

EAST AYRSHIRE COUNCIL**CENTRAL LOCAL PLANNING COMMITTEE****MINUTES OF MEETING HELD ON FRIDAY 20 AUGUST 1999 AT 1007 HOURS IN
THE MEETING ROOM, COUNCIL HEADQUARTERS, LONDON ROAD,
KILMARNOCK**

PRESENT: Councillors Drew McIntyre, Daniel Coffey, Douglas Reid, Robert Stevenson, John Weir, Iain Linton, Alex Walsh and John Knapp.

ATTENDING: Jim Worley, Principal Planning Officer; Julie Armstrong, Senior Administrative Officer; Ian Walker, Planning Officer and Melanie Macleod, Administrative Officer.

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

CHAIR: Councillor Drew McIntyre, Chair.

CONSIDERATION OF PLANNING APPLICATIONS**1. PROCEDURE**

The Administrative Officer established that the Hearing Procedure was understood by all participants.

1.1 APPLICATION NO 98/0816/FL: MRS E J TEMPLETON (Item 1.4, Page 122, 99/02)

There was submitted a report dated 10 August 1999 (circulated) by the Head of Planning and Building Control on an application for a proposed change of use of a residential property to form a Community Pharmacy at 68 Dean Street, Kilmarnock.

It was noted that members of the Committee had attended a site visit prior to the meeting.

The Principal Planning Officer reported that seven letters of objection had been received, details of which were contained in the report; summarised the planning considerations in respect of the application; and gave the recommendation of the Head of Planning and Building Control: Refusal on the grounds that the proposed development would have a detrimental impact on the amenity of the adjacent residential properties by reason of noise and disturbance and would be contrary to Policy SK4 of the Finalised Kilmarnock and Loudoun District Plan.

No objectors were present or represented.

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

1.2 APPLICATION NO 99/0452/FL: TAURUS CONSTRUCTION LTD

There was submitted a report dated 10 August 1999 (circulated) by the Head of Planning and Building Control on an application for the proposed construction of a parking bay (relocation from original position) at Plots 9 and 10, Smillie Place, Kilmarnock.

It was noted that members of the Committee had attended a site visit prior to the meeting.

The Principal Planning Officer reported that one letter of objection had been received, details of which were contained 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 condition, namely that the development to which this permission relates must be begun within five years from the date of this permission, this condition being imposed to comply with Section 58 of the Town and Country Planning (Scotland) Act 1997.

The Committee heard Mr Fitzpatrick in support of his objection. The Committee then heard Mr Harley in support of his application. Members asked questions of the objector and of the applicant. The objector and applicant responded to the issues raised, all in accordance with the Hearing Procedure.

It was agreed to refuse the application on the grounds that the parking bay would have a detrimental effect on the visual and general amenity of the adjacent residential property, the latter by reason of noise and disturbance.

1.3 APPLICATION NO 99/0424/FL: MR E SMITH

There was submitted a report dated 10 August 1999 (circulated) by the Head of Planning and Building Control on an application for the erection of a boundary fence at 1 Grampian Road, Kilmarnock.

The Principal Planning 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 following condition namely that the development to which this permission relates must be begun within five years from the date of this permission, this condition being imposed to comply with Section 58 of the Town and Country Planning (Scotland) Act 1997.

The Committee heard Mr Ward in support of his objection. The Committee then heard Mr Smith in support of his application. Members asked questions of the objector and of the applicant. The objector and applicant responded to the issues raised, all in accordance with the Hearing Procedure.

It was agreed to grant the application subject to the condition and for the reason detailed.

1.4 APPLICATION NO 98/0543/FL: ASHLEIGH PROPERTY DEVELOPMENT (GLASGOW) LTD

There was submitted a report dated 11 August 1999 (circulated) by the Head of Planning and Building Control on an application for the erection of a Class 1 Food Retail Outlet and associated service/parking/access arrangements at Burnpark House, Ayr Road, Kilmarnock.

The Principal Planning Officer reported that nine 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 on the grounds that (1) the proposed development would, by virtue of its size and location, be contrary to Police SK2 of the Finalised Kilmarnock and Loudoun District Plan which states that, outwith the Kilmarnock Town Centre, new convenience retail floor space shall only be allowed where the proposed development is small scale and intended for the sale of daily provisions to meet a local need; (2) the proposed development would be contrary to

Policy SK4 of the Finalised Kilmarnock and Loudoun District Plan in that insufficient information or justification has been brought forward to establish the impact upon the vitality and the viability of Kilmarnock Town Centre, the availability of alternative sites in the Town Centre and the support for the floor space proposed from the catchment area; (3) the proposal is contrary to National Planning Policy Guideline No 8 “Town Centres and Retailing” in that insufficient information has been put forward to justify the proposal on the basis of a “sequential test” or to establish a need for the units against the vitality or viability of the Town Centre; and (4) the proposed design of the retail unit is to an unacceptable standard in that it presents bland elevations devoid of architectural interest to a main arterial road into and out of Kilmarnock.

The Committee heard Mr Faulds in support of his objection, in accordance with the Hearing Procedure. The applicant was not present or represented.

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

1.5 APPLICATION NO 99/0426/FL: MR JOHN GARDNER

There was submitted a report dated 10 August 1999 (circulated) by the Head of Planning and Building Control on a part-retrospective application for the formation of mounding and the erection of a fence at Treesbank House, Ayr Road, Kilmarnock.

The Principal Planning Officer reported that the Department of Development Services (Roads Division) had advised that a means of drainage would require to be provided, by the applicant, from the trench adjacent to the mounding and a further condition to that effect was, therefore, recommended.

The Principal Planning Officer reported that three letters of objection had been received, details of which had been 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 condition that (1) the mound be amended to accord with the plans hereby approved within two months of the date of this consent; and (2) that a means of drainage be provided, by the applicant, from the trench adjacent to the mounding, Condition (1) being imposed in the interest of residential amenity; and Condition (2) being imposed to ensure adequate drainage of the site and surrounding area.

The Committee heard Mr McAughtrie in support of his objection, in accordance with the Hearing Procedure. The applicant was not present or represented.

It was agreed to refuse the application on the grounds that the mounding would have a detrimental effect on the privacy and amenity of adjacent properties through disturbance and would have an unacceptable impact on the landscape of the area.

1.6 APPLICATION NO 99/0468/FL: THE CHURCH OF JESUS CHRIST OF THE LATTER DAY SAINTS

There was submitted a report dated 10 August 1999 (circulated) by the Head of Planning and Building Control on an application for a proposed erection of a boundary wall and fence at the Church of Jesus Christ of the Latter Day Saints, Whatriggs Road, Kilmarnock.

The Principal Planning 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 following condition

namely that the development to which this permission relates must be begun within five years from the date of this permission, this condition being imposed to comply with Section 58 of the Town and Country Planning (Scotland) Act 1997.

The objector was not present or represented.

It was agreed to grant the application subject to the condition and for the reason detailed.

1.7 APPLICATION NO 99/0505/AD: TRAINER LTD

There was submitted a report dated 10 August 1999 (circulated) by the Head of Planning and Building on an application for two proposed "6 sheet" advertisement box signs at 19 London Road, Kilmarnock.

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: Refusal on the grounds that the proposed signs would have a detrimental effect on the visual amenity and general character of the area and would represent an inappropriate and over-prominent form of advertisement.

It was agreed to refuse the application for the reason detailed.

The meeting terminated at 1100 hours.