

**EAST AYRSHIRE COUNCIL**

**CENTRAL LOCAL PLANNING COMMITTEE**

**MINUTES OF MEETING HELD ON FRIDAY 7 MAY 2004 AT 1000 HOURS IN THE MEETING ROOM, COUNCIL HEADQUARTERS, LONDON ROAD, KILMARNOCK**

**PRESENT:** Councillors Gordon Cree, Brian Reeves, Daniel Coffey, Willie Coffey, John Weir, Drew McIntyre, Iain Linton, Ray Murray, Provost Jane Darnbrough and Councillor John Knapp.

**ATTENDING:** Alan Neish, Head of Planning, Development and Building Standards; Fiona Finlay, Acting Principal Planning Officer; Karen McLeod, Solicitor; John Trakalo, Senior Engineer, Roads; and Robert Beaton, Administrative Officer.

**APOLOGIES:** Councillors Douglas Reid and John Campbell.

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

**HEARING PROCEDURE**

1. The Administrative Officer established that the Hearing Procedure was understood by all participants.
2. **APPLICATION NO 03/0965/FL: PROPOSED CONVERSION OF EXISTING NURSING HOME TO 16 NO. 2 AND 3 BEDROOM FLATS AND THE DEMOLITION OF OUTBUILDINGS AT NAZARETH HOUSE, 23-25 HILL STREET, KILMARNOCK BY CARLTON HOUSE LIMITED**

There was submitted an executive summary sheet and report dated 28 April 2004 (both circulated) by the Head of Planning, Development and Building Standards on a full planning application for the proposed conversion of existing nursing home to 16 No 2 and 3 bedroom flats and the demolition of outbuildings at Nazareth House, 23-25 Hill Street, Kilmarnock.

**2.1 Members' Participation in the Determination of the Application**

The Administrative Officer reminded Members that only those elected Members (Councillors Cree, Reeves, D Coffey, Reid, Linton, Murray, Provost Darnbrough and Councillor Knapp) who were involved in the Hearing associated with the application relating to this item at the meeting held 2 April 2004 should participate in the determination of the application at this meeting.

At this point Councillor Willie Coffey withdrew from the meeting.

**2.2 Consideration of Item**

The Acting Principal Planning Officer reported that five 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, Development and Building Standards: Approval, subject to the conditions, and for the reasons detailed in the report; and subject to an additional condition that "notwithstanding the plans hereby approved, prior to any work commencing on site, details of repair and renewal works including a colour scheme to all gutters and downpipes on the red sandstone building shall be submitted to and

approved in writing by the Planning Authority and, thereafter, implemented on site prior to the occupation of any of the flatted dwellinghouses”.

It was noted that Members had the opportunity of undertaking a site visit to the application site and that a Hearing took place at the meeting held on 2 April 2004.

It was agreed to approve the application subject to the conditions, and for the reasons detailed in the report and subject to the additional condition detailed above.

Councillor W Coffey re-joined the meeting at this point.

### **3. APPLICATION NO 03/0962/OL: PROPOSED RESIDENTIAL DEVELOPMENT AT GROUND ADJOINING NAZARETH HOUSE, 23-25 HILL STREET, KILMARNOCK BY CARLETON HOUSE LIMITED**

There was submitted an executive summary sheet and report dated 28 March 2004 (both circulated) by the Head of Planning, Development and Building Standards on an outline application for a proposed residential development at ground adjoining Nazareth House, 23-25 Hill Street, Kilmarnock.

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

The Acting Principal Planning Officer reported that five 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, Development and Building Standards: Approval, subject to the conditions, and for the reasons detailed in the report.

#### **3.2 Planning Hearing**

The Committee heard Mrs E McIntyre, Objector in respect of her objection. Members asked questions of the Objector who responded to the issues raised, all in accordance with the Hearing Procedure.

The Committee then heard Mr Galbraith, Agent for the applicant. Members asked questions of the Agent for the applicant who responded to the issues raised 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.

### **4. APPLICATION NO 04/0054/RM: PROPOSED ERECTION OF FLATTED RESIDENTIAL DEVELOPMENT, HERITAGE CENTRE, ASSOCIATED PARKING AND ACCESS AT WEST LANGLANDS STREET/NORTH HAMILTON STREET/PARK STREET, KILMARNOCK AND 04/0053/LB: CONVERSION AND REFURBISHMENT OF EXISTING LISTED BUILDINGS AND DEMOLITION OF ANCILLARY STRUCTURES AT CALEDONIA WORKS, WEST LANGLANDS STREET, KILMARNOCK BY KLIN HOLDINGS LTD**

There was submitted an executive summary sheet and report dated 28 April 2004 (circulated) by the Head of Planning, Development and Building Standards on an application for reserved matters consent for the proposed construction of 62 flatted dwellings and the development of a heritage centre at West Langlands Street/North

Hamilton Street/Park Street, Kilmarnock. Listed Building consent is also sought for the proposed conversion and refurbishment of the existing listed buildings together with the demolition of ancillary structures at Caledonia Works, West Langlands Street, Kilmarnock.

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

The Head of Planning, Development and Building Standards 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, Development and Building Standards: Application No: 04/0054/RM: Approval, subject to the conditions, and for the reasons, detailed in the report; Listed Building No: 04/0053/LB: Approval subject to the notification of Historic Scotland under the Listed Buildings and Buildings in Conservation Areas (Scotland) Regulations 1997 and subject to the conditions and for the reasons, detailed in the report.

#### **4.2 Planning Hearing**

The Committee heard Mrs R Neil, Chair, Bonnyton Community Council, in respect of the objection. Members asked questions of the Objector who responded to the issues raised, in accordance with the Hearing Procedure.

The Committee heard Mrs M Macklin, representing the applicant, in respect of their application. Members asked questions of the applicant who responded to the issues raised in accordance with the Hearing Procedure.

The Chair closed the Hearing.

#### **4.3 Determination of Application**

It was agreed:-

- (i) to approve application No: 04/0054/RM, subject to the conditions, and for the reasons detailed in the report; and
- (ii) to approve Listed Building Application No: 04/0053/LB subject to the notification of Historic Scotland under the Listed Buildings and Buildings in Conservation Areas (Scotland) Regulations 1997 and subject to conditions, and for the reasons, detailed in the report.

Councillor McIntyre joined the meeting at this point.

### **5. APPLICATION NO 03/0658/FL: PROPOSED REMOVAL OF CONDITION 1 OF PERMISSION 99/0504/FL TO ALLOW FOR OPERATION OF BED AND BREAKFAST ACCOMMODATION AT BROOMHILL HOUSE, KILMARNOCK BY MR THOMAS M YOUNG**

There was submitted an executive summary sheet and report dated 28 April 2004 (both circulated) by the Head of Planning, Development and Building Standards on a full planning application to remove Condition 1 from Permission 99/0504/FL which granted the extension and alteration of existing workshop to form additional dwelling accommodation at Broomhill House, Kilmarnock.

The Head of Planning, Development and Building Standards 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, Development and Building Standards: Approval, subject to conditions, and for the reasons detailed in the report with the exception that the last part of Condition 1 be changed to read "Class 9 of the Town and Country Planning (Use Classes) (Scotland) Order 1997".

No Hearing took place as the Objector was not present or represented.

It was agreed to approve the application, subject to the conditions, and for the reasons, detailed in the report and subject to the amendment to Condition 1 as detailed above.

**6. APPLICATION NO 03/0847/FL: PROPOSED ERECTION OF CONSERVATORY AT 5 ALMOND PLACE, KILMARNOCK BY MR D QUIGLEY**

There was submitted an executive summary sheet and report dated 28 April 2004 (both circulated) by the Head of Planning, Development and Building Standards on a full planning application for the proposed erection of conservatory at 5 Almond Place, Kilmarnock.

The Acting Principal Planning Officer reported that no representations had been received, summarised the planning considerations in respect of 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.

It was agreed to approve the application subject to the conditions, and for the reasons detailed in the report.

**7. APPLICATION NO 04/0052/FL: PROPOSED 30,000 SQ FT RETAIL UNIT WITH 10,000 SQ FT GARDEN CENTRE AND 10,000 SQ FT MEZZANINE AT SITE ADJACENT TO FITNESS FIRST, QUEENS DRIVE, KILMARNOCK BY DAWN DEVELOPMENTS LTD**

There was submitted an executive summary sheet and report dated 28 April 2004 (both circulated) by the Head of Planning, Development and Building Standards on a full planning application for the proposed construction of 30,000 sq ft retail unit with 10,000 sq ft garden centre and 10,000 sq ft Mezzanine at site adjacent to Fitness First, Queens Drive, Kilmarnock.

The Acting Principal Planning Officer reported that no letters of representation had been received, 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 planning decision notice be withheld until the Solicitor to the Council has satisfactorily completed a formal agreement under Section 75 of the Town and Country Planning (Scotland) Act 1997 with the applicants and other interested parties on the matters set out in principle in paragraph 7.2 of the report.

It was agreed (i) to approve the application, subject to the conditions, and for the reasons, detailed in the report; and (ii) 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 applicants and other interested parties on the matters set out in principle in paragraph 7.2 of the report; and subject to an amendment to condition No 13 that

details of a landscaping scheme and a maintenance scheme, including details for a regular litter pick for all landscaped areas, shall be submitted to and approved in writing by the planning authority.

**8. THE MOORFIELD, KILMARNOCK (PROVISIONAL) TREE PRESERVATION ORDER 2004**

There was submitted a report dated 22 April 2004 (circulated) by the Head of Planning, Development and Building Standards which advised on the making, serving and advertising of The Moorfield, Kilmarnock (Provisional) Tree Preservation Order 2004 and which sought the Committee's views on whether or not the existing Provisional Tree Preservation Order should be confirmed.

It was agreed to confirm The Moorfield, Kilmarnock (Provisional) Tree Preservation Order 2004.

The meeting terminated at 1105 hours.