

EAST AYRSHIRE COUNCIL

KILMARNOCK CENTRAL LOCAL PLANNING COMMITTEE

MINUTES OF MEETING HELD ON THURSDAY 19 SEPTEMBER 1996 AT 1400 HOURS IN THE S & R WING OF THE GRANGE ACADEMY, BEECH AVENUE KILMARNOCK

PRESENT: Councillors Gordon Cree (Chair), Irene Reeves, Douglas Reid, Wilma Doyle and Ronald Brailsford.

ATTENDING: Roddy Wallace, Head of Administration; Paul McVey, Area Housing Manager; Jim Bottom, Principal Planning Officer; and Melanie Macleod, Administrative Officer.

CHAIR: Councillor Gordon Cree, Chair.

CONSIDERATION OF PLANNING APPLICATIONS

1.1 APPLICATION NO. 96/0037/FL: SPRINGHILL HOME LIMITED (Item 1.3, Page 1008).

There was submitted a report dated 29 August 1996 (circulated) by the Head of Planning and Building Control on a full planning application for the proposed change of use of private open space to residential use, and the erection of three dwellinghouses, at Springhill Gardens, Portland Road, Kilmarnock. This matter was previously considered by the Local Committee on 21 June 1996, and continued to allow further investigation of issues raised by the applicant.

The Principal Planning Officer reported that two letters of objection, details of which were given in the report, had been received, together with a petition signed by 72 people. He then summarised the planning considerations in respect of the application and intimated that an additional report had been received from the Roads Division. In the light of this development, he advised that the revised recommendation of the Head of Planning and Building Control was that consideration of the application be deferred for further consideration at the next meeting of the Local Committee.

It was agreed to defer consideration of the application to the next meeting of the Local Committee.

1.2 APPLICATION NO. 96/0151/TP: MR STEWART

There was submitted a report dated 5 September 1996 (circulated) by the Head of Planning and Building Control on an application to fell three elm trees bordering the Dick Institute on Loanhead Street, Kilmarnock, which were subject to a Tree Preservation Order.

The Principal Planning Officer reported that no representations 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 following conditions, viz:- (1) the three elm trees shall be crown thinned by approximately 6m; and (2) the works should be carried out by a qualified arboriculturist. Condition (1) being imposed in the interests of visual amenity; and

Condition (2) to ensure the works are undertaken in such a manner as to prevent serious or permanent damage to the trees.

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

1.3 APPLICATION NO. 96/0237/FL: MR B DEVLIN

There was submitted a report dated 29 July 1996 (circulated) by the Head of Planning and Building Control on a full planning application in respect of the proposed removal of Condition 2 from previous Planning Application No. KL/W/FL/80/101S relating to Wynford Cottages, Kilmaurs Road, Knockentiber.

The Principal Planning Officer reported that no representations had been received; summarised the planning consideration in respect of this application; and gave the recommendation of the Head of Planning and Building Control: Refusal on the following grounds, viz:- (1) the roof tiles, by virtue of their external appearance, are detrimental to the character and appearance of the countryside; (2) the site is conspicuous adjacent to a classified road and, therefore, the use of inappropriate roof tiles is detrimental to the character and appearance of the countryside; (3) the use of inappropriate roof tiles sets an undesirable precedent for other dwellings in the countryside; and (4) the roof tiles installed do not accord with the rural character of the area and would, therefore, be contrary to Policy HR4 of the Kilmarnock and Loudoun Finalised District Plan.

It was agreed to approve the application on the ground that the alternative roof tiles employed were considered by the Committee to be of an appearance which complied with Policy HR4.

1.4 APPLICATION NO. KL/W/FL/89/122E: MR ROBIN McFARLANE

There was submitted a report dated 3 September 1996 (circulated) by the Head of Planning and Building Control on an application for full planning permission for the proposed refurbishment of a property to form two flatted units and two retail units at 5/19 West Langlands Street, Kilmarnock.

The Principal Planning Officer reported that one letter of objection had been received, details of which were given in 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 following conditions, viz:- (1) the development to which this permission relates must begin 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 23 February 1996 and the amended plans received by the Planning Authority on 9 July 1996; (3) a landscaping scheme relating to the treatment of the boundary around the parking area at the rear of the site shall be submitted to, and approved by, the Planning Authority prior to commencement of any development, and shall be implemented immediately upon the completion of the development. The scheme shall ensure details of the provisions to be made for the maintenance of the soft and hard landscaped area, and shall be maintained thereafter in accordance with these details; and (4) the access crossing into the bend shall be widened and reformed to Roads Division standards before any other development commences on the site. Condition (1) being imposed to comply with Section 38 of the Town and Country Planning (Scotland) Act 1972; Condition (2) to ensure that development is carried out in accordance with the approved details; Condition (3) to ensure that the open space is provided to an

adequate standard, and that it is subsequently maintained, in the interest of residential and visual amenity; and Condition (4) in the interest of visual amenity.

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

1.5 APPLICATION NO. 96/0332/FL: AYRSHIRE AND ARRAN COMMUNITY HEALTH CARE NHS TRUST

There was submitted a report dated 2 September 1996 (circulated) by the Head of Planning and Building Control on a full planning application for the proposed extension of continuance of use of temporary office accommodation (Consent KL/E/FL/94/226A) to 31 January 1997 at the Primary Care Division, 56 London Road, Kilmarnock.

The Principal Planning Officer reported that one letter of objection had been received, details of which were given in 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 following conditions, viz:- (1) permission is granted for a limited period from 27 October 1996 to 31 January 1997, and at the expiration of this period, the portable building shall be removed from the land, and the land shall be restored to its former condition to the satisfaction of the Planning Authority; and (2) notwithstanding the plans hereby approved, the developer shall replace any of the 2m high Cypress Lleylandii trees that have been removed or damaged during the two year period of temporary consent, with trees of a similar size and species prior to the period of extension. Condition (1) being imposed since the building is of a temporary nature and is unsuitable on a permanent basis in the London Road Conservation Area; and Condition (2) in the interest of the visual amenity of the area.

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

1.6 APPLICATION NO. 96/0350/FL: MR D CASTELLI

There was submitted a report dated 30 August 1996 (circulated) by the Head of Planning and Building Control on a full planning application for the proposed change of use to fast food takeaway, 49 Low Glencairn Street, Kilmarnock.

The Principal Planning Officer reported that three letters of objection had been received, details of which were given in 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 following conditions, viz:- (1) the development to which this permission relates must begin within five years from the date of this permission; (2) the business shall operate only between the hours of 0900 hours and 2300 hours Monday to Saturday; (3) a ventilation system shall be installed to extract cooking smells in a manner which causes no nuisance to adjoining properties. Full details of this ventilation system shall be submitted to, and approved by, the Planning Authority prior to the change of use taking place; (4) a scheme showing the provision to be made for the disposal of refuse in a manner which causes no nuisance to adjoining properties to be implemented throughout the period the premises are used for fast food takeaway, shall be submitted to, and approved by, the Planning Authority prior to the change of use taking place; and (5) a grease trap shall be provided in the drainage system of the property prior to the commencement of the use hereby approved. Condition (1)

being imposed to comply with Section 38 of the Town and Country Planning (Scotland) Act 1972; Condition (2) to ensure that the development does not generate undue noise or disturbance during times when other such sources have diminished, in the interest of residential amenity; Condition (3) in the interest of residential amenity; Condition (4) in the interest of residential amenity; and Condition (5) to ensure an adequate means of drainage is provided.

It was agreed:-

- (i) to grant the application subject to the conditions and for the reasons detailed; and
- (ii) to note that a further application would be required for any proposed alteration to the shop front and a separate advertisement application may be required for any illuminated advertisements proposed.

1.7 APPLICATION NO. 96/0173/FL: MR D HARLEY

There was submitted a report dated 5 September 1996 (circulated) by the Head of Planning and Building Control on a full planning application for the proposed change of business hours from 0900 hours to 0800 hours start, six days per week, excluding Sunday, at 36 Holehouse Road, Kilmarnock.

The Principal Planning Officer reported that three letters of objection had been received with five signatories, details of which were given in the report; summarised the planning considerations in respect of the application; and gave the recommendation of the Head of Planning and Building Control: Approval.

It was agreed to grant the application.

The meeting terminated at 1420 hours.