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To: Councillors Graham Barton (Chair), John McGhee (Vice-Chair), Ellen Freel, Elaine Cowan, Maureen McKay, Peter Mabon, Claire Maitland, William Lennox, Billy Crawford, Neill Watts, Drew Filson, Jennifer Hogg and Elaine Stewart.

12 April 2024

Dear Councillor

**PLANNING COMMITTEE - 19 APRIL 2024**

You are requested to attend a meeting of the **Planning Committee** to be held on **FRIDAY 19 APRIL 2024 at 1000 HOURS** in the **COUNCIL CHAMBERS, COUNCIL HEADQUARTERS, LONDON ROAD, KILMARNOCK/MICROSOFT TEAMS.**

Members are advised that only those Elected Members who were involved in the Hearing associated with the undernoted application (Agenda Item 2: Planning Application No 23/0446/PP) at the meeting held on Friday 15 March 2024 (Councillors Graham Barton, John McGhee, Ellen Freel, Elaine Cowan, Peter Mabon, William Lennox, Billy Crawford, Neill Watts, Drew Filson, Jennifer Hogg and Elaine Stewart) should participate in the determination of that application at the Planning Committee on Friday 19 April 2024.

Please note that prior to this meeting, a site visit will be held in respect of Agenda Item 2: Planning Application No 23/0446/PP on **Monday 15 April 2024 at 1000 hrs on site.** A location plan highlighting the rendezvous point has already been circulated along with transport arrangements.

**The meeting of the Planning Committee will be subject to delayed broadcast and a recording will be available to view on the Council's website. The Council's website will be updated with a hyperlink to the East Ayrshire Council YouTube channel where the video will be hosted. The Council's YouTube channel is managed by the Council's Communications Team.**

Yours sincerely

SIGNED OFF BY CHRISTINE BAILLIE  
ON BEHALF OF

David Mitchell  
Chief Governance Officer  
SW/SC

## B U S I N E S S

### **CALL FOR SEDERUNT AND INTIMATE APOLOGIES (page 1)**

1. **DECLARATIONS OF INTEREST (page 2)** - Under this item, Members are asked to declare, if required, any interest in the undernoted item of business on the Agenda and to provide a brief explanation of the nature of the interest.
2. **PLANNING APPLICATION NO 23/0446/PP: APPLICATION FOR PLANNING PERMISSION FOR ERECTION OF 3 NO DWELLINGS WITH DETACHED GARAGES AND ASSOCIATED INFRASTRUCTURE INCLUDING CHANGE OF USE FROM AGRICULTURAL LAND TO RESIDENTIAL/DOMESTIC USE GARDEN AND RECREATION GROUND AT PURCLEWAN MILL U745 PURCLEWAN MILL FROM B742 AT DUSTYHALL TO A713 HOLLYBUSH EAST AYRSHIRE KA6 6AN (pages 3-67)** - Submit report ([copy enclosed](#)) by the Chief Governance Office presenting for determination an application for Planning Permission. The application comprises local development, in terms of the Town and Country Planning (Hierarchy of Development) (Scotland) Regulations 2009, however, it is subject to more than 10 objections, which, under the Scheme of Delegation, is therefore to be considered by the Planning Committee.
3. **PLANNING APPLICATION NO 23/0604/PP: BATTERY ENERGY STORAGE SYSTEM (BESS) WITH A MAXIMUM GENERATING CAPACITY OF 29.9MW INVOLVING THE INSTALLATION OF UP TO 18 BATTERY CONTAINERS, A SUBSTATION AND RELATED ELECTRICAL EQUIPMENT, AND ASSOCIATED ANCILLARY INFRASTRUCTURE INCLUDING A NEW ACCESS TRACK, EXISTING ACCESS TRACK IMPROVEMENTS, SURFACE WATER DRAINAGE/SUDS, ACOUSTIC FENCING, PERIMETER FENCING WITH LIGHTING/CCTV, AND LANDSCAPE PLANTING AT LAND SOUTH OF ELECTRICITY SUBSTATION A70 FROM B730 TO U74 BARDARROCH OCHILTREE EAST AYRSHIRE (pages 68-120)** - Submit report ([copy enclosed](#)) by the Chief Governance Officer presenting for determination an application for planning permission to be considered by the Planning Committee under the Council's Scheme of Delegation as the proposal is a Major Development as defined within the Town and Country Planning (Hierarchy of Development) (Scotland) Regulations 2009 and is not significantly contrary to the development plan.
4. **COMPLIANCE MONITORING UPDATE OF MAJOR DEVELOPMENTS AND ENVIRONMENTAL PROJECTS (pages 121-146)** - Submit report dated 9 April 2024 ([copy enclosed](#)) by the Chief Governance Officer providing an update to the Planning Committee in respect of compliance monitoring activity relating to large scale and environmental projects which are subject to planning permissions and other consents including Major developments as defined in the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009 between the period of 1<sup>st</sup> January to 30<sup>th</sup> March 2024.
5. **UPDATE REPORT: ON PROGRESS OF PLANNING APPLICATIONS WHICH HAVE BEEN RECOMMENDED FOR APPROVAL WHICH ARE SUBJECT TO THE CONCLUSION OF AN APPROPRIATE LEGAL AGREEMENT AND/OR ARE LEGACY PLANNING APPLICATIONS IN EAST AYRSHIRE (pages 147-156)** - Submit report dated 9 April 2024 ([copy enclosed](#)) by the Chief Governance Officer providing an update to the Planning Committee on the following matters: (i) in respect of planning applications which have been recommended for approval subject to the conclusion of an appropriate legal agreement, however have not yet been determined six months after consideration by the Planning Committee due to delays in concluding the legal agreement; and (ii) Planning Applications which remain undetermined after one year since validation date which are termed Legacy Applications under Scottish

Government guidelines. Planning committee on 26 March 2021 agreed with the recommendation that these matters be reported to Planning Committee on an ongoing quarterly basis. This report covers the period January to March 2024 inclusive.

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### ***Recording – Virtual Meeting***

***Please note: this meeting will be recorded to the Council's website, where it will be capable of repeated viewing. At the start of the meeting, the Chair will confirm that the meeting is being recorded.***

***You should be aware that the Council is a Data Controller under the Data Protection Act 2018. Data collected during the recording will be retained in accordance with the Council's published policy, including, but not limited to, for the purpose of keeping historical records and making those records available via the Council's website.***