

REPORT TO: SPECIAL MEETING OF THE PLANNING & REGULATORY SERVICES COMMITTEE ON 12 AUGUST 2008

SUBJECT: PUBLIC HEARING : PLANNING APPLICATION: 08/00930/FUL : RETROSPECTIVE CHANGE OF USE FROM AGRICULTURAL LAND TO GARDEN GROUND AND ERECTION OF DETACHED GARAGE INCORPORATING A STUDIO AT WOODSIDE FARMHOUSE MOSSTOWIE ELGIN FOR Mrs EMMA COOPER

BY: CHIEF LEGAL OFFICER

1. Purpose of Hearing

1.1 The purpose of the Hearing is to afford those submitting representations and the applicant the opportunity to state and explain their cases before the Planning & Regulatory Services Committee prior to the Committee determining the application.

2. Background

2.1 In terms of the Council's Scheme of Delegation relating to Planning Applications the above noted application has been referred direct to a Hearing to which the applicant and the objectors have been invited to attend and afforded the opportunity of being heard.

2.2 Arrangements will be made for members of the Committee to visit the site of the application on Friday 8 August 2008.

3. Director's Report

3.1 A copy of the Director's report on the application is attached.

4. Public Hearing Procedure

4.1 The proposed procedure which the Committee will follow in respect of the Hearing is as follows:-

- (i) The applicant will speak first (maximum of 15 minutes) outlining the application and addressing the stated objections.
- (ii) Councillors will then be given the opportunity to question the applicant in order to clarify points raised.
- (iii) The objectors will then be given the opportunity to address the meeting (a maximum of 10 minutes) to speak to their stated objections. It should be noted that the Committee will not be prepared to consider any new ground(s) of objection.

- (iii) Councillors will be given the opportunity to question each objector following their presentation in order to clarify points raised.
- (iv) Both applicant and objectors will then be given the opportunity to summarise their respective cases in light of the submissions to the Authority (maximum five minutes each).
- (v) The Director of Environmental Services or his representative will then be permitted to be heard by the Committee to amplify his report on the application and to clarify any points which Members may wish to raise.
- (vi) The Committee will consider and, if so disposed determine the application.

5. Conclusion

- 5.1 The Committee is invited to hear those submitting representations on the application and the applicant in regard to the retrospective change of use from agricultural land to garden ground and the erection of a detached garage, incorporating a studio at Woodside Farmhouse, Mosstowie and thereafter, if so disposed, to determine the application.**

Author of Report: Ron Ritchie, Senior Committee Services Officer
Background Papers: Report on application and Scheme of delegation
Ref : RR/h:envserv\planninghearings\2008/mosstowie/committeereport.