

EAST AYRSHIRE COUNCIL

SOUTHERN LOCAL PLANNING COMMITTEE

**MINUTES OF SPECIAL MEETING HELD ON THURSDAY 17 DECEMBER 2009
AT 1400 HOURS IN THE BARRHILL CENTRE, BANK AVENUE, CUMNOCK**

PRESENT: Councillors Drew Filson, Neil McGhee, Jim Roberts, David Shaw, Billy Crawford, Elaine Dinwoodie and Moira Pirie.

ATTENDING: Hugh Melvin, Principal Planning Officer; Melanie Barbour, Solicitor; and Lynn Young, Administrative Officer.

APOLOGIES: Councillors Jimmy Kelly, Barney Menzies, Kathy Morrice and Eric Ross.

CHAIR: Councillor Drew Filson, Chair.

CONSIDERATION OF APPLICATIONS

1. APPLICATION NO 08/0783/FL: SCOTTISH COAL COMPANY LIMITED: DUNSTONHILL, LETHANHILL, PATNA

1.1 Declaration of Interest

Councillor Filson declared a non-financial interest which he did not consider significant in terms of Paragraphs 5.17 and 5.18 of the Code of Conduct and indicated his intention to remain and participate in consideration of the item in question.

1.2 Consideration of Item

There was submitted an executive summary sheet and report (both circulated) by the Head of Planning and Economic Development which presented for determination an application for planning permission for the winning and working of coal and fireclay by surface mining methods at Dunstonhill, Lethanhill, Patna, by Scottish Coal Company Limited.

The Principal Planning Officer advised that a total of 6 letters of representation, from 10 signatories, had been received, objecting to or raising concerns regarding the proposed development; 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 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.

1.3 Planning Hearing

The Committee heard Ms Lisa Ross in respect of the objection from Rankinston Community Opencast Action Group. Members of the Committee asked questions of the objector, all in accordance with the agreed Hearing Procedure.

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

1.4 Determination of Application

It was agreed to approve the application, subject to the conditions and 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 subject to an addition to sub-paragraph 8.8(i) to include a representative from Rankinston Community Opencast Action Group being invited to join the Technical Working Group to be established for the Dunstonhill Site.

2. APPLICATION NO 09/0467/FL: CUMNOCK HIGHLAND GAMES: BROOMFIELD SPORTS GROUND, AUCHINLECK ROAD, CUMNOCK

There was submitted an executive summary sheet and report dated 1 December 2009 (both circulated) by the Head of Planning and Economic Development which presented an application for full planning consent for the siting of a green steel cargo container for the purpose of storage of equipment used in conjunction with the Cumnock Highland Games, at the Broomfield Sports Ground, Auchinleck Road, Cumnock, by Cumnock Highland Games.

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.

It was agreed to approve the application subject to the conditions and for the reasons detailed in the report.

UPDATE ON PROGRESS WITH RESTORATION OF CURRENT AND FORMER OPENCAST COAL SITES WITHIN EAST AYRSHIRE

3. There was submitted a report dated 10 December 2009 (circulated) by the Head of Planning and Economic Development which provided information on the restoration of current and former opencast coal sites following a request by the Committee.

It was agreed:-

- (i) that a report on the restoration of current and former opencast coal sites be presented to the Committee on an annual basis;
- (ii) that, if required, Members had the opportunity to participate in a site visit to restored opencast sites; and
- (iii) otherwise, to note the contents of the report.

The meeting terminated at 1440 hours.