

EAST AYRSHIRE COUNCIL**SOUTHERN LOCAL PLANNING COMMITTEE****MINUTES OF MEETING HELD ON FRIDAY 12 AUGUST 2005 AT 1000 HOURS IN DRONGAN COMMUNITY CENTRE, MILMANNOCH AVENUE, DRONGAN**

PRESENT: Councillors Neil McGhee, Eric Jackson, George Smith, Jimmy Kelly, Tommy Farrell, William Menzies, William Crawford, Eric Ross, Elaine Dinwoodie and Jimmy Carmichael.

ATTENDING: Hugh Melvin, Principal Planning Officer; Julie McKinlay, Solicitor; and Stuart Nelson, Administrative Officer.

APOLOGY: Councillor Elaine Stewart.

CHAIR: Councillor Neil McGhee, Chair.

1. APPLICATION NO 05/0228/FL: JHP DEVELOPMENTS LIMITED: FORMER A & W POLLOCKS SITE AT STATION ROAD AND STATION LANE, MAUCHLINE

There was submitted an executive summary sheet and report dated 3 August 2005 (both circulated) by the Head of Planning, Development and Building Standards on a full planning application for the proposed demolition of existing buildings, erection of 8 dwellinghouses plus associated drainage and roadworks at the former A & W Pollocks Works, Station Road, Mauchline and relocation of existing bollards in Station Lane, Mauchline.

The Principal Planning Officer advised that this item related to Application No 05/0228/FL and not Application No 04/0528/FL as indicated in the report; reported that a total of six letters of objection had been received with nine signatories, four of which with five signatories, objected to the proposal to take access off Station Lane which had been superseded and were therefore no longer valid; confirmed that details of the remaining objections were contained within the report; summarised the planning considerations in respect of the application; and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 not present or represented.

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

2. APPLICATION NO 05/0389/FL: JACKSON DUNN DEVELOPMENTS: 12 PARK ROAD, AUCHINLECK

2.1 Hearing Procedure

The Administrative Officer established that the Hearing Procedure was understood by all participants.

2.2 Consideration of Item

There was submitted an executive summary sheet and report dated 25 July 2005 (both circulated) by the Head of Planning, Development and Building Standards on a

full planning application for the proposed erection of five 3 bedrooed terraced homes and three 2 bedrooed flats at 12 Park Road, Auchinleck.

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.

2.3 Hearing Procedure

The Committee heard Mrs Dorothy Sisi, objector, in support of her objection.

The applicant was not present or represented.

The Chair closed the Hearing.

2.4 Determination of Application

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

3. APPLICATION NO 05/0446/FL: ATH RESOURCES: SKARES ROAD OPENCAST COAL SITE, SKARES, NEAR CUMNOCK

3.1 Declarations of Interest

Councillor Jackson declared a financial interest in this item of business and left the meeting at this point.

Councillor Menzies declared a financial interest in this item of business and took no part in the consideration or determination of the application.

3.2 Consideration of Item

There was submitted an executive summary sheet and report dated 2 August 2005 (both circulated) by the Head of Planning, Development and Building Standards on a full planning application for a proposed extension to the south of Skares Road Opencast Coal Site, Skares, near Cumnock.

The Principal Planning Officer advised that the date referred to in Paragraph 1.7 of the executive summary sheet and Paragraph 2.11 of the report should read June 2007 rather than May 2003 as indicated, and that the West of Scotland Archaeological Society had now indicated that they had no further interest in the development site and, therefore, that proposed Condition 1 contained within Form TP24A was unnecessary and should be deleted; reported that in addition to an objection from Ochiltree Community Council, one letter 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, with the conditions, and for the reasons, detailed in the report, subject to the deletion of Condition 1, 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 Section 8 of the report.

No Hearing took place as the objectors were not present or represented.

3.3 Determination of Application

It was agreed (a) to approve the application with the conditions, and for the reasons, detailed in the report, subject to the deletion of Condition 1, 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 Section 8 of the report; and (b) to request the Head of Planning, Development and Building Standards to endeavour to make arrangements for the appropriate parties involved, including East Ayrshire Council's Roads and Planning Divisions, Strathclyde Passenger Transport, the applicant in this case and the local Member, to jointly consider arrangements for the proper maintenance and repair of the B7046 route, particularly that section used for the transportation of coal from the Skares Road Opencast Coal Site.

Councillor Jackson re-joined the meeting following determination of this item.

4. APPLICATION NO 05/0413/OL: WINGOOD PROPERTIES LIMITED: FORMER COAL YARD AT HANNAHSTON AVENUE, DRONGAN

There was submitted an executive summary sheet and report dated 2 August 2005 (both circulated) by the Head of Planning, Development and Building Standards on an outline planning application for the proposed erection of seven dwellinghouses at the former Coal Yard, Hannahston Avenue, Drongan.

The Principal Planning Officer reported that one 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 the matter detailed in Paragraph 7.1 of the report and payment in that regard having been received.

No Hearing took place as the objector was not present or 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 formal agreement under Section 69 of the Local Government (Scotland) Act 1973 with the applicant in respect of the matter detailed in Paragraph 7.1 of the report and payment in that regard having been received.

5. APPLICATION NO 05/0592/OL: MISS HELEN FLEMING: LAND AT CRONBERRY FARM, CRONBERRY

There was submitted an executive summary sheet and report dated 25 July 2005 (both circulated) by the Head of Planning, Development and Building Standards on an outline planning application for the proposed change of use from agricultural land to building plots at Cronberry Farm, Cronberry.

The Principal Planning Officer reported that one 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 not present or represented.

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

6. APPLICATION NO 05/0332/FL: ORCHARD HOMES SCOTLAND LIMITED: LAND AT BOGEND BURN, NEWTON STREET, CATRINE

There was submitted an executive summary sheet and report dated 2 August 2005 (both circulated) by the Head of Planning, Development and Building Standards on a full planning application for the proposed erection of 15 dwellinghouses on land at Bogend Burn, Newton Street, Catrine.

The Principal Planning Officer reported that one objection, from Scottish Water, 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 the matter detailed in Paragraph 7.1 of the report and payment in that regard having been received.

No Hearing took place as the objector was not present or 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 formal agreement under Section 69 of the Local Government (Scotland) Act 1973 with the applicant in respect of the matter detailed in Paragraph 7.1 of the report and payment in that regard having been received.

Councillor Jackson left the meeting at this point.

7. APPLICATION NO 05/0452/FL: KIER CONSTRUCTION LIMITED: GREENBURN OPENCAST COAL SITE, NEW CUMNOCK

There was submitted an executive summary sheet and report dated 1 August 2005 (both circulated) by the Head of Planning, Development and Building Standards on a full planning application for the proposed extension of the excavation area and site limits for opencast coal mining and realignment of an unclassified road at Greenburn Opencast Coal Site, New Cumnock.

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, 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 75 of the Town and Country Planning (Scotland) Act 1997 with the applicant in respect of the matter detailed in Paragraph 7.1 of the report.

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 matter detailed in Paragraph 7.1 of the report.

8. APPLICATION NO 05/0574/FL: MR MOHAMMED ASIF ALI: UNIT 8, THISTLE BUSINESS PARK, AYR ROAD, CUMNOCK

There was submitted an executive summary sheet and report dated 3 August 2005 (both circulated) by the Head of Planning, Development and Building Standards on a full planning application for the proposed change of use from vacant industrial unit to cash and carry outlet at Unit 8, Thistle Business Park, Ayr Road, Cumnock.

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, Development and Building Standards: Refusal, for the reasons detailed in the report.

It was agreed to refuse the application for the reasons detailed in the report.

9. APPLICATION NO 05/0416/OL: MR A ALSTON: LAND ADJACENT TO A ALSTON & SONS LIMITED, NEW CUMNOCK (Item 12, Page 1567, 03/07)

There was submitted an executive summary sheet and report dated 28 June 2005 (both circulated) by the Head of Planning, Development and Building Standards on an outline planning application for the proposed erection of a dwellinghouse on land adjacent to A Alston & Sons Limited, New Cumnock.

The Principal Planning Officer reported that no objections had been received; summarised the planning considerations in respect of the application; advised that the applicant had failed to submit any business related justification for the proposed development; and gave the recommendation of the Head of Planning, Development and Building Standards: Refusal, for the reasons detailed in the report.

It was agreed to refuse the application for the reasons detailed in the report.

The meeting terminated at 1046 hours.