13-19 and 75 and 80, the mounding and sound attenuation measures shall be submitted to and approved by the Planning Authority prior to commencement of any development. The mounding and sound attenuation measures shall be in place prior to the occupation of any of the proposed houses on Plots 59-76 and other landscaping works shall be implemented no later than the next appropriate planting season after the development has been carried out; (5) Notwithstanding the submitted plans, details of the design and construction of all fences and walls to be erected on the site shall be submitted to and approved by the Planning Authority before any development commences on the site; (6) Details of the treatment and mechanism to secure the future maintenance of the parking courts at the undernoted locations shall be submitted to and approved by the Planning Authority prior to the commencement of development. Such details as are approved shall be implemented on a permanent basis:- (i) Plots 1-4; (ii) Plots 13-18; (iii) Plots 34-44; (iv) Plots 55-58; (v) Plots 67-70; and (vi) Plots 75-78; (7) Notwithstanding the plans hereby approved, an additional road hump shall be formed in the length of the road (Kirkland Avenue) between Plots 15 and 74. Details of the precise location of this shall be agreed in writing with the Planning Authority prior to its construction, and construction shall be undertaken in

accordance with such details as are agreed; (8) Notwithstanding the plans hereby approved, the length of footpath extending from the access to Plots 1/2 and the access to Plots 39/40 (coloured yellow on the plans approved), is not approved. This area shall be treated in the same manner as the open space to either side; (9) Details of traffic deflection features to be installed in the area of concrete paviour road (i.e. from Plot 44 to Plot 66) shall be submitted to and approved by the Planning Authority prior to the commencement of development. Such details as are approved shall be installed in this length of road prior to the occupation of any of the houses within Plots 26-31, 45-66 or 81-86 inclusive; (10) No development shall take place until a scheme for the introduction of traffic calming measures within the road system leading to the site from Kilmaurs Road has been submitted to and approved by the Planning Authority. Such a scheme as is approved shall be fully implemented prior to the commencement of any development on the site; and (11) That prior to the commencement of works on the site, the applicant shall satisfy himself as to the suitability of the site for construction purposes; Condition (1) being imposed to comply with Section 58 of the Town and Country Planning (Scotland) Act 1997; Condition (2) to ensure that the development is carried out in accordance with the approved details; Conditions (3) and (5) in the interest of visual amenity; Condition (4) to ensure that adequate provision of public open space is provided, to an adequate standard, and that it is subsequently maintained, in the interest of residential and visual amenity; Condition (6) to ensure that the parking courts are maintained on a permanent basis, in the interest of visual amenity; Conditions (7), (9) and (10) in the interest of road safety; Condition (8) in the interest of residential amenity; and Condition (11) in the interest of public safety.

In response to Committee discussion on concerns expressed on safety measures, given the close proximity of the local Primary and Nursery Schools to the application site, the Director of Development Services suggested a further condition to be imposed, to read, viz:- 'Details of fencing/enclosure of the site during the construction process shall be submitted and approved prior to the commencement of development; being imposed in the interest of public safety'.

Councillor Knapp, seconded by Councillor Jackson, moved to grant the application subject to appropriate notification to the Secretary of State under the Notification of Applications (Scotland) Direction 1997 and subject to the conditions and for the reasons detailed and to the additional Condition.

Councillor Daniel Coffey, seconded by Councillor Willie Coffey, moved as an amendment, to continue consideration of this item to the next meeting of the Committee for further information to be reported.

On a division by a show of hands, the motion was carried by 8 votes to 6.

**PROPOSED REVOCATION OF PLANNING CONSENT NO 98/0454/FL: WEST  
WHITELEE POULTRY FARM, OLD GLASGOW ROAD, STEWARTON - MR AND  
MRS MITCHELL**

2. There was submitted a report dated 15 July 1999 (circulated) by the Director of Development Services which sought authority to revoke planning consent no 98/0454/FL for erection of an agricultural worker's house at West Whitelee Poultry Farm, Old Glasgow Road, Stewarton.

It was agreed:-

- (i) to approve the issue of a Revocation Order under Section 65 of the Town and Country Planning (Scotland) Act 1997 in respect of planning consent no 98/0454/FL for the erection of an agricultural worker's house at West Whitelee Poultry Farm, Old Glasgow Road, Stewarton; and
- (ii) otherwise, to note the contents of the report.

### **FORESTRY COMMISSION - CONSULTATION ON STRATEGY**

3. There was submitted a report dated 27 July 1999 (circulated) by the Director of Development Services on a consultative document by The Forestry Commission which outlined a Forestry Strategy for Scotland; and which sought approval of a response to the consultative document.

It was agreed:-

- (i) to authorise the Director of Development Services to submit a response to The Forestry Commission's Consultative Strategy for Scotland in the terms described within Paragraphs 4 and 5 of the report;
- (ii) to note that a Draft Local Forestry Strategy, for consultation with potential partner organisations and local communities, would be submitted for consideration to this Committee, at a future date; and
- (iii) to invite Ross Finnie, MSP, Minister for Rural Affairs, to visit East Ayrshire to see at first hand, the opportunities and issues presented by the forestry industry within East Ayrshire.

Having agreed the aforementioned, Councillor McIntyre reported, and it was noted, that Sarah Boyack, MSP, Minister for Transport and the Environment and Ross Finnie, MSP, Minister for Rural Affairs had recently been invited to visit East Ayrshire in the terms described in (iii) above.

### **MONITORING STATEMENT - BUSINESS GRANTS AND LOAN SCHEME STATUS REPORT**

4. There was submitted and noted a report dated 23 July 1999 (circulated) by the Director of Development Services on the Business Grants and Loan Schemes support awarded to companies in East Ayrshire during the period 17 May to 16 July 1999.

### **AWARDING OF TENDERS**

5. There was submitted and noted a report dated 20 July 1999 (circulated) by the Director of Corporate Services which provided details of the lowest satisfactory tenders which had been awarded in respect of the undernoted Department of Development Services contracts:-

<b><u>CONTRACT</u></b>	<b><u>SUCCESSFUL CONTRACTOR</u></b>	<b><u>AMOUNT</u></b>
A70 Wellwood Bridge Waterproofing Replacement	Chemchem (Scotland) Ltd, Falkirk	£23,746.00
A71 Carriageway Patching	Lymburn Construction, Dalrymple	£48,600.50
Footway Slurry Seal	Colas Ltd, East Kilbride	£20,579.40

**DRAFT NATIONAL WASTE STRATEGY: SCOTLAND (Item 17, Page 4143, 96/99)**

6. There was submitted a report dated 22 July 1999 (circulated) by the Director of Development Services on the main provisions of the Draft National Waste Strategy: Scotland; how it related to National Policy Guidelines on Planning and Waste, the Ayrshire Joint Structure Plan and the Council's East Ayrshire Local Plan and proposed Waste Disposal Strategy; and which sought approval of a response on the document.

It was agreed:-

- (i) that the Head of Planning and Building Control and Head of Protective Services would liaise with the Ayrshire Joint Structure Plan Team and the other Ayrshire Authorities regarding the formulation of criteria for identification of locations for disposal and management of waste;
- (ii) that the requirements of National Planning Policy Guidelines 10: Planning and Waste and the draft National Waste Strategy with regard to planning policy and practice would be reflected in the East Ayrshire Local Plan, currently under preparation; and
- (iii) to authorise the Head of Planning and Building Control to submit a response to the Scottish Environmental Protection Agency on the Draft National Waste Strategy: Scotland, in terms of the Planning Implications as described within Paragraph 5 of the report.

**NEWMILNS TOWNSCHEME AND IRVINE VALLEY ACCESS TO THE COUNTRYSIDE PROJECT (Item 9, Page 2197, 96/99)**

7. There was submitted a report dated 19 July 1999 (circulated) by the Director of Development Services which sought approval to utilise residual balances from resources allocated to the Newmilns Townscheme, for other related projects within the Irvine Valley.

It was agreed, in principle, to authorise the Director of Development Services to allocate any residual Newmilns Townscheme funds to assist in the provision of access points and pathways within Newmilns, as part of the Irvine Valley Access to the Countryside Project.

**ARTICLE 4 DIRECTION FOR MAIN STREET, NEWMILNS OUTSTANDING CONSERVATION AREA (Item 4, Page 4077, 96/99)**

8. There was submitted a report dated 19 July 1999 (circulated) by the Director of Development Services which sought approval for the implementation of an Article 4 Direction to cover the Newmilns Outstanding Conservation Area.

It was agreed:-

- (i) to approve the preparation of an Article 4 Direction as described within Paragraph 4 of the report, for the Main Street, Newmilns Outstanding Conservation Area;
- (ii) to authorise the Director of Development Services, in liaison with the Solicitor to the Council, to undertake the necessary public consultation and application procedures for making an Article 4 Direction; and

- (iii) that the Head of Planning and Building Control would undertake monitoring of applications submitted as a direct result of the Article 4 Direction and thereafter report on any resource implications, to an appropriate Committee, in due course.

#### **KILMARNOCK BUS STATION (Item 10, Page 71, 99/02)**

9. There was submitted a report dated 16 July 1999 (circulated) by the Director of Development Services on steps taken to improve the appearance of Kilmarnock Bus Station; and which sought authority to spend up to a maximum of £12,000 to carry out refurbishment works identified within the report in order to further improve the appearance of Kilmarnock Bus Station.

It was agreed:-

- (i) to note the steps taken to improve the appearance of Kilmarnock Bus Station as described within Paragraph 3 of the report; and
- (ii) to authorise the Director of Development Services to spend up to a maximum of £12,000, to be met from within the Development Services property budget, to carry out refurbishment works identified within the report in order to further improve the appearance of Kilmarnock Bus Station.

#### **ASSISTED AREA STATUS - EAST AYRSHIRE**

10. There was submitted a report dated 20 July 1999 (circulated) by the Director of Development Services on the outcome of the review of the Assisted Area Map for Scotland carried out by the United Kingdom Government.

The Director of Development Services reported that recommendation 6.1 (b), had been implemented.

It was agreed to note the outcome of the review of the Assisted Area Map for Scotland carried out by the United Kingdom Government.

Having agreed the aforementioned, Councillor McIntyre reported, and it was noted, that George Foulkes, MP, had been advised of East Ayrshire Council's concern that the electoral ward of Patna and Dalrymple had been excluded from the Government's proposals for the new Assisted Areas and had been requested that he raise the issue with John Reid, MP, Secretary of State for Scotland.

#### **MILLENNIUM SIGN PROJECT**

11. There was submitted a report dated 13 July 1999 (circulated) by the Director of Development Services on an offer by Kilmarnock Round Table, as a Millennium Project, to finance the design, manufacture and erection of 10 signs to complement the Kilmarnock signs already erected by East Ayrshire Council, thus creating a "gateway effect"; and which sought authority to accept the offer subject to approval by the Roads and Transportation Division of the final design of the signs.

It was agreed:-

- (i) to authorise the Director of Development Services to accept the offer by Kilmarnock Round Table, as a Millennium Project, to finance the design, manufacture and erection of 10 signs to complement the Kilmarnock signs already erected by East Ayrshire Council, subject to approval by the Roads and Transportation Division of the final design of the signs; and

- (ii) that Local Committees affected by the signage, be informed, for information, as appropriate.

**LOCAL TRANSPORT STRATEGY FOR EAST AYRSHIRE (Item 14, Page 4325, 96/99)**

12. There was submitted a report dated 29 July 1999 (circulated) by the Director of Development Services which sought approval for the Key Aims for a Local Transport Strategy for East Ayrshire; and for the Interim Local Transport Strategy Consultative Draft (circulated).

It was agreed:-

- (i) to note that the Consultative Draft Report on a Local Transport Strategy had been submitted to The Scottish Office, to meet the deadline of 31 July 1999, on the basis that it was subject to approval by this Committee;
- (ii) to approve the Key Aims of the Interim Local Transport Strategy as described in Paragraph 3.2 of the report;
- (iii) to approve the report as the basis for wider consultation; and
- (iv) to note that a further report on proposed consultation arrangements on Local Transport Strategy, leading to a finalised version, for submission to The Scottish Office, would be submitted to this Committee in due course.

Councillor McIntyre, in response to a question by Councillor Reid, on the future potential of upgrading the A77, reported and it was noted that he had recently written to Sarah Boyack, MSP, Minister for Transport and the Environment, which invited her to visit East Ayrshire Council for an early meeting to discuss the much needed upgrading of the A77 trunk road.

**STRUCTURAL ASSESSMENT AND STRENGTHENING OF ROAD BRIDGES**

13. There was submitted and noted a report dated 14 July 1999 (circulated) by the Director of Development Services on the current status of the Bridge Assessment Programme.

**APPOINTMENT OF SUPERVISOR (SAFETY AND QUALITY PROCEDURES)**

14. There was submitted a report dated 23 July 1999 (circulated) by the Director of Development Services which sought approval for the establishment of the post of Supervisor (Safety and Quality Procedures) within the Roads and Transportation Division of the Department of Development Services.

It was agreed:-

- (i) to approve the establishment of a post of Supervisor (Safety and Quality Procedures) within the Roads and Transportation Division of the Department of Development Services, subject to consultation with the relevant Trade Union(s); and
- (ii) to remit consideration of the proposed additional post to the Personnel and Property Sub-Committee of the Policy and Resources Committee.

**WESTCOAST RAIL 250**

15. There was submitted a report dated 22 July 1999 (circulated) by the Director of Development Services which recommended continued support to Westcoast Rail 250.

It was agreed to reaffirm the Council's support for Westcoast Rail 250 and that the Director of Development Services would arrange for payment of the annual subscription of £250, to be met from within the Department of Development Services' budget.

The meeting terminated at 1107 hours.