

**EAST AYRSHIRE COUNCIL**

**SOUTHERN LOCAL PLANNING COMMITTEE**

**MINUTES OF MEETING HELD ON FRIDAY 26 MAY 2006 AT 1000 HOURS IN  
THE BARRHILL CENTRE, BANK AVENUE, CUMNOCK**

**PRESENT:** Councillors Neil McGhee, George Smith, Jimmy Kelly, William Menzies and William Crawford.

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

**APOLOGIES:** Councillors Eric Jackson, Tommy Farrell, Eric Ross, Elaine Dinwoodie, Elaine Stewart and Jimmy Carmichael.

**CHAIR:** Councillor Neil McGhee, Chair.

**HEARING PROCEDURE**

1. The Administrative Officer established that the Hearing Procedure was understood by all participants.
2. **APPLICATION NO 05/1309/FL: ATH RESOURCES PLC: OVERLAND BETWEEN CROWBANDSGATE RAILHEAD, NEW CUMNOCK AND GLENMUCKLOCH OPENCAST COAL SITE, KIRKCONNEL**

There was submitted an executive summary sheet and report dated 15 May 2006 (both circulated) by the Head of Planning, Development and Building Standards on a full planning application for the proposed construction of a temporary access route with associated overland conveyor between Crowbandsgate Railhead, New Cumnock and Glenmuckloch Opencast Coal Site, Kirkconnel.

The Principal Planning Officer reported that three 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; 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 Section 75 Agreement under the Town and Country Planning (Scotland) Act 1997, with the applicant in respect of the obligations set out in Paragraph 8.4 of the report.

No Hearing took place as the objectors were neither present nor represented.

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 Section 75 Agreement under the Town and Country Planning (Scotland) Act 1997, with the applicant in respect of the obligations set out in Paragraph 8.4 of the report.

**3. APPLICATION NO 05/0649/FL: MR JOHN HEALY: LAND AT 18 BARSKIMMING ROAD, MAUCHLINE**

There was submitted an executive summary sheet and report dated 15 May 2006 (both circulated) by the Head of Planning, Development and Building Standards on a full planning application for the proposed erection of a new house on land at 18 Barskimming Road, Mauchline.

The Principal Planning Officer reported that two letters of objection, with three signatories, had been received, details of all 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 objectors were neither present nor represented.

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

**4. APPLICATION NO 06/0178/FL: MRS M AITKEN: LAND TO THE REAR OF THE BALLOCHMYLE INN, 5 HIGH STREET, MAUCHLINE**

There was submitted an executive summary sheet and report dated 11 May 2006 (both circulated) by the Head of Planning, Development and Building Standards on a full planning application for a proposed beer garden to the rear of the Ballochmyle Inn, 5 High Street, Mauchline.

The Principal Planning Officer reported that two letters of objection had been received, details of both 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 objectors were either not present or represented, or although present, did not wish to be heard.

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

**5. APPLICATION NO 05/1024/FL: MODUS ESTATES AND BONNINGTON DEVELOPMENTS LIMITED: MAIN STREET, AUCHINLECK**

There was submitted an executive summary sheet and report dated 14 May 2006 (both circulated) by the Head of Planning, Development and Building Standards on a full planning application for proposed alterations to the site layout of consent 03/1097/FL to form access and the erection of an additional 15 housing units, forming a total development of 37 units at Main Street, Auchinleck.

**5.1 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 formal agreement under Section 69 of the Local Government (Scotland) Act 1973 with the applicant in respect of a contribution by the applicant to the Sports, Leisure and Recreation Fund, in respect of the additional 15 houses provided for within this application, and payment in this regard having been received.

## **5.2 Planning Hearing**

The Committee heard Mr James Liddell, objector, in support of his objections.

The Committee then heard Mr Stuart Glendinning, 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.

## **5.3 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 69 of the Local Government (Scotland) Act 1973 with the applicant in respect of a contribution by the applicant to the Sports, Leisure and Recreation Fund, in respect of the additional 15 houses provided for within this application, and payment in this regard having been received.

The meeting terminated at 1024 hours.