

EAST AYRSHIRE COUNCIL

SOUTHERN LOCAL PLANNING COMMITTEE

**MINUTES OF SPECIAL MEETING HELD ON WEDNESDAY 29 OCTOBER 1997
AT 1100 HOURS IN THE MEETING ROOM, COUNCIL HEADQUARTERS,
LONDON ROAD, KILMARNOCK**

PRESENT: Councillors Robert Taylor, James Kelly, James Boyd, George Smith, James Carmichael, John Smith and Tommy Farrell.

ATTENDING: Roddy Wallace, Head of Administration; Bill Walkinshaw, Principal Administrative Officer; Hugh Melvin, Acting Senior Development Promotion Officer; Stuart Norval, Senior Engineer (Roads); and Ian Gemmell, Administrative Officer.

APOLOGIES: Councillors Eric Ross, David Sneller and Eric Jackson.

CHAIR: Councillor John Smith (Vice-Chair).

CONSIDERATION OF PLANNING APPLICATION

1.1 APPLICATION NO 97/0544/OL: MS SIOBHAN ORRETT (Item 1.1, Page 2631)

Councillor Farrell did not participate in the deliberation or decision pertaining to this application as he had not attended the related Planning Hearing.

There was re-submitted a report dated 15 September 1997 (circulated) by the Head of Planning and Building Control on an outline planning application for the erection of a single dwelling bungalow at 52 Wellwood Street, Muirkirk recommending that the application be refused for the following reason, viz:- the proposed development would result in a third dwellinghouse being erected at this location to the rear of Wellwood Street, and as the applicant was unable to provide a proper access road with street lighting as required by East Ayrshire Council as Roads Authority, the proposed development would be detrimental to public road safety.

The Head of Administration reported that the decision of the Southern Local Planning Committee at its meeting on 23 October 1997 to grant planning consent had been ultra vires since the application had been recommended for refusal by the Head of Planning and Building Control and the proposal was contrary to Council Policy in relation to adopted Roads policies and practices; in those circumstances the application should have been referred for determination to the Development Services Committee in accordance with the Council's Scheme of Delegation.

Councillor Boyd, seconded by Councillor John Smith moved that the application be refused for the reasons detailed.

Councillor Kelly, seconded by Councillor George Smith moved as an amendment that the application be referred to the Development Services Committee for determination, in accordance with the Scheme of Delegation for Planning Applications, with a recommendation that the application be granted as the access road serving the site was already serving 3 properties and approval of the application would not change the existing situation.

On a division by a show of hands, the amendment was carried by 4 votes to 2.

The meeting terminated at 1124 hours.