

EAST AYRSHIRE COUNCIL

CENTRAL LOCAL PLANNING COMMITTEE

**MINUTES OF MEETING HELD ON FRIDAY 6 DECEMBER 2002 AT 1000 HOURS
IN THE MEETING ROOM, COUNCIL HEADQUARTERS, LONDON ROAD,
KILMARNOCK**

PRESENT: Councillors John Knapp, Daniel Coffey, Douglas Reid, Lilian MacLean, John Weir, Iain Linton and Alex Walsh.

ATTENDING: Dave Morris, Development Promotion Manager; Stuart McAdam, Senior Planning Officer; Karen McLeod, Solicitor; Anne Marie Carr, Administrative Officer; and Lynn Chapman, Trainee Administrative Officer.

APOLOGIES: Councillors Drew McIntyre, Brian Reeves, Willie Coffey, Alan Campbell and Jane Darnbrough.

CHAIR: Councillor John Knapp, Vice-Chair.

CONSIDERATION OF APPLICATIONS

PROCEDURE

1. The Administrative Officer established that the Hearing procedure was understood by all participants.
2. **APPLICATION NO 02/0125/OL: PROPOSED ERECTION OF 2 DWELLINGHOUSES WITH PARKING AT SPRINGHILL HOUSE, PORTLAND ROAD, KILMARNOCK BY SPRINGHILL HOMES LTD**

There was submitted an executive summary sheet and report dated 28 November 2002 (both circulated) by the Head of Planning and Building Control presenting for determination an outline planning application for 2 detached houses with 6 ancillary parking spaces.

2.1 Consideration of Item

The Development Promotion Manager reported that sixty 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: Refusal, for the reasons detailed in the report.

2.2 Planning Hearing

The Committee heard Mrs J Dickie and Mr Maurice Ashbridge, Secretary Grange/Howard Community Council in respect of their objections. The Committee then heard Mr Douglas McEwan, agent for the applicant and Mr Muir, applicant in support of the application. Members asked questions of the objectors and of the applicant and the agent for the applicant. The objectors, applicant and agent for the applicant responded to the issues raised, all in accordance with the Hearing procedure.

The Chair closed the Hearing.

2.3 Determination of Application

It was agreed to refuse the application for the reasons detailed in the report, and for the following additional reason, viz:- the proposed development would be contrary to Policy 4.1.5 of the Adopted Kilmarnock Local Plan because it would have a detrimental impact on the setting of the adjacent "B" Listed Springhill House given the proposed development's close proximity to the listed building.

3. APPLICATION NO 02/0667/FL: PROPOSED CHANGE OF USE FROM HAIRDRESSING SALON TO 3 NO. BEDSITS AT 42 OLD STREET, KILMARNOCK BY M J DONNELLY

There was submitted an executive summary sheet and report dated 27 November 2002 (both circulated) by the Head of Planning and Building Control presenting for determination a full planning application for the change of use of a former hairdressing salon into 3 bedsits, each with toilet and a space-saver mini kitchen in the bedsitting area.

3.1 Consideration of Item

The Development Promotion Manager reported that twenty 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, subject to the conditions and for the reasons detailed, in the report.

3.2 Planning Hearing

The Committee heard Ms Rebecca Neil, on behalf of Mr John Allison and Mr Laurence Kerrigan in respect of their objections. The Committee then heard Mr Donnelly, applicant in support of his application. Members asked questions of the objectors and the applicant. The objectors and the applicant responded to the issues raised, all in accordance with the Hearing procedure.

The Chair closed the Hearing

3.3 Determination of Application

It was agreed to refuse the application on the grounds that the proposed development would constitute the loss of existing commercial floor space, which should be retained as such.

4. APPLICATION NO 02/0646/FL: PROPOSED CHANGE OF USE FROM COFFEE SHOP TO BAR AT COPPERFIELDS COFFEE SHOP, 3 ST MARNOCK PLACE, KILMARNOCK FOR MR KEVIN FINNIE

There was submitted an executive summary sheet and report dated 27 November 2002 (both circulated) by the Head of Planning and Building Control presenting for determination a full planning application to change the use of the existing Copperfields Coffee Shop to a Bar.

4.1 Consideration of Item

The Development Promotion Manager reported that three letters of objection and a petition containing thirty two signatories 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.

4.2 Planning Hearing

The Committee heard Mr William White in respect of his objection. The Committee then heard Mr Martin Schlechter, agent for the applicant and Mr Finnie, applicant, in support of the application. Members asked questions of the objector, the applicant and the agent for the applicant. The objector and agent for the applicant responded to the issues raised, all in accordance with the Hearing procedure.

The Chair closed the Hearing.

4.3 Determination of Application

It was agreed to refuse the application on the grounds that the proposed development, by reason of additional noise and disturbance, would constitute a nuisance to the surrounding community.

5. APPLICATION NO 02/0654/FL: PROPOSED CHANGE OF USE OF FIRST FLOOR HOTEL TO NIGHTCLUB AT COPPERFIELDS INN, 3 ST MARNOCK PLACE, KILMARNOCK FOR MR KEVIN FINNIE

There was submitted an executive summary sheet and report dated 27 November 2002 (both circulated) by the Head of Planning and Building Control presenting for determination a full planning application for the change of use of the first floor hotel to a nightclub.

5.1 Consideration of Item

The Development Promotion Manager reported that six letters of objection and a petition containing thirty two signatories 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.

5.2 Planning Hearing

The Committee heard Mr William White in respect of his objection. The Committee then heard Mr Martin Schlechter, agent for the applicant and Mr Finnie, applicant, in support of the application. Members asked questions of the objector, agent for the applicant and the applicant. The objector, agent for the applicant and the applicant responded to the issues raised, all in accordance with the Hearing procedure.

The Chair closed the Hearing.

5.3 Determination of Application

Councillor L Maclean, seconded by Councillor Reid moved to refuse the application on the grounds that the proposed development, by reason of additional noise and disturbance, would constitute a nuisance to the surrounding community.

Councillor Walsh, seconded by Councillor Knapp moved, as an amendment, to approve the application, subject to the conditions, and for the reasons detailed, in the report.

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

6. APPLICATION NO 02/0815/FL: PROPOSED 21M HIGH TELECOMMUNICATIONS MONOPOLE TO ACCOMMODATE EQUIPMENT, 15 NO. PANEL ANTENNAS, 2 NO. 0.6M MICROWAVE DISHES AND 1 NO. 0.3M MICROWAVE DISH PLUS 4 EQUIPMENT CABINS, COMPOUND FENCE AND HEDGE AT CARMELBANK FARM, CROSSHOUSE BY CROWN CASTLE INTERNATIONAL LTD

There was submitted an executive summary sheet and report dated 27 November 2002 (both circulated) by the Head of Planning and Building Control presenting for determination a full planning application for the erection of a 21 metre high telecommunications monopole with 15 panel antennas, two 0.6m microwave dishes and one 0.3m microwave dish attached. The application also relates to the installation of 4 equipment cabins and ancillary development.

The Development Promotion Manager 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.

7. APPLICATION NO 02/0848/FL: PROPOSED CHANGE OF USE OF LAND TO CAR SALES AT 16 JAMES LITTLE STREET, KILMARNOCK FOR MR DAVID RITCHIE

There was submitted an executive summary sheet and report dated 27 November 2002 (both circulated) by the Head of Planning and Building Control presenting for determination a full planning application to utilise the land for car sales.

The Development Promotion Manager 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.

Councillor Walsh, seconded by Councillor Weir moved that the application be approved subject to the conditions and for the reasons detailed in the report, subject to an amendment to Condition No 3 restricting the hours of operation from 0800 hours to 2000 hours.

Councillor D Coffey, seconded by Councillor Knapp moved as an amendment that the application be approved, subject to the conditions, and for the reasons detailed in the report.

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

8. APPLICATION NO 02/0800/FL: PROPOSED GARAGE, REAR EXTENSION AND ERECTION OF 2M HIGH TIMBER FENCE AT 24 CORDON ROAD, KILMARNOCK BY MR H MCGREGOR

There was submitted an executive summary sheet and report dated 27 November 2002 (both circulated) by the Head of Planning and Building Control presenting for determination a full planning application to erect a double garage, a rear extension and a 2m high timber fence.

The Development Promotion Manager reported that no objections had been received in respect of this application; summarised the considerations in respect of the application and gave the recommendation of the Head of Planning and Building Control: Refusal, for the reasons detailed in the report.

It was agreed that the application be approved as the Committee considered the development would not detract from the area and would in fact improve the visual amenity subject to conditions and for reasons, to be determined by the Head of Planning and Building Control.

The meeting terminated at 1205 hours.