

EAST AYRSHIRE COUNCIL**DEVELOPMENT SERVICES COMMITTEE - SITTING AS A PLANNING
COMMITTEE****MINUTES OF MEETING HELD ON TUESDAY 31 MAY 2005 AT 1400 HOURS IN
THE MEETING ROOM, COUNCIL HEADQUARTERS, LONDON ROAD,
KILMARNOCK**

PRESENT: Councillors Eric Ross, Jim O'Neill, John McGhee, Stephanie Young, Brian Reeves, Daniel Coffey, Drew McIntyre, John Campbell, Stuart Finlayson, Robert McDill, George Smith, Jimmy Kelly, Tommy Farrell, Elaine Dinwoodie and Jimmy Carmichael.

ATTENDING: David Mitchell, Head of Administrative and Legal Services; Alan Neish, Head of Planning, Development and Building Standards; and Robert Beaton, Administrative Officer.

APOLOGIES: Councillors Isabella Macrae, Iain Linton and Eric Jackson.

CHAIR: Councillor Eric Ross, Chair.

**1. APPLICATION NO 02/0746/FL: PROPOSED CHANGE OF USE OF EXISTING
FOOD STORE AS NON-FOOD RETAIL UNIT, GLENCAIRN RETAIL PARK,
KILMARNOCK BY W M MORRISON SUPERMARKETS**

There was submitted an executive summary sheet and report dated 20 May 2005 (both circulated) by the Head of Planning, Development and Building Standards on an application for proposed change of use of existing food store as non-food retail unit at Glencairn Retail Park, Kilmarnock.

The Head of Planning, Development and Building Standards 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: Approval, subject to the conditions, and for the reasons detailed in the report and that the issue of the Decision Notice be withheld until the Solicitor to the Council had satisfactorily concluded a Section 75 Agreement with the applicants regarding the obligations referred to in Section 7.2 of the report.

No Hearing took place as the objector was not present or represented at the meeting.

Councillor Ross, seconded by Councillor D Coffey, moved refusal of the application as they considered that the proposed development is premature in relation to the Kilmarnock Town Centre Action Plan and could adversely affect the vitality and viability of Kilmarnock Town Centre.

Councillor McIntyre, seconded by Councillor Reeves, moved as an amendment to approve the application subject to the conditions, and for the reasons, detailed in the report and that the issue of the Decision Notice be withheld until the Solicitor to the Council had satisfactorily concluded a Section 75 Agreement with the applicants regarding the obligations referred to in Section 7.2 of the report.

On a division by a show of hands, there were seven votes for the amendment and seven votes for the motion.

There being an equality of votes, the Chair exercised his casting vote in favour of the motion which became the decision of the meeting.

The meeting terminated at 1410 hours.