

EAST AYRSHIRE COUNCIL**SOUTHERN LOCAL PLANNING COMMITTEE****MINUTES OF MEETING HELD ON FRIDAY 10 AUGUST 2007 AT 1000 HOURS IN
NEW CUMNOCK COMMUNITY CENTRE, THE CASTLE, NEW CUMNOCK**

PRESENT: Councillors Drew Filson, Eric Jackson, Neil McGhee, Jim Roberts, William Crawford, Kathy Morrice, Eric Ross, Elaine Dinwoodie and Jim Sutherland.

ATTENDING: Hugh Melvin, Principal Planning Officer; Peter Hessem, Team Leader - Litigation Services; and Stuart Nelson, Administrative Officer.

APOLOGIES: Councillors Jimmy Kelly and Barney Menzies.

CHAIR: Councillor Drew Filson, Chair.

HEARING PROCEDURE

1. The Administrative Officer established that the Hearing Procedure was understood by all participants.
2. **APPLICATION NO 07/0211/FL: KIER CONSTRUCTION LIMITED: GREENBURN OPENCAST COAL SITE, NEW CUMNOCK**

There was submitted an executive summary sheet and report dated 31 July 2007 (both circulated) by the Head of Planning and Economic Development on a full planning application for the proposed extension of the opencast coal site at Greenburn Opencast Coal Site, New Cumnock.

2.1 Consideration of Item

The Principal Planning Officer reported that one letter of objection had been received, details of which were contained within the report; advised that the proposed diversion of a water course as part of this application was no longer being promoted by the applicant, and therefore that the Committee should disregard the terms of Paragraphs 4.4 and 8.5 (iv) of the report in this regard; 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 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 8.5 of the report, with the exception of the provision relating to the proposed water course diversion.

2.2 Planning Hearing

The Committee heard Brian Broadley, in support of the objections submitted by MEGA. Members asked questions of the objector who responded to the issues raised, all in accordance with the Hearing Procedure.

The Committee then heard Jonathan Hillier and Mark Harrington, representing the applicant, in support of the application. Members asked questions of the applicant's representatives who responded to the issues raised, all in accordance with the Hearing Procedure.

The Chair closed the Hearing.

2.3 Determination of Application

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 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 8.5 of the report, with the exception of the provision relating to the proposed water course diversion.

3. APPLICATION NO 07/0444/FL: THE SCOTTISH COAL COMPANY LIMITED: SPIRESLACK/GRASSHILL OPENCAST COAL SITE, BY MUIRKIRK

There was submitted an executive summary sheet and report dated 27 July 2007 (both circulated) by the Head of Planning and Economic Development on a full planning application for a proposed variation to the approved scheme of working (consents 96/0670/FL and 01/0807/FL) at Spireslack/Grasshill Opencast Coal Site by Muirkirk.

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.

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

4. APPLICATION NO 07/0448/FL: THE SCOTTISH COAL COMPANY LIMITED: CHALMERSTON NORTH/PENNYVENIE OPENCAST COAL SITE BY DALMELLINGTON

There was submitted an executive summary sheet and report dated 1 August 2007 (both circulated) by the Head of Planning and Economic Development on a full planning application for a proposed variation to the approved site layout at Area P (South) to extend the approved limit of excavation at Chalmerston North/Pennyvenie Opencast Coal Site by Dalmellington.

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.

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

DEVELOPERS' COMPLIANCE WITH PLANNING CONSENTS AND BUILDING REGULATIONS

5. On the matter having been raised, it was agreed to request the Chief Executive, in consultation with the Head of Planning and Economic Development, to make appropriate arrangements to impress upon developers the need for compliance with the terms of planning consents and the Building Control Regulations at all times, perhaps by means of a meeting involving appropriate Members and Officers of the Council.

The meeting terminated at 1030 hours.