

**EAST AYRSHIRE COUNCIL****SOUTHERN LOCAL PLANNING COMMITTEE****MINUTES OF MEETING HELD ON FRIDAY 13 JUNE 2008 AT 1010 HOURS IN  
THE BARRHILL CENTRE, BANK AVENUE, CUMNOCK**

**PRESENT:** Councillors Jim Sutherland, Eric Jackson, Jimmy Kelly, Neil McGhee, Jim Roberts, William Crawford, Eric Ross and Elaine Dinwoodie.

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

**APOLOGIES:** Councillors Drew Filson, Barney Menzies and Kathy Morrice.

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

**HEARING PROCEDURE**

1. The Administrative Officer confirmed that the Hearing Procedure was understood by all participants.
2. **APPLICATION NO 06/0408/FL: VIRIDOR WASTE MANAGEMENT: DEVELOPMENT WITHOUT COMPLYING WITH PLANNING CONDITION NO 1 OF PLANNING PERMISSION CD/95/0058/MIN FOR LANDFILL WASTE SITE TO ACCEPT CONTROLLED WASTE AND CIVIC AMENITY CENTRE TO BE COMPLETED WITHIN 10 YEARS AT FORMER DARNCONNER OPENCAST COAL SITE, AUCHINLECK**

There was submitted an executive summary sheet and report dated 5 May 2008 (both circulated) by the Head of Planning and Economic Development on a full planning application for a change to the amended Condition 1 of planning consent to allow for a further 10 years period for landfill operations to take place.

It was noted that Members of the Committee had attended a site visit in respect of this application prior to the meeting.

**2.1 Consideration of Item**

The Principal Planning Officer reported that five letters of objection had been received from Community Councils, and a further ten letters of representation had been received from nine signatories, details of which were contained 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 and for the reasons, detailed in the report.

**2.2 Planning Hearing**

The Committee then heard Mr Brian Broadley, on behalf of the objections from Lugar and Logan Community Council and Roundshaw Fishing Club; Karen Stafford, on behalf of the objection from Mrs Anne Duncan; Mr Benjamin Welsh; Mrs Greta Roberts, on behalf of the objection from MEGA; Mr Iain Paterson; Mrs Nancy Jackson, on behalf of the objection of Catrine Community Council; Mr Frank Loy; and Mr David Gibson, on behalf of Auchinleck Community Council.

At the Chair's discretion, and following advice from the legal representative and agreement from the applicant, the Committee then heard Mr Gracie, on behalf of the

objection from Tarmac Loch Fishery, who had lodged a letter of representation which put forward holding objections pending the submission of further comments, which had subsequently not been lodged.

Members asked questions of the objectors who responded to the issues raised, all in accordance with the Hearing Procedure.

The Committee then heard Mr Peter Wishart, applicant, in support of the application. Members asked questions of the applicant all in accordance with the Hearing Procedure.

The Chair closed the Hearing.

### **2.3 Determination of Application**

It was agreed to refuse the application on the grounds that: (i) there is sufficient approved landfill capacity within East Ayrshire at this time; (ii) that with the drive to reduce waste to landfill through the National Waste Strategy, the completion of landfill operations, with no waste streams presently identified for the site, could not be undertaken to secure final restoration of the Darnconner site within 10 years; and (iii) that as the Darnconner site had been disturbed and had remained un-restored for a period in excess of 20 years, a further 10 year period of potential landfill operations would represent an unacceptable further delay in the restoration of this site.

### **3. APPLICATION NO 07/0136/OL: JEAN ARMOUR BURNS HOUSES LIMITED: CONSTRUCTION OF A SEPARATE UNIT OF A FURTHER 10 COTTAGES AND COMMON ROOM FOR SINGLE, ELDERLY/DISABLED PERSONS AT 11 SKEOCH ROAD, MAUCLINE**

Councillor Jackson joined the meeting at this point.

There was submitted an executive summary sheet and report dated 5 June 2008 (both circulated) by the Head of Planning and Economic Development on a full planning application for outline planning permission for the residential development of ground immediately adjacent to the existing Jean Armour Housing Group to the north and northeast, at 11 Skeoch Road, Mauchline.

The Principal Planning Officer reported that no objections 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 be withheld until the Solicitor to the Council had satisfactorily concluded a legal agreement, under Section 75 of the Town and Country Planning (Scotland) Act 1997, with the developer in terms generally described in Section 7.2 of the report.

It was agreed to approve the application, subject to the conditions, and for the reasons detailed in the report and that the Decision Notice be withheld until the Solicitor to the Council had satisfactorily concluded a legal agreement, under Section 75 of the Town and Country Planning (Scotland) Act 1997, with the developer in terms generally described in Section 7.2 of the report.

The meeting terminated at 1140 hours.