

EAST AYRSHIRE COUNCIL

CENTRAL LOCAL PLANNING COMMITTEE

**MINUTES OF MEETING HELD ON FRIDAY 11 OCTOBER 2002 AT 1000 HOURS
IN THE MEETING ROOM, COUNCIL HEADQUARTERS, LONDON ROAD,
KILMARNOCK**

PRESENT: Councillors Drew McIntyre, Brian Reeves, Daniel Coffey, Willie Coffey, Douglas Reid, John Weir, Alex Walsh, Alan Campbell and John Knapp.

ATTENDING: Karen McLeod, Solicitor; Pamela Clifford, Senior Planning Officer; and Anne Marie Carr, Administrative Officer.

APOLOGIES: Councillors Lilian MacLean, Iain Linton and Jane Darnbrough.

CHAIR: Councillor Drew McIntyre, Chair for Items 2, 4, 6 and 7; Councillor Alex Walsh, Chair for Item 3; and Councillor John Knapp, Chair for Item 8.

CONSIDERATION OF PLANNING APPLICATIONS

PROCEDURE

1. The Administrative Officer established that the Hearing procedure was understood by all participants.
2. **APPLICATION NO 02/0644/FL: PROPOSED CHANGE OF USE FROM RETAIL (GROUND FLOOR) AND OFFICES (UPPER FLOOR) TO PUBLIC HOUSE ON GROUND FLOOR AND NIGHT CLUB ON UPPER FLOORS AT 26 NELSON STREET, KILMARNOCK FOR LOTHIAN ENTERTAINMENT LTD**

There was submitted an executive summary sheet and report dated 1 October 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 retail shop on the ground floor to a public house and from offices to a night club on the upper floors.

2.1 Consideration of Item

The Senior Development Officer reported that eight 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.

2.2 Planning Hearing

The Committee heard Mr W White in respect of his objections. The Committee then heard Mr R McGinley, agent, in support of the application. Members asked questions of the objector and of the applicant's agent. The objector and the applicant's agent responded to the issues raised, all in accordance with the Hearing procedure.

The Chair closed the Hearing.

2.3 Determination of Application

Councillor McIntyre, seconded by Councillor Campbell, moved to grant the application subject to the conditions, and for the reasons detailed, in the report.

Councillor Knapp, seconded by Councillor Reid, moved as an amendment to refuse the application as the proposal would adversely affect properties in the area and would be detrimental to the residential amenity.

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

3. APPLICATION NO 02/0540/OL: PROPOSED ERECTION OF SINGLE STOREY BUNGALOW WITH DOUBLE GARAGE AT LAND ADJACENT TO 88 IRVINE ROAD, CROSSHOUSE BY MR & MRS MCCOLL

3.1 Declaration of Interest

Councillors McIntyre and Knapp declared a non-pecuniary interest in the above item and left the meeting.

In accordance with Standing Order 16.1, the Administrative Officer invited nominations for the Chair from the members of the Committee. It was agreed that Councillor Walsh be appointed as Chair.

3.2 Consideration of Item

There was submitted an executive summary sheet and report dated 1 October 2002 (both circulated) by the Head of Planning and Building Control presenting for determination an outline planning application for the erection of a single storey bungalow and double garage at land adjacent to 88 Irvine Road, Crosshouse.

The Senior Development 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: Refusal, for the reasons detailed in the report.

3.3 Planning Hearing

The Committee heard Mrs Greta Roberts, agent for the objectors, in respect of their objections. The Committee then heard Mr D McColl, applicant in support of the application. Members asked questions of the agent and of the applicant. The agent and the applicant responded to the issues raised, all in accordance with the Hearing procedure.

The Chair closed the Hearing.

3.4 Determination of Application

Councillor Campbell, seconded by Councillor Willie Coffey, moved to refuse the application for the reasons detailed in the report.

Councillor Weir, seconded by Councillor Walsh, moved as an amendment to grant the application due to the applicant's exceptional circumstances as there were no other suitable sites available and the development could be fully justified in terms of site specific locational need.

On a division by a show of hands the motion was carried by 5 votes to 2.

Councillor Walsh vacated the Chair.

Councillors McIntyre and Knapp re-joined the meeting and Councillor McIntyre resumed the Chair.

4. APPLICATION NO 02/0683/FL: PROPOSED ERECTION OF 6FT GARDEN FENCE BETWEEN NOS. 5 AND 7 AT BACK, ERECTION OF NEW GARDEN SHED AT 5 PLAYINGFIELD ROAD, CROSSHOUSE BY MR & MRS G MCLARDY

Councillor Reeves left the meeting at this point.

There was submitted an executive summary sheet and report dated 1 October 2002 (both circulated) by the Head of Planning and Building Control presenting for determination a full retrospective planning application for the erection of a 1.8M high timber fence to the rear of the property and a new timber garden shed along the northern boundary.

4.1 Consideration of Item

The Senior Development 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.

4.2 Planning Hearing

The Committee heard Miss Hannah McKibbin, in respect of her objections. The Committee then heard Mr Tom Brown, agent for the applicant, in support of the application.

The Chair closed the Hearing.

4.3 Determination of Application

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

ORDER OF BUSINESS

5. The Chair, at his discretion and in terms of Standing Order 19, agreed to alter the order of business and consider item 5 as the last item of business.

6. APPLICATION NO 02/0487/CA: PROPOSED DEMOLITION OF REMAINING FRONT AND GABLE ELEVATIONS AND APPLICATION NO 02/0489/FL: PROPOSED DEVELOPMENT OF GAP SITE TO PROVIDE SPECULATIVE OFFICE/RETAIL USE BUSINESS UNIT CLASS 1 (RETAIL)/CLASS 2 (FINANCIAL, PROFESSIONAL AND OFFICE SERVICES)/CLASS 4 (BUSINESS DEVELOPMENT) AT GAP SITE, COLLEGE WYND, KILMARNOCK BY J C MORTON HOMES

There was submitted an executive summary sheet and report dated 1 October 2002 (both circulated) by the Head of Planning and Building Control presenting for determination both a full planning application and an application for conservation area consent to demolish the remaining front façade which comprises stone with facing brick infill and for the erection of a new building.

The Senior Development Officer reported that no objections had been received in respect of this application; 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.

It was agreed:-

- (i) to grant the planning application, subject to the conditions and for the reasons detailed, in the report; and
- (ii) that the Conservation Area Consent be approved 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.

7. APPLICATION NO 02/0557/OL: PROPOSED RESIDENTIAL DEVELOPMENT AT VACANT LAND, HIGHFIELD AVENUE AND INNELLAN DRIVE, KILMARNOCK BY MR J TRACEY

There was submitted an executive summary sheet and report dated 1 October 2002 (both circulated) by the Head of Planning and Building Control presenting for determination an outline planning application for a residential development on vacant land at Highfield Avenue and Innellan Drive, Kilmarnock.

The Senior Development Officer reported that no objections had been received in respect of this application; 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.

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

8. APPLICATION NO 02/0495/FL: PROPOSED INSTALLATION OF AN AUTOMATED TELLER MACHINE AT SPAR, BONNYTON SPSO, 25 MUNRO AVENUE, KILMARNOCK BY ALLIANCE AND LEICESTER (Item 3, Page 2713 99/02)

Councillors McIntyre, W Coffey and Reid left the meeting at this point.

In the absence of the Chair, Councillor Knapp, Vice-Chair, assumed the Chair.

The Committee gave further consideration to a full planning application for the installation of an automated teller machine (ATM) in the front elevation of the shop, which had been continued from the meeting of 16 August 2002 following a Hearing, to allow Officers to consult further with the Roads Division regarding the erection of bollards in front of the proposed ATM.

The Senior Development 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.

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

The meeting terminated at 1116 hours.