

EAST AYRSHIRE COUNCIL**SOUTHERN LOCAL PLANNING COMMITTEE****MINUTES OF MEETING HELD ON FRIDAY 6 OCTOBER 2006 AT 1000 HOURS
IN THE BARRHILL CENTRE, BANK AVENUE, CUMNOCK**

PRESENT: Councillors Neil McGhee, Jimmy Kelly, Tommy Farrell, William Menzies, William Crawford, Elaine Dinwoodie and Jimmy Carmichael.

ATTENDING: Hugh Melvin, Principal Planning Officer; Craig Young, Solicitor; and Stuart Nelson, Administrative Officer.

APOLOGIES: Councillors Eric Jackson, Eric Ross and Elaine Stewart.

CHAIR: Councillor Neil McGhee, Chair.

**APPLICATION WITHDRAWN: APPLICATION NO 06/0575/FL: MR AND MRS
GARDINER: GROUND ADJACENT TO WINDYEDGE, WATERSIDE, BY PATNA**

1. The Chair reported, and it was noted, that Application No 06/0575/FL: Proposed Erection of a Dwellinghouse on Ground Adjacent to Windyedge, Waterside, by Patna, by Mr and Mrs Gardiner, had been withdrawn from the Agenda.

HEARING PROCEDURE

2. The Administrative Officer established that the Hearing Procedure was understood by all participants.
3. **APPLICATION NO 06/0409/FL: BRANDON HOMES: VACANT SITE OFF PRIMPTON AVENUE, DALRYMPLE**

There was submitted an executive summary sheet and report dated 26 September 2006 (both circulated) by the Head of Planning, Development and Building Standards on a full planning application for the proposed erection of 44 two storey houses (housing association housing) for varying needs standards at a vacant site located off Primpton Avenue, Dalrymple.

3.1 Consideration of Item

The Principal Planning Officer reported that in addition to an objection from Dalrymple Community Council, 25 letters of objection had been received, details of all of which were contained within the report; summarised the planning considerations in respect of the application; advised that, in terms of the planning history of the site the previous application for the erection of 24 dwellings was approved by the Development Services Committee on 29 June 2004, Condition (2) of that consent having restricted the development of plots 1-13 to single storey dwellinghouses only, all of this following a recommendation by this Committee that the application be refused due to flooding issues; and gave the recommendation of the Head of Planning, Development and Building Standards: Approval, subject to the conditions, and for the reasons, detailed in the report.

3.2 Planning Hearing

The Committee heard Mrs M G Garrity, objector, in respect of her objections, and Mrs Kate McNeillie, in support of the objections submitted by Dalrymple Community Council.

The Committee then heard Mr Stanley Cook, representing the applicant, in support of the application. Members asked questions of the applicant's representative, who responded to the issues raised, all in accordance with the Hearing Procedure.

The Chair closed the Hearing.

3.3 Determination of Application

It was agreed to continue consideration of this application to the next meeting to enable Members of the Committee to undertake a site visit in order to clarify a range of issues including those associated with the proposed flood prevention measures, house types and the proposed bridge across the Primpton Burn; and that arrangements be made for the Council's Flooding Engineer to be in attendance during the visit.

4. APPLICATION NO 06/0537/FL: ATH RESOURCES PLC: GRIEVESHILL OPENCAST COAL SITE, NEW CUMNOCK

There was submitted an executive summary sheet and report dated 26 September 2006 (both circulated) by the Head of Planning, Development and Building Standards on a full planning application for a proposed change to Condition 2 of the existing planning permission to allow coal recovery from additional areas within the permitted site boundary at Grievehill Opencast Coal Site, New Cumnock.

4.1 Consideration of Item

The Principal Planning Officer reported that one letter of objection had been received, details of which were contained within the report; summarised the planning considerations in respect of the application; and gave the recommendation of the Head of Planning, Development and Building Standards: 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 Minute of Variation to the existing Minute of Agreement under Section 75 of the Town and Country Planning (Scotland) Act 1997 with the applicant in respect of the matters detailed in Paragraph 7.1 of the report.

4.2 Planning Hearing

The Committee heard Mrs Mary Gordon, in support of the objections submitted by MEGA. Members asked questions of the objector's representative, who responded to the issues raised, all in accordance with the Hearing Procedure.

The Committee then heard Mr Lee Weatherall, representing the applicant, in support of the application.

The Chair closed the Hearing.

4.3 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 Minute of Variation to

the existing Minute of Agreement under Section 75 of the Town and Country Planning (Scotland) Act 1997 with the applicant in respect of the matters detailed in Paragraph 7.1 of the report.

5. APPLICATION NO 06/0678/FL: ROBERT JOHNSTONE AND SONS LIMITED: GROUND AT MINNIVEY, BURNTON ROAD, DALMELLINGTON

There was submitted an executive summary sheet and report dated 26 September 2006 (both circulated) by the Head of Planning, Development and Building Standards on a full planning application for a proposed builder's and haulage contractor's yard and the erection of a storage shed at ground at Minnivey, Burnton Road, Dalmellington.

The Principal Planning Officer reported that one letter 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, Development and Building Standards: Approval, subject to the conditions, and for the reasons, detailed in the report.

No Hearing took place as the objector was neither present nor represented.

It was agreed to approve the application with the conditions, and for the reasons, detailed in the report, subject to amendment to (i) Condition (1) to provide that the required works to the C91 route would be carried out within a specified time; and (ii) if necessary, Condition (4) relating to the permitted operating hours, following further consultation with the applicant regarding the movement of haulage vehicles to and from the site on Sundays; both matters to be dealt with in detail by the Head of Planning, Development and Building Standards.

The meeting terminated at 1038 hours.