

EAST AYRSHIRE COUNCIL**SOUTHERN LOCAL PLANNING COMMITTEE****MINUTES OF SPECIAL MEETING HELD ON FRIDAY 11 JUNE 2010 AT 1000 HRS
IN THE BARRHILL CENTRE, BANK AVENUE, CUMNOCK**

PRESENT: Councillors Drew Filson, Neil McGhee, David Shaw, William Crawford, Kathy Morrice, Eric Ross and Moira Pirie.

ATTENDING: Hugh Melvin and Fiona Finlay, Principal Planning Officers; Stuart Norval, Team Leader - Roads and Transportation; Melanie Barbour, Solicitor; and Stuart Nelson, Administrative Officer.

APOLOGIES: Councillors Jim Roberts, Barney Menzies and Elaine Dinwoodie.

CHAIR: Councillor Drew Filson, Chair.

**APPLICATION NO 09/511/PP: AARDVARK TMC:
LAIGH GLENMUIR SURFACE MINE, LAND AT DUNCANZIEMERE, NEAR
LUGAR, CUMNOCK (Item 2, Page 1130, 07/12)**

1. The Committee continued consideration of an application for planning permission for a proposed extension to Laigh Glenmuir Surface Mine, on land at Duncanziemere, near Lugar, Cumnock by Aardvark TMC; and in this connection there were submitted an executive summary sheet and amended report dated 31 May 2010 (both circulated) by the Head of Planning and Economic Development.

Hugh Melvin, Principal Planning Officer, advised that two 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 issue of the Decision Notice be withheld until: (i) 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 those matters detailed in paragraph 8.5 of the report; and (ii) a Mining Waste Management Agreement in compliance with the provisions of The Management of Waste from Extracted Industries (Scotland) Regulations 2009, had formally been approved by the Planning Authority in consultation with SEPA.

It was noted that members of the Committee had had the opportunity to attend a site visit in respect of this application, prior to the meeting.

It was agreed to approve the application subject to the conditions and for the reasons detailed in the report, but that the issue of the Decision Notice be withheld until: (i) 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 8.5 of the report; and (ii) a Mining Waste Management Agreement in compliance with the provisions of The Management of Waste from Extracted Industries (Scotland) Regulations 2009, had been formally approved by the Planning Authority in consultation with SEPA.

Councillor Eric Ross joined the meeting during consideration, but prior to determination, of the preceding item.

APPLICATION NO 09/0819/PP: MR STEVEN MERCER, 24 NEWTON STREET, CATRINE, MAUCHLINE (Item 4, Page 1131, 07/12)

2. The Committee continued consideration of an application for planning permission for the change of use of public open space to garden ground and a parking area at 24 Newton Street, Catrine, Mauchline by Mr Steven Mercer; and in this connection there were submitted an executive summary sheet and report dated 15 May 2010 (both circulated) by the Head of Planning and Economic Development.

Fiona Finlay, Principal Planning Officer, advised that one letter 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.

It was noted that members of the Committee had had the opportunity to attend a site visit in respect of this application, prior to the meeting.

It was agreed to approve the application subject (i) to the conditions and for the reasons detailed in the report; and (ii) to the following additional conditions, namely:-
 Condition 3: For the avoidance of doubt, the existing cherry tree within the application site shall be retained and no works (including lopping, topping or pruning) shall be carried out to this tree without the prior written consent of the Planning Authority. Prior to any works being carried out to the tree, details of these works shall be submitted to and approved in writing by the Planning Authority (in consultation with the Council's Arboriculture Officer). All works shall thereafter be undertaken as approved. Reason: The cherry tree is considered to make a significant visual contribution to the amenity of the surrounding area and to therefore ensure that any works to be carried out are in the best interests of the health of this tree; and Condition No 4: The permission hereby granted shall not enure for the benefit of the land but for the benefit of the applicant and members of his immediate family only, and on discontinuance of his or his immediate family's occupation of the property at 24 Newton Street, the use hereby permitted shall cease and the land restored to its original use; Reason: Permission is being granted in this case only because of extenuating personal circumstances of the applicant.

APPLICATION NO 02/0733/FL: HOPE HOMES SCOTLAND: CATRINE ROAD, SORN (Item 1, Page 1132, 07/12)

3. The Committee continued consideration of an application for planning permission for the erection of 26 dwellings on a site at Catrine Road, Sorn by Hope Homes Scotland; and in this connection there were submitted an executive summary sheet and report dated 20 May 2010 (both circulated) by the Head of Planning and Economic Development.

The Principal Planning Officer advised that two letters of objection had been received, 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, but that the issue of the Decision Notice be withheld until the Solicitor to the Council had concluded an Agreement with the applicant in terms of Section 75 of the Town and Country Planning (Scotland) Act 1997 addressing the matters noted in Section 7.1 of the report.

It was noted that members of the Committee had had the opportunity to attend a site visit in respect of this application prior to the meeting.

ADJOURNMENT/RECONVENTION

4. The Committee adjourned at 1038 hrs and reconvened at 1042 hrs with the same Members and Officers present and in attendance.

**APPLICATION NO 02/0733/FL: HOPE HOMES SCOTLAND: CATRINE ROAD,
SORN (Item 1, Page 1132, 07/12)**

5. It was agreed to approve the application 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 concluded an Agreement with the applicant in terms of Section 75 of the Town and Country Planning (Scotland) Act 1997 addressing the matters noted in Section 7.1 of the report, the Agreement to include provision for the installation of appropriate traffic signalling at Sorn New Bridge, in the interests of road and pedestrian safety.

As advised by the Principal Planning Officer, Members noted that the works necessary to provide a footpath link across the Sorn New Bridge, including the provision of traffic signals, would require to obtain prior planning permission and Listed Building Consent, the applications for which would be considered by this Committee.

The meeting terminated at 1048 hrs.