

EAST AYRSHIRE COUNCIL**PRINCIPAL PLANNING COMMITTEE****MINUTES OF MEETING HELD ON FRIDAY 7 SEPTEMBER 2007 AT 1000 HOURS IN THE MEETING ROOM, COUNCIL HEADQUARTERS, LONDON ROAD, KILMARNOCK**

PRESENT: Councillors Alan Brown, John McGhee, Maureen McKay, Tom Cook, Iain Linton, Douglas Reid, Jim Buchanan and William Crawford.

ATTENDING: David Mitchell, Head of Legal, Procurement and Regulatory Services; Alan Neish, Head of Planning and Economic Development; Fiona Finlay, Principal Planning Officer; and Robert Beaton, Administrative Officer;

APOLOGIES: Councillors Drew McIntyre, Jimmy Kelly and Drew Filson.

CHAIR: Councillor Alan Brown, Chair.

DECISION OF THE NORTHERN LOCAL PLANNING COMMITTEE HELD ON FRIDAY 17 AUGUST 2007 RELATING TO PLANNING APPLICATION NO 05/1201/FL: PROPOSED RE-DEVELOPMENT OF KILMARNOCK RUGBY FOOTBALL CLUB GROUND INCLUDING NEW CLUBHOUSE FACILITIES AND PITCHES, NEW RETAIL AND LEISURE DEVELOPMENT AT KILMARNOCK RUGBY GROUND, BELLSLAND, QUEEN'S DRIVE, KILMARNOCK BY KILMARNOCK RUGBY FOOTBALL CLUB/ ALDI STORES LTD (Item 6, Page 81, 07/11)

1. There was submitted a report dated 30 August 2007 (circulated) by the Depute Chief Executive/Executive Director of Corporate Support which informed of the decision of the Northern Local Planning Committee held on 17 August 2007, regarding the above planning application, and the executive summary sheet and report dated 9 August 2007 (both circulated) by the Head of Planning and Economic Development.

It was noted that Members of the Committee had the opportunity to attend a site visit in respect of this application prior to the meeting and that no Hearing took place as objectors were neither present nor represented at the meeting of the Northern Local Planning Committee on 17 August 2007, therefore, there was no requirement for a Hearing at this meeting.

The Principal Planning Officer reported that five letters of objections and a petition containing 139 names in support and 35 letters of support 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 Economic Development: Refusal, for the reasons as detailed within the report.

With the agreement of the Committee, there was submitted a letter dated 3 September 2007 (circulated) by James Barr on behalf of Ashflame Glencairn Park Ltd highlighting that Glencairn Retail Park had a significant part to play in the regeneration of Kilmarnock Town Centre and that the decision of the Northern Local Planning Committee on 17 August 2007 to recommend approval of planning application number 05/01201/FL Kilmarnock Rugby Club/Aldi Stores Ltd was contrary to the plans for the regeneration of Kilmarnock Town Centre.

Following advice from the Head of Planning and Economic Development and the Head of Legal, Procurement and Regulatory Services, Councillor Alan Brown seconded by Councillor Iain Linton moved (i) approval of the application on the grounds that it was considered to be an enabling application with wider implications and beneficial impact on sport and leisure facilities and was considered to be an acceptable departure from the Development Plan; (ii) to delegate to the Head of Planning and Economic Development that appropriate conditions be attached to the consent; to include a specific condition limiting the retail floor space within the proposed leisure development to 1,621 square metres only. REASON: to ensure that the remaining floorspace of the premises are put to leisure development use; (iii) that the Head of Planning and Economic Development, consider the requirements for a Section 75 Legal Agreement with regard to road alterations, emergency access and egress, and phasing of the development to ensure that the Kilmarnock Rugby Club development commenced prior to the opening of the retail and leisure development; and to refer the application back to this Committee if not able to negotiate these matters with the applicants; and (iv) that the application be referred to Scottish Ministers under the Town and Country Planning (Notification of Applications) (Scotland) Direction as appropriate.

Councillor John McGhee, seconded by Councillor William Crawford, moved as an amendment, refusal for the reasons, as detailed within the report.

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

The meeting terminated at 1051 hours.