

**EAST AYRSHIRE COUNCIL****CENTRAL LOCAL PLANNING COMMITTEE****MINUTES OF MEETING HELD ON WEDNESDAY 13 APRIL 2005 AT 1000 HOURS IN THE MEETING ROOM, COUNCIL HEADQUARTERS, LONDON ROAD, KILMARNOCK**

**PRESENT:** Councillors Gordon Cree, Brian Reeves, Douglas Reid, John Weir, Iain Linton, John Campbell, Provost Jane Darnbrough and Councillor John Knapp.

**ATTENDING:** Pamela Clifford, Principal Planning Officer; Barry Douglas, Planning Officer; Julie McKinlay, Solicitor; and Jennifer Morrison, Administrative Officer.

**APOLOGIES:** Councillors Daniel Coffey, Willie Coffey, Drew McIntyre and Ray Murray.

**CHAIR:** Councillor Gordon Cree, Chair.

**1. CHAIR'S REMARKS**

The Chair reported, and it was noted, that Application No 05/0018/FL: Proposed erection of double garage at 2 Robert Noble Place, Kilmarnock by Mr S McLeod had been withdrawn from the Agenda.

**2. APPLICATION NO 05/0087/FL - ABBEY DEVELOPMENTS LTD: KILMAURS ROAD, KNOCKENTIBER**

There was submitted an executive summary sheet and report dated 5 April 2005 (both circulated) by the Head of Planning, Development and Building Standards on a full planning application for the proposed erection of 68 houses, provision of traffic calming measures and community woodland at Kilmaurs Road, Knockentiber.

**2.1 Consideration of Item**

The Principal Planning Officer reported that seven objections 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: Approval subject to the conditions and for the reasons detailed in the report and that the issuing of the decision notice be withheld until the Solicitor to the Council has satisfactorily concluded a Section 75 Agreement with the applicants regarding the obligations referred to in Section 7.2 of the report.

**2.2 Planning Hearing**

The Committee then heard Mrs McEwan and Mr Freeman in support of their objections.

The applicant, although present, did not wish to be heard in support of the application.

The Chair closed the Hearing.

### **2.3 Determination of Application**

The Principal Planning Officer provided clarification on points raised during the Hearing.

Councillor Reeves, seconded by Councillor Knapp, moved that the application be approved subject to the conditions and for the reasons detailed in the report and that the issuing of the decision notice be withheld until the Solicitor to the Council has satisfactorily concluded a Section 75 Agreement with the applicants regarding the obligations referred to in Section 7.2 of the report.

Councillor Weir, seconded by Councillor Reid, moved as an amendment that the application be refused on the grounds that the proposal was detrimental to the visual amenity of the area due to the size of the development in relation to the size of the village and would therefore be contrary to the East Ayrshire Local Plan.

On a division by a show of hands, the motion was carried by six votes to two.

### **3. APPLICATION NO 05/0176/FL - T-MOBILE UK LTD: HURLFORD ROAD, RICcarton, KILMARNOCK**

There was submitted an executive summary sheet and report dated 5 April 2005 (both circulated) by the Head of Planning, Development and Building Standards presenting for determination a full planning application for proposed installation of three 2G Antennae, three 3G Antennae and two 300mm transmission dishes onto existing T-Mobile tower, installation of equipment cabin and meter cabinet together with 7.5m extension of tower at Glacier Vandervell Ltd, Hurlford Road, Riccarton, Kilmarnock.

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

The Principal Planning Officer reported that four objections 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.

#### **3.2 Planning Hearing**

The Committee then heard Mr Little in support of his objections.

The Chair closed the Hearing.

#### **3.3 Determination of Application**

The Principal Planning Officer provided clarification on points raised during the Hearing.

It was agreed to refuse the application for the reasons detailed in the report.

Following the above decision, with regard to a mast development in the Shortlees area, the Head of Planning, Development and Building Standards would be asked to clarify with the Provost the planning history of this development. Arising out of this discussion and with regard to telecommunication mast developments in general throughout East Ayrshire, to note that the Chair would discuss with the Head of Planning, Development and Building Standards the current legislative provisions controlling such developments.

**4. APPLICATION NO 05/0197/FL - MRS MARGARET ORR: BLOCK 14, SMIDDY COURT, KILMARNOCK**

**4.1 Declarations of Interest**

Councillors Reid and Knapp declared a non-financial interest in this item and left the meeting at this point.

**4.2 Consideration of Item**

There was submitted an executive summary sheet and report dated 4 April 2005 (both circulated) by the Head of Planning, Development and Building Standards on a full planning application for proposed change of use from vacant unit to Class 1 Dry Cleaners/Laundry at Unit 7-8, Block 14, Smiddy Court, Kilmarnock.

The Principal Planning Officer 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 refuse the application for the reasons detailed in the report.

The meeting terminated at 1050 hours.