

EAST AYRSHIRE COUNCIL**CENTRAL LOCAL PLANNING COMMITTEE****MINUTES OF MEETING HELD ON FRIDAY 6 FEBRUARY 2004 AT 1000 HOURS
IN THE MEETING ROOM, COUNCIL HEADQUARTERS, LONDON ROAD,
KILMARNOCK**

PRESENT: Councillors Gordon Cree, Brian Reeves, Daniel Coffey, Douglas Reid, John Weir, Drew McIntyre, Iain Linton, John Campbell, Ray Murray and Provost Jane Darnbrough.

ATTENDING: Pamela Clifford, Principal Planning Officer; Karen McLeod, Solicitor; Fiona Finlay, Senior Planning Officer; Mike Rooney, Team Leader (Environmental Health and Waste Management); and Christine Baillie, Administrative Officer.

APOLOGIES: Councillors Willie Coffey and John Knapp.

CHAIR: Councillor Gordon Cree, Chair.

HEARING PROCEDURE

1. The Administrative Officer established that the Hearing Procedure was understood by all participants.

2. **APPLICATION NO 03/1126/FL: MR AND MRS FARQUHAR: 16 GLEN CLOVA GARDENS, KILMARNOCK**

There was submitted an executive summary sheet and report dated 28 January 2004 (both circulated) by the Head of Planning and Building Control on a full planning application for proposed garage, utility and conservatory extension at 16 Glen Clova Gardens, Kilmarnock.

- 2.1 **Consideration of Item**

The Principal Planning Officer reported that three 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 and Building Control: Approval.

- 2.2 **Planning Hearing**

The Committee heard Mr Halliday, Agent for Mr and Mrs Watters in respect of their objections.

The Committee then heard Mrs Farquhar, applicant, in support of the application. Members asked a question of the applicant who responded to the issue raised, all in accordance with the Hearing procedure.

The Chair closed the Hearing.

- 2.3 **Determination of Application**

Councillor McIntyre seconded by Councillor Reeves, moved that the application be approved subject to the conditions, and for the reasons, detailed in the report.

Councillor Linton, seconded by Councillor Campbell, moved as an amendment that the application be refused on the grounds that the proposed development would

have a detrimental impact on the adjacent property in terms of loss of light and amenity

On a division by a show of hands the amendment was carried by 5 votes to 4.

Councillor Weir joined the meeting during the Hearing for the above application but took no part in the consideration or determination of the application.

3. APPLICATION NO 03/0735/FL: NEIGE DEVELOPMENTS LIMITED: EXPO, 1 WEST GEORGE STREET, KILMARNOCK

There was submitted an executive summary sheet and report dated 27 January 2004 (both circulated) by the Head of Planning and Building Control on an outline planning application for proposed outline residential development with façade retention on West George Street - includes retention of all shops at Expo, 1 West George Street, Kilmarnock

The Senior Planning Officer reported that one letter 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 and Building Control: 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 approve the application subject to the conditions, and for the reasons, detailed in the report.

4. APPLICATION NO 03/1047/FL: A J GILLESPIE: SPAR BONNYTON, 25 MUNRO AVENUE, KILMARNOCK

There was submitted an executive summary sheet and report dated 28 January 2004 (both circulated) by the Head of Planning and Building Control on a full planning application for the proposed siting of storage container at Spar Bonnyton, 25 Munro Avenue, Kilmarnock.

The Principal Planning Officer reported that one letter 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 and Building Control: 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 approve the application subject to the conditions, and for the reasons, detailed in the report.

5. APPLICATION NO 03/0901/LB AND 03/0974/FL: BUDDA PROPERTIES LIMITED: 46 BANK STREET, KILMARNOCK

There was submitted an executive summary sheet and report dated 28 January 2004 (both circulated) by the Head of Planning and Building Control on a full planning application and an application for listed building consent for the proposed extension and internal alterations and proposed change of use of bank to restaurant and public house, erection of conservatory and formation of beer garden at 46 Bank Street, Kilmarnock.

5.1 Consideration of Item

The Senior Planning Officer reported that one letter of representation had been received on behalf of 15 parties, details of which were contained with the report; informed the Committee that although the applicant had failed to notify one of the owners of the application site, this party had been advised of the procedural irregularity and had not raised an objection to it having already been neighbour notified by the applicant; summarised the planning considerations in respect of the application; and gave the recommendation of the Head of Planning and Building Control: in respect of application no. 03/0974/FL: Approval, subject to the conditions, and for the reasons, detailed in the report; and in respect of application no. 03/0901/LB: Approval, subject to the conditions, and for the reasons, detailed in the report and subject to the notification of Historic Scotland under the Listed Buildings and Buildings in Conservation Areas (Scotland) Regulations 1997.

5.2 Planning hearing

The Committee heard Mr Hunter, Agent for the objectors, who, prior to speaking in support of the written objection, informed the Committee that two residential neighbours had not been notified by the applicant and therefore requested that the application be continued to allow appropriate notification of the residents concerned. Having received legal advice, the Committee took the view that, as the parties concerned had in fact objected to the application and were to be represented at the Committee, they had not been materially prejudiced by the applicant's failure to notify them, and it was agreed to continue with the hearing. The Agent for the objectors then addressed the Committee in support of the written objections.

Members asked a question of the Agent for the objectors who responded to the issue raised, all in accordance with the Hearing Procedure.

The Committee then heard Mr Quinn, Agent for the applicant, in support of the application. Members asked questions of the Agent for the applicant who responded to the issues raised all in accordance with the Hearing Procedure.

The Chair closed the Hearing.

5.3 Determination of Application

It was agreed, in respect of application no. 03/0974/FL - to approve the application subject to the conditions, and for the reasons, detailed in the report and in respect of application no 03/0901/LB, to approve the application subject to the conditions, and for the reasons, detailed in the report and subject to the notification of Historic Scotland under the Listed Buildings and Buildings in Conservation Areas (Scotland) Regulations 1997.

6. APPLICATION NO 02/0930/FL: A CORRIE: UNIT 2, LORENY INDUSTRIAL ESTATE, KILMARNOCK

There was submitted an executive summary sheet and report dated 29 January 2004 (both circulated) by the Head of Planning and Building Control on a full planning application for proposed waste transfer bay and installation of interceptor tank at Unit 2, Loreny Industrial Estate, Kilmarnock.

The Principal Planning Officer reported that no objections had been received; summarised the planning considerations in respect of the application; and gave the

recommendation of the Head of Planning and Building Control: Approval, subject to the conditions, and for the reasons, detailed in the report.

Councillor Cree, seconded by Councillor McIntyre moved that the application be approved subject to the conditions, and for the reasons, detailed in the report.

Provost Darnbrough, seconded by Councillor Weir, moved as an amendment, that the application be refused on the grounds that the proposed development would have an adverse effect on the area by reason of traffic and odour.

On a division by a show of hands the amendment was carried by 7 votes to 3.

7. APPLICATION NO 03/0966/LA: EAST AYRSHIRE COUNCIL: WESTERN ROAD, KILMARNOCK

There was submitted an executive summary sheet and report dated 28 January 2004 (both circulated) by the Head of Planning and Building Control on an application under the Notice of Intention to Develop Procedures for proposed ground stabilisation works and grouting works at Western Road, Kilmarnock.

The Principal Planning Officer reported that no letters of objection had been received; summarised the planning considerations in respect of the application; and gave the recommendation of the Head of Planning and Building Control: that the applicant be advised that the proposal as submitted is acceptable subject to the conditions, and for the reasons, detailed in the report.

It was agreed to advise the applicant that the proposal as submitted is acceptable subject to the conditions, and for the reasons, detailed in the report.

The meeting terminated at 1120 hours