

EAST AYRSHIRE COUNCIL**CENTRAL LOCAL PLANNING COMMITTEE****MINUTES OF MEETING HELD ON FRIDAY 11 FEBRUARY 2000 AT 1000 HOURS
IN THE MEETING ROOM, COUNCIL HEADQUARTERS, LONDON ROAD,
KILMARNOCK**

PRESENT: Councillors Drew McIntyre, Brian Reeves, Daniel Coffey, Robert Stevenson, John Weir, Iain Linton, Alex Walsh, Jane Darnbrough and John Knapp.

ATTENDING: Dave Morris, Development Promotion Manager; Fiona Finlay, Planning Officer; James Lally, Senior Administrative Officer; Karen McLeod, Solicitor; Melanie Macleod, Administrative Officer; and Christine Baillie, Trainee Administrative Officer.

APOLOGIES: Councillor Willie Coffey, Douglas Reid and Alan Campbell.

CHAIR: Councillor Drew McIntyre.

CONSIDERATION OF PLANNING APPLICATION**1.1 APPLICATION NO 99/0825/FL: VICO PROPERTY GROUP PER
COMPREHENSIVE DESIGN**

There was submitted a report dated 2 February 2000 (circulated) by the Head of Planning and Building Control on a full planning application for a proposed amendment to KL/E/FL/87/090H incorporating amendment to proposed elevations to Units 1, 6, 14 and loading bay and increase in footprint of Units 1 and 14 at land surrounding Portland Street, Kilmarnock.

The Development Promotion Manager reported that 3 letters of representation had been received, details of which were contained in the report; reported on the receipt and content of a response received from the Royal Fine Art Commission; summarised the planning considerations in respect of the application; and gave the recommendation of the Head of Planning and Building Control: (i) Approval, subject to the following conditions, viz:- (1) The development to which this permission relates must be begun within five years from the date of this permission; (2) The proposed development shall be carried out in accordance with the application form received on 24 November 1999 and the plans received on 24 November 1999 and 2 February 2000; (3) Notwithstanding the approved plans, details of all external materials shall be submitted to, and approved by the Planning Authority before development commences on site; (4) Notwithstanding the approved plans, the detailed design of all shop frontages, which shall incorporate the provision of a stall riser and doorways sufficient to allow access for persons using wheelchairs, shall be submitted to and approved by the Planning Authority before development commences on site; (5) Notwithstanding the approved plans, the design of any external security screens, roller shutters and associated housings is not hereby approved. Such features shall, at all times, be located behind the forwardmost wall of any unit, details of which shall be submitted to and approved by the Planning Authority before development commences on site; (6) Notwithstanding the approved plans, the detailed design of all boundary walls and fences shall be submitted to and approved by the Planning Authority before development commences on site; (7) No customer car parking shall take place in the two service yards; (8) No storage of goods or other materials shall

take place in the two service yards; (9) Notwithstanding the submitted details, the surface treatment of Portland Street, Croft Street, Strand Street and Dunlop Street and the two car park areas shall be compatible in terms of quality and type of materials used with the Cross and King Street. Details of the final surface treatment of these areas shall be submitted to and approved by the Planning Authority before the commencement of development; (10) Prior to the commencement of development, full details of any street furniture, including lighting, bollards and seating in Portland Street, Croft Street and Strand Street shall be submitted to and approved by the Planning Authority. The design of the street furniture shall be compatible in quality and design to that used in the Cross and King Street; (11) A scheme showing the provision to be made for the disposal and collection of all refuse from the units hereby approved shall be submitted to and approved by the Planning Authority before the development commences; (12) Notwithstanding the provisions of the General Permitted Development (Scotland) Order 1992, full details of the location of site compounds and of the location of the site access during the construction phase shall be submitted to and approved by the Planning Authority before the development commences; (13) At all times during the construction phase of the development, unobstructed access shall be maintained for fire fighting purposes to surrounding properties; (14) Prior to the commencement of development, further details of the design and materials of the proposed doors to the loading bay are to be submitted for the approval of the Planning Authority and thereafter implemented as approved; and (15) The front elevation of Unit 14 hereby approved, shall incorporate black plinths finished in a material to match the existing black plinths of the immediately adjacent listed former Bank building. Details of the plinth material shall be submitted to and approved by the Planning Authority prior to the commencement of development; Condition (1) being imposed to comply with Section 58 of the Town and Country Planning (Scotland) Act 1997; Condition (2) to ensure that the development is carried out in accordance with the approved details; Conditions (3), (4), (5), (6), (9) and (10) in the interests of visual amenity; Conditions (7) and (8) in the interests of road safety; Condition (11) in the interests of public safety and visual amenity; Condition (12) in the interests of visual amenity and road safety; Condition (13) in the interests of public safety; Condition (14) in the interests of visual amenity and to ensure a satisfactory integration with the Wheatsheaf Inn; and Condition (15) in order to complement the character of the adjacent listed former Bank building; and (ii) the issuing of the Planning Decision Notice be postponed until the Solicitor to the Council had satisfactorily concluded in writing the amendment of the legal agreements relating to the development site as a whole with a view to incorporating the application without impact on their terms and effectiveness.

1.2 ADJOURNMENT

It was agreed to adjourn the meeting at 1009 hours for approximately 10 minutes to take advice on the application.

1.3 RECONVENTION

The Committee reconvened at 1025 hours with the same Members and Officials present and in attendance.

1.4 DETERMINATION OF APPLICATION

It was agreed:-

- (i) to approve the application subject to the conditions and for the reasons detailed;
- (ii) that an additional condition be imposed to ensure that, during the period of construction works, the service access to the rear of the retail units at the Foregate is kept clear and unobstructed at all times, this condition being imposed in the interests of road safety; and
- (iii) that the issuing of the Planning Decision Notice be postponed until the Solicitor to the Council had satisfactorily concluded in writing the amendment of the legal agreements relating to the development site as a whole, with a view to incorporating the application without impact on their terms and effectiveness.

The meeting terminated at 1040 hours.