

**EAST AYRSHIRE COUNCIL****CENTRAL LOCAL PLANNING COMMITTEE****MINUTES OF MEETING HELD ON FRIDAY 20 AUGUST 2004 AT 1000 HOURS IN  
THE MEETING ROOM, COUNCIL HEADQUARTERS, LONDON ROAD,  
KILMARNOCK**

**PRESENT:** Councillors Gordon Cree, Brian Reeves, Daniel Coffey, John Weir, Drew McIntyre, Iain Linton, John Campbell and Ray Murray.

**ATTENDING:** Fiona Finlay, Acting Principal Planning Officer; John Trakalo, Senior Engineer, Roads and Transportation; Gillian McCluskey, Solicitor; Barry Douglas, Planning Officer; and Christine Baillie, Administrative Officer.

**APOLOGIES:** Councillors Willie Coffey, Douglas Reid, Provost Jane Darnbrough and Councillor John Knapp.

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

**1. APPLICATION NO 04/0192/FL: MRS L A BARNES: LAND ADJACENT TO  
ARRAN AVENUE, KILMARNOCK - NOTIFICATION OF A PLANNING APPEAL**

There was submitted an executive summary sheet and report dated 11 August 2004 (both circulated) by the Head of Planning, Development and Building Standards on a planning appeal on the above application. The report assessed the application in order that the Committee could take a view on the merits of the proposed development that would then be submitted for consideration by the Scottish Executive Inquiry Reporters Unit in their determination of the appeal.

**1.1 Consideration of Item**

The Acting Principal Planning Officer reported that 6 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: that the application be refused for the reasons detailed in the report and that this report be forwarded to the Scottish Executive Inquiry Reporters Unit as comprising the Council's "Written Statement of Observation".

**1.2 Planning Hearing**

The Committee heard Mr N O'Neil, objector in respect of his objection.

The applicant was not present or represented.

The Chair closed the Hearing.

**1.3 Determination of Application**

It was agreed that the Council's position in the current appeal would be that the application be refused for the reasons detailed in the report and that this report be forwarded to the Scottish Executive Inquiry Reporters Unit as comprising the Council's "Written Statement of Observations".

**2. APPLICATION NO 04/0525/FL: HUTCHISON 3G UK LTD: LORENY INDUSTRIAL ESTATE, SIMONSBURN ROAD, KILMARNOCK**

**2.1 Declaration of Interest**

Councillor Murray declared a non-pecuniary interest in the above item and took no part in the consideration or determination of the application.

**2.2 Consideration of Item**

There was submitted an executive summary sheet and report dated 11 August 2004 (both circulated) by the Head of Planning, Development and Building Standards on a full planning application for proposed erection of 15 metre telecommunications tower, associated antennae, transmission dish, equipment cabinets and palisade fencing.

The Acting Principal Planning Officer 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: 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.

**2.3 Adjournment/Reconvention of Meeting**

Following a request from the Committee seeking advice on the siting of telecommunications equipment in close proximity to flammable liquid and gas at nearby premises, it was agreed to adjourn the meeting at 1015 hours to take legal advice on the matter.

The meeting reconvened at 1025 hours with the same Members and Officers present and in attendance.

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 D Coffey, seconded by Councillor Weir, moved as an amendment that the application be refused on the grounds that the siting of the telecommunications mast in such close proximity to the mast in Umberley Road, Kilmarnock, would have an adverse effect on the visual amenity of the area.

On a division by a show of hands, the motion was carried by 4 votes to 3.

**3. APPLICATION NO 04/0616/FL: KEYLINE BUILDERS MERCHANTS LTD: 2 SIMONSBURN ROAD, KILMARNOCK**

**3.1 Declaration of Interest**

Councillors Murray and Reeves declared a non-pecuniary interest in the above item and took no part in the consideration or determination of the application.

Councillor Reeves left the meeting at this point.

**3.2 Consideration of Item**

There was submitted an executive summary sheet and report dated 4 August 2004 (both circulated) by the Head of Planning, Development and Building Standards on a full planning application for proposed change of use to storage and distribution of materials for builders, timber and plumbers merchants with tool hire, trade counter,

ancillary retail counter, secondary vehicle entrance and associated external alterations.

The Acting Principal Planning Officer reported that:- an appeal decision had recently been received from the Scottish Executive which approved application no 02/0930/FL: Waste Transfer Bay and Installation of Interceptor Tank at Unit 2, Loreny Industrial Estate, Kilmarnock, (Item 6, Page 550, 03/07) which would result in up to 50 additional vehicle movements in this area, but that the Head of Roads, Transportation and Design had been advised of this appeal and had confirmed that his comments on the application under consideration remained unchanged, as detailed in the report; one letter of objection 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.

### **3.3 Planning Hearing**

The Committee heard Mr Lang, Agent for the objector, in respect of his objections. Members asked questions of the Agent for the objector who responded to the issues raised all in accordance with the agreed Hearing Procedure.

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

The Chair closed the Hearing.

### **3.4 Determination of Application**

It was agreed to approve the application subject to the conditions, and for the reasons, detailed in the report and subject to the additional conditions detailed below, viz:-

- (i) all deliveries and uplifting of materials shall take place within the confines of the application site boundary at all times  
REASON: in the interests of road safety;
- (ii) all vehicles entering and leaving the site shall do so in forward gear at all times  
REASON: in the interests of road safety; and
- (iii) there shall be no stacking of materials within the visibility splay exclusion zone as identified on the approved site plan  
REASON: in the interests of road safety.

Councillor Reeves re-joined the meeting at this point.

## **4. APPLICATION NO 04/0561/FL: W&M WHITE: 22-26 NELSON STREET, KILMARNOCK**

There was submitted an executive summary sheet and report dated 11 August 2004 (both circulated) by the Head of Planning, Development and Building Standards on a full planning application for proposed replacement of single plane of slate roof with metal cladding and installation of 4 velux windows.

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

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

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

The meeting terminated at 1100 hours.