

**EAST AYRSHIRE COUNCIL****SOUTHERN LOCAL PLANNING COMMITTEE****MINUTES OF MEETING HELD ON FRIDAY 26 FEBRUARY 2010 AT 1000 HOURS  
IN THE BARRHILL CENTRE, BANK AVENUE, CUMNOCK**

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

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

**APOLOGY:** Councillor Elaine Dinwoodie.

**CHAIR:** Councillor Drew Filson, Chair.

**CHAIR'S REMARKS**

1. The Chair advised and it was noted that Agenda Item 2, Application No 09/0837/PP: Ardgowan Homes Limited: Ballochmyle Estate, Mauchline, had been withdrawn from the Agenda.

**CONSIDERATION OF PLANNING APPLICATIONS**

2. **APPLICATION NO 09/0526/PP: AARDVARK TMC LIMITED: SKARES ROAD  
OPENCAST COAL SITE, SKARES**

There was submitted an executive summary sheet and report dated 15 February 2010 (both circulated) by the Head of Planning and Economic Development which presented for determination an application for planning permission to amend the extraction limits within the site to allow the working of an estimated 67,000 tonnes of additional coal which would be worked over a period of 12 months at Skares Road Opencast Coal Site, Skares.

The Principal Planning Officer advised 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.

Councillors Shaw and Morrice joined the meeting during consideration, but prior to determination of the above planning application.

3. **APPLICATION NO 09/0881/PP AND APPLICATION NO 09/0886/LB: EAST  
AYRSHIRE COUNCIL: 62 GLAISNOCK STREET, CUMNOCK**

There was submitted an executive summary sheet and report dated 17 February 2010 (both circulated) by the Head of Planning and Economic Development which presented for determination an application for listed building consent and an application for planning permission for the environmental improvement works surrounding the Town Hall and extending into the adjacent former Picture House, currently being demolished at Cumnock Town Hall, 62 Glaisnock Street, Cumnock.

The Principal Planning Officer advised 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: Listed Building consent be approved, subject to the conditions, and for the reasons detailed in the report; and planning permission be approved, subject to the conditions, and for the reasons, detailed in the report.

It was agreed (i) to approve the listed building consent for the application, subject to the conditions, and for the reasons detailed in the report and subject to formal clearance by Historic Scotland; and (ii) to approve the planning permission subject to the conditions and for the reasons detailed in the report and subject to amendment of Condition 2 of planning application no 09/0881/PP to read: notwithstanding the submitted plans, details of the lighting scheme for the illumination of the front and side elevations of the Town Hall building shall be submitted to and approved in writing by the Planning Authority prior to any lighting being installed on site. The lighting scheme shall be formed on site prior to works being completed and shall be maintained thereafter. Reason: in the interests of visual amenity of the area.

It was further agreed that the Principal Planning Officer forward the Committee's disappointment at the amendments to the application from what was originally intimated to Members, to the Project Team and advise the Committee of the Project Team's response accordingly.

#### **4. APPLICATION NO 09/0344/FL: SCOTTISH COAL COMPANY LIMITED: PONESK BURN, EAST OF MUIRKIRK**

##### **4.1 Declaration of Interest**

Councillor Menzies declared a significant non financial interest in accordance with Paragraphs 5.17 and 5.18 of the Code of Conduct and withdrew from the meeting.

##### **4.2 Consideration of Item**

There was submitted an executive summary sheet and report dated 19 February 2010 (both circulated) by the Head of Planning and Economic Development which presented for determination an application for planning permission for the extraction of coal by surface mining methods including the diversion of the Ponesk Burn.

The 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 the reasons detailed in the report, but 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 applicant in respect of the matters detailed in Paragraph 8.8 of the report.

The objectors were not present or represented.

### **ADJOURNMENT OF MEETING**

#### **5. The meeting adjourned at 1040 hours.**

**RECONVENTION OF MEETING**

6. The meeting reconvened at 1045 hours with the same Members and Officers present and in attendance.

7. **CONSIDERATION OF PLANNING APPLICATION NO 09/0344/FL: SCOTTISH COAL: PONESK BURN, EAST OF MUIRKIRK**

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 satisfactorily concluded a formal agreement under Section 75 of the Town and Country Planning (Scotland) Act 1997 with the applicant in respect of the matters detailed in Paragraph 8.8 of the report.

The meeting terminated at 1050 hours