

**EAST AYRSHIRE COUNCIL**

**CENTRAL LOCAL PLANNING COMMITTEE: 03 JUNE 2005 2005**

**05/0263/FL: PROPOSED ALTERATION AND FORMATION OF WINDOWS,  
ENTRANCE DOOR AND FIRE ESCAPE TO FUNCTION ROOM AT  
PORTLAND ARMS HOTEL, KILMARNOCK ROAD, CROSSHOUSE,  
KILMARNOCK  
BY MR NEIL MACDONALD**

**EXECUTIVE SUMMARY SHEET**

**1. DEVELOPMENT DESCRIPTION**

1.1 Full planning permission is sought for the formation of an entrance door and two windows to the function room, with the previous entrance being removed from the north-eastern elevation to form new disabled toilet facilities associated with the function suite. A new fire exit is also to be located to the eastern elevation of the function room. The proposed windows are upvc with security shutters and the doors are of timber.

**2. RECOMMENDATION**

**2.1 It is recommended that the application be approved subject to the conditions indicated on the attached sheet.**

**3. CONCLUSIONS**

3.1 As indicated at Section 5 of the report there are no applicable policies in the Adopted East Ayrshire Local Plan and therefore greater weight should be attached to the other material considerations.

3.2 As indicated at Section 6 of the report there are material considerations relevant to this application. The proposals are for minimal external alterations which include the formation of an entrance door and two windows to the southern elevation of the building, with the previous entrance being removed to form new disabled toilet facilities associated with the function suite. A new fire exit is also to be located to the eastern elevation of the function room. These alterations will relocate the main entrance to the function room further away from residential dwellings, therefore improving the residential amenity to number 28 Kilmarnock Road, Crosshouse without impacting on the amenity of any other dwelling. It is considered that the concerns of the objectors, whilst noted, are not of sufficient weight to warrant refusal of the development as their concerns have not been

echoed by Strathclyde Police or East Ayrshire Council Environmental Health and Waste Management Division.

### **CONTRARY DECISION NOTE**

Should the Committee agree that the application be refused contrary to the recommendation of the Head of Planning Development and Building Standards it will not require to be referred to the Development Services Committee as there would be no significant breach of policy.

**Alan Neish**  
**Head of Planning, Development and Building Standards**

**Note: This document combines key sections of the associated report for quick reference and should not in itself be considered as having been the basis for recommendation preparation or decision making by the Planning Authority.**

## EAST AYRSHIRE COUNCIL

CENTRAL LOCAL PLANNING COMMITTEE: 3 JUNE 2005

**05/0263/FL: PROPOSED ALTERATION AND FORMATION OF WINDOWS,  
ENTRANCE DOOR AND FIRE ESCAPE TO FUNCTION ROOM AT  
PORTLAND ARMS HOTEL, KILMARNOCK ROAD, CROSSHOUSE,  
KILMARNOCK  
BY MR NEIL MACDONALD**

### Report by Head of Planning, Development & Building Standards

#### 1. PURPOSE OF REPORT

1.1 The purpose of this report is to present for determination a full planning application which is to be considered by the Local Planning Committee under the scheme of delegation as it is subject to objections.

#### 2. APPLICATION DETAILS

2.1 **Site Description:** The application site extends to approximately 0.22 hectares and comprises the existing two-storey public house and hotel with the adjoining single storey flat roofed function room to the rear of the premises, both finished in a white painted render. To the rear of the function room there is a car park area which is fully enclosed to the south and west by a 2.0 metre high brick wall and to the east by a 1.8 metre high close boarded timber fence. The application site is located within the centre of Crosshouse and is surrounded by similar commercial properties such as the Spar convenience store and hot food take away. The application site is also bound by residential dwellings to the north and east immediately to the south of the application site is Crosshouse Primary School.

2.2 **Proposed Development:** Full planning permission is sought for the formation of an entrance door and two windows to the function room, with the previous entrance being removed from the north-eastern elevation to form new disabled toilet facilities associated with the function suite. A new fire exit is also to be located to the eastern elevation of the function room. The proposed windows are upvc with security shutters and the doors are of timber.

### 3. CONSULTATIONS AND ISSUES RAISED

3.1 East Ayrshire Council Environmental Health and Waste Management Division and East Ayrshire Council Department of Educational and Social Services have no objections to the proposed development.

***Noted.***

3.2 Strathclyde Police have verbally advised they have no objections to the proposed development

***Noted.***

3.3 Crosshouse Community Council have not responded to their consultation letter at the time of writing this report.

***Noted.***

### 4. REPRESENTATIONS

4.1 There are 2 objectors to the proposed development and their grounds of objection are as follows.

4.2 They feel that the proposed development would lead to an increase in noise, drunkenness and anti-social behaviour from patrons of the Portland Arms Hotel.

***Both Strathclyde Police and East Ayrshire Council Environmental Health and Waste Management Division have no adverse comments to make on the proposed development. It is considered that the relocation of the main entrance to the function room to the rear will improve the residential amenity to number 28 Kilmarnock Road, Crosshouse, without having any detrimental impact on the amenity of any other residential dwellings in the immediate vicinity.***

### 5. ASSESSMENT AGAINST DEVELOPMENT PLAN

5.1 Sections 25 and 37 (2) of the Town and Country Planning (Scotland) Act 1997 require that planning applications are determined in accordance with the development plan unless material considerations indicate otherwise. For the purposes of this application the development plan comprises the Approved Ayrshire Joint Structure Plan (1999) and the Adopted East Ayrshire Local Plan (EALP).

## **Adopted Ayrshire Joint Structure Plan**

5.2 There are no specific policies within the Ayrshire Joint Structure Plan relevant in the determination of this application.

## **Adopted East Ayrshire Local Plan (EALP)**

5.3 There are no relevant policies in the EALP and therefore greater weight should be placed on the other material considerations as identified in Section 6 of this report.

## **6. ASSESSMENT AGAINST MATERIAL CONSIDERATIONS**

6.1 The principal material considerations relevant to the determination of this application are the consultations and representations received which are detailed in Sections 3 and 4 of the report.

### **Consultations and Representations**

6.2 The consultations and representations received are addressed in Sections 3 and 4 of the report, neither of which indicate that the application should be refused. The concerns of the objectors are largely regarding the existing use. It is not considered that the proposed alterations will exacerbate the existing problems.

## **7. FINANCIAL AND LEGAL IMPLICATIONS**

7.1 There are no financial or legal implications for the Council in the determination of this application.

## **8. CONCLUSIONS**

8.1 As indicated at Section 5 of the report there are no applicable policies in the Adopted East Ayrshire Local Plan and therefore greater weight should be attached to the other material considerations.

8.2 As indicated at Section 6 of the report there are material considerations relevant to this application. The proposals are for minimal external alterations which include the formation of an entrance door and two windows to the southern elevation of the building, with the previous entrance being removed to form new disabled toilet facilities associated with the function suite. A new fire exit is also to be located to the eastern elevation of the function room. These alterations will relocate the main entrance to the function room further away from residential

dwellings, therefore improving the residential amenity to number 28 Kilmarnock Road, Crosshouse without impacting on the amenity of any other dwelling. It is considered that the concerns of the objectors, whilst noted, are not of sufficient weight to warrant refusal of the development as their concerns have not been echoed by Strathclyde Police or East Ayrshire Council Environmental Health and Waste Management Division.

## **9. RECOMMENDATION**

**9.1 It is recommended that the application be approved, subject to the conditions on the attached sheet.**

### **CONTRARY DECISION NOTE**

Should the Committee agree that the application be refused contrary to the recommendation of the Head of Planning Development and Building Standards it will not require to be referred to the Development Services Committee as there would be no significant breach of policy.

**Alan Neish**  
**Head of Planning Development and Building Standards**

25 May 2005 (BD/SA)  
FV-DVM

### **LIST OF BACKGROUND PAPERS**

1. Application Form and Plans.
2. Statutory Notices and Certificates.
3. Consultation Responses.
4. Representations.
5. Adopted East Ayrshire Local Plan.
6. Approved Ayrshire Joint Structure Plan

Anyone wishing to inspect the above papers please contact Barry Douglas on (01563) 576770.

***Implementation Officer: Dave Morris***

EAST AYRSHIRE COUNCIL

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

05/0263/FL

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Site of Proposal: Function Room  
Portland Arms Hotel  
Kilmarnock Road  
CROSSHOUSE, Kilmarnock

Nature of Proposal: Proposed alteration and formation of windows,  
Entrance door and fire escape.

Name & Address of Applicant: Mr Neil MacDonald  
Portland Arms Hotel  
Kilmarnock Road  
CROSSHOUSE, Kilmarnock

Name & Address of Agent: MPG Architects  
Cathcart House  
20 Cathcart Street  
A Y R KA7 1BJ

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DPOs Reference: BD/SA

The above FULL application should be approved subject to the following conditions:-

(1) Notwithstanding the submitted plans, details of the design and colour of the proposed security shutters and the colour of the proposed doors shall be submitted to and approved by the Planning Authority prior to the commencement of development on site and implemented as approved.

REASON In the interests of visual amenity.

(2) The wall of the function room previously used for entrance doors shall be finished to match the surface of the surrounding walls.

REASON In the interests of visual amenity.

**DUE TO ORDNANCE SURVEY REGULATIONS AND COPYRIGHT  
THE MAP IS AVAILABLE FOR VIEWING AT THE COUNCIL'S  
PLANNING OFFICE IN KILMARNOCK. FOR INFORMATION ON  
VIEWING PLEASE CONTACT (01563) 576790.**