

**EAST AYRSHIRE COUNCIL****DEVELOPMENT SERVICES COMMITTEE - SITTING AS A PLANNING  
COMMITTEE****MINUTES OF MEETING HELD ON TUESDAY 29 JUNE 2004 AT 1400 HOURS IN  
THE MEETING ROOM, COUNCIL HEADQUARTERS, LONDON ROAD,  
KILMARNOCK**

**PRESENT:** Councillors Brian Reeves, Daniel Coffey, Isabella Macrae, John Campbell, Ray Murray, Stuart Finlayson, Robert McDill, George Smith, Jimmy Kelly, Tommy Farrell and Elaine Dinwoodie.

**ATTENDING:** Alan Neish, Head of Planning, Development and Building Standards; Peter Hessett, Team Leader, Legal Services; Stuart Nelson, Administrative Officer; and Lynn Chapman, Trainee Administrative Officer.

**APOLOGIES:** Councillors Eric Ross, Maureen McKay, Jim O'Neill, John McGhee, Stephanie Young, Douglas Reid, Drew McIntyre, Iain Linton, Eric Jackson and Jimmy Carmichael.

**CHAIR:** Councillor George Smith, Vice-Chair.

**HEARING PROCEDURE**

1. The Administrative Officer established that the Hearing Procedure was understood by all participants.
2. **DECISION OF THE SOUTHERN LOCAL PLANNING COMMITTEE HELD ON 28 MAY 2004 RELATING TO PLANNING APPLICATION NO 03/0829/FL: PROPOSED FORMATION OF 24 PLOTS FOR PRIVATE HOUSING DEVELOPMENT AT VACANT SITE LOCATED OFF PRIMPTON AVENUE, DALRYMPLE BY BRANDON HOMES (Item 2, Page 814, 03/07)**

There was submitted a report dated 7 June 2004 (circulated) by the Acting Executive Director of Corporate Support which informed of the decision of the Southern Local Planning Committee held on 28 May 2004 regarding the above planning application; and executive summary sheet and report dated 17 May 2004 (copies circulated) by the Head of Planning, Development and Building Standards which presented for determination a full planning application for the proposed formation of a 24 no. private plotted development at a vacant site off Primpton Avenue, Dalrymple.

**2.1 Consideration of Item**

The Head of Planning, Development and Building Standards reported that 14 letters of representation, in addition to the objections by Scottish Water and Dalrymple Community Council had been received, details of all 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 (i) the conditions and for the reasons detailed in the report; and (ii) the issue of the Decision Notice being withheld until the Solicitor to the Council had concluded a formal legal agreement under Section 75 of the Town and Country Planning (Scotland) Act 1997 with the applicant in respect of the matters listed in Paragraph 7.1 of the report.

## **2.2 Planning Hearing**

The Committee heard Mrs Grace Garrity in support of her own objection and those submitted by Mrs Collagan and Mr David Steel; and Mr Alistair Pavitt in support of the objection from Dalrymple Community Council.

The Committee then heard Dr John Riddell, Agent for the applicant, in support of the application. Members asked questions of the Agent for the applicant who responded to the issues raised, all in accordance with the Hearing Procedure.

The Chair closed the Hearing.

## **2.3 Determination of Application**

Councillor Smith, seconded by Councillor Kelly, moved to approve the application subject to (i) the conditions and for the reasons detailed in the report; and (ii) the issue of the Decision Notice being withheld until the Solicitor to the Council had concluded a formal legal agreement under Section 75 of the Town and Country Planning (Scotland) Act 1997 with the applicant in respect of the matters listed in Paragraph 7.1 of the report.

Councillor Dinwoodie, seconded by Councillor Macrae, moved as an amendment to refuse the application on the basis that the Committee were not satisfied that the flood prevention/mitigation measures proposed as part of the application were sufficiently adequate to address the risk of flooding at the application site, and therefore that the application site was not suitable for a housing development in terms of the proposals contained within the application.

On a division by a show of hands, the motion was carried by 7 votes to 4.

## **3. DECISION OF THE SOUTHERN LOCAL PLANNING COMMITTEE HELD ON 28 MAY 2004 RELATING TO PLANNING APPLICATION NO 04/0289/OL: PROPOSED NEW BUNGALOW AND GARAGE AT LANDS AT REDGATE FARM, SORN BY MR J S HODGE (Item 3, Page 815, 03/07)**

There was submitted a report dated 7 June 2004 (circulated) by the Acting Executive Director of Corporate Support which informed of the decision of the Southern Local Planning Committee held on 28 May 2004 regarding the above planning application; and executive summary sheet and report dated 17 May 2004 (copies circulated) by the Head of Planning, Development and Building Standards which presented for determination an outline application for the erection of a bungalow and detached garage at lands at Redgate Farm, Sorn.

Having heard the Head of Planning, Development and Building Standards who advised that further information had been received in connection with this application, it was agreed to defer consideration of the application to a future meeting, pending submission of a revised report by the Head of Planning, Development and Building Standards.

The meeting terminated at 1444 hours.