

EAST AYRSHIRE COUNCIL**CENTRAL LOCAL PLANNING COMMITTEE****MINUTES OF MEETING HELD ON FRIDAY 2 JUNE 2006 AT 1000 HOURS IN
THE MEETING ROOM, COUNCIL HEADQUARTERS, LONDON ROAD,
KILMARNOCK**

PRESENT: Councillors Gordon Cree, Brian Reeves, Douglas Reid, John Weir, Drew McIntyre, Iain Linton, John Campbell, Ray Murray and John Knapp.

ATTENDING: Pamela Clifford, Principal Planning Officer; Peter Hessem, Team Leader, Litigation/Advice; and Jennifer Morrison, Administrative Officer.

APOLOGIES: Councillors Helen Coffey and Willie Coffey and Provost Jane Darnbrough.

CHAIR: Councillor Gordon Cree, Chair.

1. APPLICATION NO 05/1255/FL: ATRIUM HOMES: SITE BOUND BY SUTHERLAND DRIVE, MACDONALD DRIVE, AND MACBETH DRIVE, NEW FARM LOCH, KILMARNOCK (Item 1, page 2136, 03/07).

There was submitted a supplementary report dated 25 May 2006 (circulated) by the Head of Planning, Development and Building Standards which advised that this application had previously been considered by the Central Local Planning Committee at its meeting on 31 March 2006. The Committee at that meeting had agreed to continue consideration of the application to allow the Head of Planning, Development and Building Standards to enter into discussions with the applicant with a view to lowering ground levels at MacDonald Drive, as well as rotating the two houses at plots 22 and 23.

It was noted that Members of the Committee had carried out a site visit prior to the meeting.

1.1 Consideration of item

The Principal Planning Officer reported that there were now 25 objectors to the proposed development, 12 of the previous 14 objectors having submitted further letters of objection, and 13 new objections had been received to the amended proposal as detailed in 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 main report appended to the supplementary report and subject to the following amended conditions:-

- (i) "the proposed development shall be carried out in accordance with the application form and plans received on 17 November 2005 and the amended plans received on 9 May 2006. Reason: to ensure that the development is carried out in accordance with the approved details and;
- (ii) condition five should read "a landscaping scheme for the amenity open space areas and the landscaped strips along the boundary of the site shall be submitted to and approved in writing by the Planning Authority prior to the commencement of development on site and shall be implemented not later

than the next appropriate planting season after the occupation of the first residential property. These details shall include a quick growing evergreen hedge Privet (*Ligustrum Ovalifolium*) or evergreen shrubs especially along the frontage of plots 22 and 23 and plots 1 to 7. The scheme shall also include details of the maintenance arrangements and the landscaping shall thereafter be maintained in accordance with these details. Reason: to ensure that the site is adequately landscaped and is subsequently maintained in the interests of residential and visual amenity”.

1.2 Planning Hearing

The Committee then heard Angela Cowan in support of the objections of Mrs Janet Cowan, Mr and Mrs Carroll and Mr and Mrs Rankin, and Paul Green in support of the objections of Mr and Mrs Wilson.

Members of the Committee asked questions of the objectors in accordance with the Hearing Procedure.

The Committee then heard Stephen Black, Alison Glen and Celia Reilly, the applicant’s representatives’ in support of the application.

Members of the Committee asked questions of the applicant’s representatives in accordance with the Hearing Procedure.

The Chair closed the Hearing.

1.3 Determination of Planning Application

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

It was agreed to grant the application subject to the conditions and for the reasons detailed in the main report appended to the supplementary report and subject to the following amended conditions:-

- (i) “the proposed development shall be carried out in accordance with the application form and plans received on 17 November 2005 and the amended plans received on 9 May 2006. Reason: to ensure that the development is carried out in accordance with the approved details, and
- (ii) condition five should read “a landscaping scheme for the amenity open space areas and the landscaped strips along the boundary of the site shall be submitted to and approved in writing by the Planning Authority prior to the commencement of development on site and shall be implemented not later than the next appropriate planting season after the occupation of the first residential property. These details shall include a quick growing evergreen hedge Privet (*Ligustrum Ovalifolium*) or evergreen shrubs especially along the frontage of plots 22 and 23 and plots 1 to 7. The scheme shall also include details of the maintenance arrangements and the landscaping shall thereafter be maintained in accordance with these details. Reason: to ensure that the site is adequately landscaped and is subsequently maintained in the interests of residential and visual amenity”.

2. APPLICATION NOS 06/0145/FL AND 06/146/LB: KIRSTINE GILMOUR: 102 TITCHFIELD STREET, KILMARNOCK

There was submitted an executive summary sheet and report dated 25 May 2006 (both circulated) by the Head of Planning, Development and Building Standards on a full planning application for proposed application to form window to rear elevation and a listed building application for the erection of signage to front elevation of existing building and formation of window to rear elevation at former Kilmarnock Fire Station, 102 Titchfield Street, Kilmarnock.

The Principal Planning Officer reported that two objections had been received in relation to both the full planning application and the listed building application; summarised the planning considerations in respect of the application; and gave the recommendation of the Head of Planning, Development and Building Standards: Refusal of planning application number 06/0145/FL for the reasons detailed in the report and refusal of listed building application number 06/0146/LB for the reasons detailed in the report.

No Hearing took place as the objectors were not present or represented.

It was agreed to refuse planning application number 06/0145/FL and listed building application number 06/0146/LB for the reasons detailed in the report.

3. APPLICATION NO 06/0092/FL: MR FRANK McEWAN: 10 BONNYTON ROAD, KILMARNOCK

There was submitted an executive summary sheet and report dated 24 May 2006 (both circulated) by the Head of Planning, Development and Building Standards on an application for proposed formation of Beer Garden to front of bar entrance at Memory Lane, 10 Bonnyton Road, Kilmarnock.

The Principal Planning Officer reported that one 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.

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

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

4. APPLICATION NO: 06/0258/FL: MR AND MRS LUKE: 28 WILLIAM STREET, KILMARNOCK.

4.1 Declaration of Interest

Councillor Brian Reeves declared a non-financial interest in accordance with paragraphs 5.17 and 5.18 of the Code of Conduct and withdrew from the meeting.

4.2 Consideration of Item

There was submitted an executive summary sheet and report dated 25 May 2006 (both circulated) by the Head of Planning, Development and Building Standards on an application for proposed erection of dwellinghouse at 28 William Street, Kilmarnock.

It was noted that Members of the Committee had attended a site visit prior to the meeting.

The Principal Planning Officer reported that one 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: Refusal, for the reasons detailed in the report.

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

It was agreed (i) to grant the application on the basis that in the Committee's view the proposed development would not have a visually intrusive impact on the adjacent property in terms of loss of light and (ii) that it be remitted to the Head of Planning, Development and Building Standards to apply the standard planning conditions to this consent.

Councillor Brian Reeves rejoined the meeting at this point.

5. APPLICATION NO 06/0257/RM: ROBERTSON HOMES LTD: MOORFIELD ROUNDABOUT, MOORFIELD, KILMARNOCK

There was submitted an executive summary sheet and report dated 24 May 2006 (both circulated) by the Head of Planning, Development and Building Standards on a reserved matters application for residential development off B7064 adjacent to Moorfield roundabout, Moorfield, Kilmarnock.

5.1 Consideration of item

The Principal Planning Officer reported that one 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 by the Head of Planning, Development and Building Standards: Approval, subject to the conditions and for the reasons detailed in the report.

5.2 Planning Hearing

The Committee then heard Graeme Frew in support of the objections of Annandale Design.

Members of the Committee asked questions of the objector's representative in accordance with the Hearing procedure.

The applicant was not present or represented.

The Chair closed the Hearing.

5.3 Determination of application

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

It was agreed (i) to grant the application subject to the conditions and for the reasons detailed in the report but that condition (20) be deleted given that this matter was covered by the Committee's decision to include a Section 75 Agreement in respect of the notification of all future owners and buyers, of the industrial activity at nearby premises and (ii) that 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 County Planning (Scotland) Act 1997 to cover the matter detailed above

with the full wording of this Section 75 Agreement being remitted to the Solicitor to the Council and the Head of Planning, Development and Building Standards.

The Committee further agreed that the Head of Planning, Development and Building Standards request that the Environmental Health Service, as soon as possible establish current noise levels and commercial activity at the Annandale Design site in order that records were available for comparison, should there be any complaints from the future occupants of the site.

6. APPLICATION NUMBER 05/0500/FL: THIRDPART PROPERTIES LTD: 43 CAMPBELL PLACE, KILMARNOCK

There was submitted an executive summary sheet and report dated 24 May 2006 (both circulated) by the Head of Planning, Development and Building Standards on an application for change of use of vacant unit to class one retail premises at 43 Campbell Place, Riccarton, Kilmarnock.

The Principal Planning Officer reported that two 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.

No Hearing took place as the objectors were not present or represented.

It was agreed to grant the application.

The meeting terminated at 1108 hours.