

**EAST AYRSHIRE COUNCIL**

**CENTRAL LOCAL PLANNING COMMITTEE**

**MINUTES OF MEETING HELD ON FRIDAY 31 MARCH 2006 AT 1000 HOURS IN  
THE MEETING ROOM, COUNCIL HEADQUARTERS, LONDON ROAD,  
KILMARNOCK**

**PRESENT:** Councillors Gordon Cree, Brian Reeves, Douglas Reid, John Weir, Drew McIntyre, Iain Linton, John Campbell and Ray Murray; Provost Jane Darnbrough and Councillor John Knapp.

**ATTENDING:** Pamela Clifford, Principal Planning Officer; John Trakalo, Senior Roads Engineer; Peter Hessel, Team Leader, Litigation/Advice; and Jennifer Morrison, Administrative Officer.

**APOLOGY:** Councillor Willie Coffey.

**CHAIR:** Councillor Gordon Cree, Chair.

**1. APPLICATION NO 05/1255/FL: ATRIUM HOMES: SITE BOUND BY SUTHERLAND DRIVE, MACDONALD, AND MACBETH DRIVE, NEW FARM LOCH, KILMARNOCK**

There was submitted an executive summary sheet and report dated 23 March 2006 (both circulated) by the Head of Planning, Development and Building Standards on an application for proposed erection of 28 residential units at site bound by Sutherland Drive, MacDonald Drive and MacBeth Drive, New Farm Loch, Kilmarnock.

**1.1 Consideration of Item**

The Principal Planning Officer reported that fourteen objections 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, Development and Building Standards: Approval, subject to the conditions and for the reasons detailed in the report.

**1.2 Planning Hearing**

The Committee then heard Angela Cowan in support of the objections of Mrs Janet Cowan, Paul Green in support of the objections of Mr & Mrs Wilson, and Mrs Withers.

Members of the Committee asked questions of the objectors in accordance with the Hearing Procedure.

The applicant was not present or represented.

The Chair closed the Hearing.

**1.3 Determination of Application**

The Principal Planning Officer provided clarification on points raised during the Hearing.

It was agreed to continue consideration of the application to a future meeting to allow the Head of Planning, Development and Building Standards to enter discussions with

the applicant with a view to lowering ground levels at MacDonald Drive as well as rotating the 2 houses at Plots 22 and 23. The Committee also noted the advice given by the Principal Planning Officer that such changes would require amendment to the application and as such would require re-neighbour notification, and it was agreed that even in the case of there being no objectors to this fresh proposal, the Committee wished to determine the application, rather than it being dealt with under delegated powers.

**2. APPLICATION NO 05/1204/RL: FIRST CLASS SCHOOLS PER HOCHTIEF: GRANGE ACADEMY AND ANNANHILL PRIMARY SCHOOL, BEECH AVENUE, GRANGE TERRACE AND IRVINE ROAD, KILMARNOCK**

There was submitted an executive summary sheet and report dated 22 March 2006 (both circulated) by the Head of Planning, Development and Building Standards on an application for proposed Secondary School, Primary School, Special Needs School and community facilities at Grange Academy and Annanhill Primary School, Beech Avenue, Grange Terrace and Irvine Road, Kilmarnock.

**2.1 Consideration of Item**

The Principal Planning Officer reported an amendment to Section 1.1 of the report to replace "Development Services" with "Local Planning"; reported that five objections 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, Development and Building Standards: Approval, subject to the conditions and for the reasons detailed in the report.

**2.2 Planning Hearing**

The Committee then heard Mr Raffel, Mr Gibb in support of the objections of Mrs Gibb, Mr McCall representing the objections of Grange Howard Community Council, and Mrs Faure in support of the objections of Stuart Faure.

Members of the Committee asked questions of the objectors in accordance with the Hearing Procedure.

The Committee then heard Mr Munford, Mr McKerron and Mr McBrearty, the applicant's representatives in support of the application.

Members of the Committee asked question of the applicant's representatives in accordance with the Hearing Procedure.

The Chair closed the Hearing.

**2.3 Determination of Application**

The Principal Planning Officer provided clarification on points raised during the Hearing.

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

Councillor Reid joined the meeting at this point.

**3. APPLICATION NO 05/1205/RM: FIRST CLASS SCHOOLS PER HOCHTIEF: ST JOSEPH'S ACADEMY, GRASSYARDS ROAD/ DEAN LANE/ STRAWBERRYBANK ROAD, KILMARNOCK**

There was submitted an executive summary sheet and report dated 24 March 2006 (both circulated) by the Head of Planning, Development and Building Standards on an application for proposed Denominational Secondary School, Primary School, community facilities, outdoor education and nursery class at St Joseph's Academy, Grassyards Road/Dean Lane/Strawberrybank Road, Kilmarnock.

**3.1 Consideration of Item**

The Principal Planning Officer reported that a petition of objection with three signatories had been received, details of which were contained within the report; reported an amendment to condition (11) to replace the words "prior to the school campus being brought into use" with "within a timescale to be agreed by the Planning Authority prior to the commencement of development"; summarised the planning considerations in respect of the application; and gave the recommendation of the Head of Planning, Development and Building Standards: Approval, subject to the conditions and for the reasons detailed in the report.

**3.2 Planning Hearing**

The Committee then heard Mr Maloy and Mr Lindsay in support of the petition of objection.

The Committee then heard Mr Munford, Mr McBrearty and Mr McKerron in support of the application.

Members of the Committee asked question of the applicants representatives in accordance with the Hearing Procedure.

The Chair closed the Hearing.

**3.3 Determination of Application**

The Principal Planning Officer provided clarification on points raised during the Hearing.

It was agreed to grant the application subject to the conditions and for the reasons detailed in the report and subject to an additional condition (29) prior to the commencement of development approved by this permission, the applicant shall establish a Community Liaison Committee to inform and discuss matters which arise during the construction of the new school campus and relate to the local community and surrounding area. The composition of this Committee, the means by which it shall be formed and its role shall all be agreed with the Planning Authority. Meetings shall be held on a monthly basis or as otherwise required – REASON: to inform the community of matters which arise during the construction of the new school campus.

**4. APPLICATION NO 05/1180/FL: BLAVEN INVESTMENTS: 43 LONDON ROAD, KILMARNOCK**

**4.1 Declarations of Interest**

Councillors Brian Reeves and Drew McIntyre declared a non-financial interest in accordance with paragraphs 5.17 and 5.18 of the Code of Conduct and withdrew from the meeting.

#### **4.2 Consideration of Item**

There was submitted an executive summary sheet and report dated 23 February 2006 (both circulated) by the Head of Planning, Development and Building Standards on an application for proposed erection of 18 Flats at 43 London Road, Kilmarnock.

The Principal Planning Officer reported that three objections 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, Development and Building Standards: Approval, subject to the conditions and for the reasons detailed in the report and that the issuing of the Planning decision notice be withheld until the Solicitor to the Council had satisfactorily concluded a legal agreement with the applicants in respect of a contribution to the Sports, Leisure and Recreation Fund.

#### **4.3 Planning Hearing**

The Committee heard Annette Donnelly in support of the objections of Kilmarnock Academy School Board.

Members of the Committee asked questions of the objector in accordance with the Hearing Procedure.

The Committee then heard Alistair Cruikshank in support of the application.

The Chair closed the Hearing.

#### **4.4 Determination of Application**

The Principal Planning Officer provided clarification on points raised during the Hearing.

It was agreed to grant the application subject to the conditions and for the reasons detailed in the report and that the issuing of the Planning Decision Notice be withheld until the Solicitor to the Council had satisfactorily concluded a Legal Agreement with the applicants in respect of a contribution to the Sports, Leisure and Recreation Fund.

Councillor Brian Reeves rejoined, and Councillor Iain Linton left the meeting at this point.

#### **5. APPLICATION NO 05/0984/FL: ASDA STORES LTD: 10 QUEEN'S DRIVE, KILMARNOCK**

There was submitted an executive summary sheet and report dated 24 March 2006 (both circulated) by the Head of Planning, Development and Building Standards on an application for proposed variation of condition of Planning Permission, 96/0406/FL to allow alterations to the access and associated highway and condition of Planning Permission 96/0406/FL to allow an additional 929 square metres of comparison floor space at 10 Queen's Drive, Kilmarnock.

The Principal Planning Officer reported the planning considerations in respect of the application; and gave the recommendation of the Head of Planning, Development and Building Standards: Refusal for the reasons detailed in the report.

Councillor Cree, seconded by Councillor Knapp moved that the application be refused for the reasons detailed in the report.

Councillor Weir, seconded by Councillor Campbell moved as an amendment that the application be referred to Development Services Committee with a recommendation of approval on the basis that the proposal would not have an adverse impact on the Town Centre shops as this was already an existing store.

On a division by a show of hands the motion defeated the amendment by 5 votes to 3.

The meeting terminated at 1200 hours.