

**EAST AYRSHIRE COUNCIL****SOUTHERN LOCAL PLANNING COMMITTEE****MINUTES OF MEETING HELD ON FRIDAY 2 NOVEMBER 2007 AT 1000 HOURS  
IN THE BARRHILL CENTRE, BANK AVENUE, CUMNOCK**

**PRESENT:** Councillors Jim Sutherland, Eric Jackson, Jimmy Kelly, Jim Roberts, William Crawford, Barney Menzies, Kathy Morrice, Eric Ross and Elaine Dinwoodie.

**ATTENDING:** Hugh Melvin, Principal Planning Officer; Craig Young, Solicitor and Stuart Nelson, Administrative Officer.

**APOLOGIES:** Councillors Drew Filson and Neil McGhee.

**CHAIR:** Councillor Jim Sutherland, Vice Chair.

**1. APPLICATION WITHDRAWN: APPLICATION NUMBER 06/1174/FL: ATH RESOURCES PLC: EXTENSION OF GRIEVEHILL OPENCAST COAL SITE, NEW CUMNOCK**

The Chair reported, and it was noted, that Application No. 06/1174/FL: Proposed Extension of Existing Opencast Coal Site to Allow for the Recovery of 920,000 Tonnes of Additional Coal over Two Years followed by Restoration for a Further Year at Grievehill Opencast Coal Site, New Cumnock, by ATH Resources Plc, had been withdrawn from the Agenda.

**2. APPLICATION NO 07/0539/FL: ROBERT JOHNSTONE AND SONS LTD: BUILDERS AND HAULAGE CONTRACTORS YARD AT MINNIVEY, DALMELLINGTON**

There was submitted an executive summary sheet and report dated 20 October 2007 (both circulated) by the Head of Planning and Economic Development on a full planning application for the proposed variation of conditions 4 and 6 of planning consent 06/0678/FL for a builders and haulage contractors yard at Minnivey, Dalmellington.

**2.1 Consideration of Item**

The Principal Planning Officer reported that one letter of objection, together with a petition with 66 signatories opposing the application, had been received, details of both of which were contained within the report; advised that the date referred to in the first paragraph of the Executive Summary Sheet and in paragraph 2.4 of the report should read 6 October 2006; summarised the planning considerations in respect of the application; and gave the recommendation of the Head of Planning and Economic Development: approval subject to the conditions, and for the reasons, detailed in the report.

No hearing took place because the objectors were neither present nor represented.

**2.2 Adjournment/ Reconvention of Meeting**

It was unanimously agreed to adjourn the meeting at 1018 hours to allow the Solicitor to seek further guidance with regard to a matter which was under consideration by the Committee.

The meeting reconvened at 1032 hours with the same Members and Officers present and in attendance.

**2.3 Continuation of Consideration**

The Committee heard from the Solicitor in clarification of the outstanding matter.

**2.4 Determination of Application**

Councillor Jimmy Kelly seconded by Councillor Kathy Morrice moved that the application be approved subject to the conditions, and for the reasons, detailed in the report.

Councillor Elaine Dinwoodie, seconded by Councillor Eric Ross, moved as an amendment that the application be approved, with the conditions, and for the reasons, detailed within the report, subject to amendment to Condition 1 to provide that consent for the carrying out of essential vehicle maintenance between 0900 hours and 1700 hours on Sundays shall be granted for a temporary period of 12 months from the date of the consent, in order to enable monitoring and assessment of the permitted Sunday operations in the interest of residential and public amenity; and that at the end of the temporary period, the use approved shall cease unless a further permission is granted for this purpose.

On a division by a show of hands the amendment was carried by 6 votes to 3.

The meeting terminated at 1040 hours