

EAST AYRSHIRE COUNCIL

SOUTHERN LOCAL PLANNING COMMITTEE

**MINUTES OF MEETING HELD ON FRIDAY 30 OCTOBER 2009 AT 1000 HOURS
IN THE BARRHILL CENTRE, BANK AVENUE, CUMNOCK**

PRESENT: Councillors Jimmy Kelly, Neil McGhee, Jim Roberts, David Shaw, William Crawford, Kathy Morrice, Eric Ross and Moira Pirie.

ATTENDING: Hugh Melvin, Principal Planning Officer; Julie McKinlay, Solicitor; and Lynn Young, Administrative Officer.

APOLOGIES: Councillors Drew Filson, Barney Menzies and Elaine Dinwoodie.

CHAIR: Councillor Kathy Morrice.

APPOINTMENT OF CHAIR

1. The Administrative Officer invited nominations for Chair and Councillor Kathy Morrice was unanimously appointed to, and took, the Chair.

CHAIR'S REMARKS

2. The Chair welcomed Councillor Pirie to her first meeting of the Southern Local Planning Committee.

HEARING PROCEDURE

3. The Administrative Officer established that the Hearing Procedure was understood by all participants (circulated).

CONSIDERATION OF APPLICATIONS

4. **APPLICATION NO 09/0178/FL: SCOTTISH COAL COMPANY LIMITED: HOUSE OF WATER OPENCAST COAL SITE, NEW CUMNOCK**

There was submitted an executive summary sheet and report dated 19 October 2009 (both circulated) by the Head of Planning and Economic Development on a full planning application for an extension of the existing House of Water site for the winning and working of coal by opencast methods at the House of Water Opencast Coal Site, New Cumnock.

The Principal Planning Officer reported that two letters of objection had been received, details of which were received within the report; 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 detailed in the report and that the issue of the Decision Notice be withheld until the Solicitor to the Council had satisfactorily concluded a formal agreement under Section 75 of the Town and Country Planning (Scotland) Act 1997 with the applicants in respect of the matters detailed in Paragraph 8.8 of the report.

No Hearing took place as the objectors were not present or represented.

It was agreed:-

- (i) to approve the application (1) subject to the conditions, and for the reasons detailed in the report; and that the issue of the Decision Notice be withheld until the Solicitor to the Council had satisfactorily concluded a formal agreement under Section 75 of the Town and Country Planning (Scotland) Act 1997, with the applicants in respect of the matters detailed in Paragraph 8.8 of the report; and (2) that broadleaved trees be planted on the neighbouring Knockburnie Farm; and
- (ii) that the Principal Planning Officer report back to a future meeting of the Southern Local Planning Committee on the restoration of all opencast coal sites.

5. APPLICATION NOS 09/0070/LB AND 09/0071/FL: EAST AYRSHIRE COUNCIL, NEIGHBOURHOOD SERVICES: 3 LUGAR STREET, CUMNOCK

There was submitted an executive summary sheet and report dated 20 October 2009 (both circulated) by the Head of Planning and Economic Development on a listed building application and a full planning application for the creation of an external lift foyer located between the Boiler House and the front tower within an already existing void at the Baird Institute, 3 Lugar Street, Cumnock.

The Principal Planning Officer reported that no letters of objection had been received; 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; and that the Decision Notice relating to the listed building consent be withheld until the application had been formally cleared by Historic Scotland.

It was agreed to approve the application subject to the conditions, and for the reasons detailed in the report and that the Decision Notice relating to the listed building consent be withheld until the application had been formally cleared by Historic Scotland.

It was further agreed to note the Committee's displeasure that the application had been retrospective and that for future East Ayrshire Council applications, representatives from the relevant Department attend meetings of the Southern Local Planning Committee.

The meeting terminated at 1042 hours.