

EAST AYRSHIRE COUNCIL

LOCAL REVIEW BODY

MINUTES OF MEETING HELD ON MONDAY 21 FEBRUARY 2011 AT 1530 HOURS IN THE COUNCIL CHAMBERS, COUNCIL HEADQUARTERS, LONDON ROAD, KILMARNOCK

PRESENT: Councillors Alan Brown, John McGhee, Tom Cook and Drew Filson.

ATTENDING: Hugh Melvin, Principal Planning Officer; Craig Young, Team Leader - Litigation and Advice; and Jennifer Morrison, Administrative Officer.

APOLOGY: Councillor Jimmy Kelly.

CHAIR: Councillor Alan Brown, Chair.

PROCEDURE

1. The Chair confirmed that Members were familiar with the Procedure to be followed at the meeting (circulated).

APPLICATION NO LRB/10/0641/PP: McILVANNEY CRESCENT, LONGPARK, KILMARNOCK

2. There was submitted a position statement (circulated) in respect of the request for a review of the decision taken by Officers under delegated authority, to refuse an application for the removal of a requirement to provide a playpark from planning consent 06/0636/FL and to substitute that requirement with amenity open space at McIlvanney Crescent, Longpark, Kilmarnock. The Notice of Review submission (including petition; supporting letter and report; statement in support of review and plan), the Decision Notice, the Appointed Planning Officer's Report of Handling, a further letter of representation received and a response by the applicant to the further letter of representation were also circulated.

The Local Review Body taking account of the material produced, agreed that it had sufficient information before it and that the review application could be determined without further procedure in terms of the Town and Country Planning (Schemes of Delegation and Local Review Body Procedure) (Scotland) Regulations 2008.

The Local Review Body considered the terms of the Decision Notice dated 8 October 2010, Report of Handling dated 30 September 2010 and 8 October 2010 together with the Notice of Review dated 14 December 2010 and other supporting documents as well as the further letter of representation dated 21 January 2011 and the appellant's response dated 2 February 2011.

Having done so, the Local Review Body noted the application assessment that had been carried out by the Case Officer within the Report of Handling and, having considered this assessment in light of the Notice of Review and supporting documentation, determined that the application was considered to be contrary to policies RES22, RES23 and CS1 within the adopted East Ayrshire Local Plan 2010, and that the material considerations referred to within the Notice of Review and supporting documentation did not outweigh those Local Plan Policies.

As a consequence, the review application was refused and accordingly dismissed, upholding the Appointed Officer's determination.

The meeting terminated at 1550 hours.