

EAST AYRSHIRE COUNCIL

SOUTHERN LOCAL PLANNING COMMITTEE

**MINUTES OF MEETING HELD ON FRIDAY 14 MARCH 2003 AT 1000 HOURS IN
THE BARRHILL CENTRE, BANK AVENUE, CUMNOCK**

PRESENT: Councillors Tommy Farrell, George Smith, Jimmy Kelly, Julie Faulds, Provost Jimmy Boyd and Councillors Eric Ross, Elaine Dinwoodie and Elaine Stewart.

ATTENDING: Hugh Melvin, Principal Planning Officer; Karen McLeod, Solicitor; and Stuart Nelson and Christine Baillie, Administrative Officers.

APOLOGIES: Councillors Eric Jackson, William Menzies and Jimmy Carmichael.

CHAIR: Councillor Tommy Farrell, Chair.

ORDER OF BUSINESS

1. The Chair, at his discretion and in terms of Standing Order 19, advised of an alteration to the order of business such that Item 3 on the Agenda would be the first planning application to be dealt with.

HEARING PROCEDURE

2. Stuart Nelson, Administrative Officer established that the Hearing Procedure was understood by all participants.
3. **APPLICATION NO 02/0906/FL: MRS MARY STEELE: 9 HEARTH ROAD, CUMNOCK**

There was submitted an executive summary sheet and report dated 28 February 2003 (both circulated) by the Head of Planning and Building Control on a full planning application for the proposed erection of a dining area extension at 9 Hearth Road, Cumnock.

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 and Building Control: Approval, subject to the condition, and for the reason, 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 condition, and for the reason, detailed in the report.

4. **APPLICATION NO 01/0807/FL: THE SCOTTISH COAL COMPANY LIMITED: GRASSHILL, SPIRESLACK OPENCAST COAL SITE, GLENBUCK, NEAR MUIRKIRK**

There was submitted an executive summary sheet and report dated 5 March 2003 (both circulated) by the Head of Planning and Building Control on a full planning application for the proposed variation of the approved scheme of working (planning

consent 96/0670/FL) and extension of excavation area at Grasshill, Spireslack Opencast Coal Site, Glenbuck, near Muirkirk.

4.1 Consideration of Item

The Principal Planning Officer (a) advised, and it was noted, that references to “The Powharnal development site” in Paragraph 3.2 of the Executive Summary Sheet and in Paragraph 8.2 of the report by the Head of Planning and Building Control should read “The Grasshill development site”; (b) reported that one letter of objection had been received, details of which were contained within the report; (c) summarised the planning considerations in respect of the application; and (d) gave the recommendation of the Head of Planning and Building Control: Approval, subject to the conditions, and for the reasons, detailed in the report, and that the Decision Notice be withheld until the Solicitor to the Council had satisfactorily concluded an amendment to the existing agreement under Section 75 of the Town and Country Planning (Scotland) Act 1997 as described in Section 8.6 of the report.

4.2 Planning Hearing

The Committee heard Mrs Greta Roberts on behalf of MEGA in support of this organisation’s objections. The Committee then heard Mr Philip Rayson and Mr Ian McKay, on behalf of the applicant, in support of the application. Members asked questions of the objector’s and of the applicant’s representatives. The objector’s and the applicant’s representatives responded to the issues raised, all in accordance with the Hearing Procedure.

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 and that the issue of the Decision Notice be withheld until the Solicitor to the Council had satisfactorily concluded an amendment to the existing agreement under Section 75 of the Town and Country Planning (Scotland) Act 1997 as described in Section 8.6 of the report.

Councillor Faulds, having moved an alternative proposal which failed to receive a seconder, recorded her dissent to this decision.

5. APPLICATION NO 02/0867/FL: BARR LIMITED: GARLAFF LANDFILL SITE, SKARES, CUMNOCK

There was submitted an executive summary sheet and report dated 3 March 2003 (both circulated) by the Head of Planning and Building Control on a full planning application for a proposed variation of Condition 1 of planning consent 00/0685/FL (personal consent) at Garlaff Landfill Site, Skares, Cumnock.

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 and Building Control: Approval, subject to the condition, and for the reason, 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 condition, and for the reason, detailed in the report.

6. APPLICATION NO 02/0997/CA: THE DALMELLINGTON PARTNERSHIP: ST BARBARA'S CHURCH, TOWNHEAD, DALMELLINGTON

There was submitted an executive summary sheet and report dated 3 March 2003 (both circulated) by the Head of Planning and Building Control on an application for Conservation Area consent for the proposed complete demolition of the church and removal of material from site at St Barbara's Church, Townhead, Dalmellington.

The Principal Planning Officer reported that no objections had been received in respect of this application; summarised the planning considerations in respect of the application; and gave the recommendation of the Head of Planning and Building Control: Approval, subject to the notification of Historic Scotland under the Listed Buildings and Buildings in Conservation Areas (Scotland) Regulations 1997 and subject to the condition, and for the reason, detailed in the report.

It was agreed to approve the application subject to the notification of Historic Scotland under the Listed Buildings and Buildings in Conservation Areas (Scotland) Regulations 1997 and subject to the condition, and for the reason, detailed in the report.

7. APPLICATION NO 02/0914/FL: MRS MARY HAMILTON: ROUGHSIDE FARM, NEW CUMNOCK

There was submitted an executive summary sheet and report dated 27 February 2003 (both circulated) by the Head of Planning and Building Control on a full planning application for the proposed erection of a dwellinghouse at Roughside Farm, New Cumnock.

The Principal Planning Officer reported that no objections had been received in respect of this application; summarised the planning considerations in respect of the application; and gave the recommendation of the Head of Planning and Building Control: 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.

8. APPLICATION NO 02/0889/FL AND APPLICATION NO 02/0890/FL: BARR LIMITED: TINCORNHILL QUARRY, SORN

There was submitted an executive summary sheet and report dated 3 March 2003 (both circulated) by the Head of Planning and Building Control on full planning applications for a proposed variation of Condition 2 of planning consent CD/91/27/Q (application no 02/0889/FL) to permit the continued use of an extension of an existing quarry; and a proposed variation of Condition 2 of planning consent CD/91/28 (application no 02/0890/FL) to permit the continued use of an access road and plant area, all at Tincornhill Quarry, Sorn.

The Principal Planning Officer reported that no objections had been received in respect of these applications; summarised the planning considerations in respect of the applications; and gave the recommendations of the Head of Planning and Building Control: Approval of both applications subject to the conditions, and for the reasons, detailed in the report, and that the issue of the Decision Notices be withheld until the Solicitor to the Council had satisfactorily concluded an amendment to the

existing agreement under Section 50 of the Town and Country Planning (Scotland) Act 1972 with the applicant, in respect of the matters described in Section 3.1 of the report.

It was agreed to approve both applications subject to the conditions, and for the reasons, detailed in the report, and that the issue of the Decision Notices be withheld until the Solicitor to the Council had satisfactorily concluded an amendment to the existing agreement under Section 50 of the Town and Country Planning (Scotland) Act 1972 with the applicant, in respect of the matters described in Section 3.1 of the report.

**PROVISIONAL TREE PRESERVATION ORDER AT BALLOCHMYLE HOUSE,
MAUCHLINE**

9. There was submitted a report dated 19 February 2003 (circulated) by the Head of Planning and Building Control which advised of the Provisional Tree Preservation Order for Ballochmyle House, Mauchline, and sought the Committee's approval for confirmation of the Tree Preservation Order.

It was agreed to confirm the Ballochmyle, Mauchline (Provisional) Tree Preservation Order 2002.

CONSULTATION WITH ARCHITECTURAL HERITAGE SOCIETY OF SCOTLAND

10. There was submitted a report dated 5 March 2003 (circulated) by the Head of Planning and Building Control which provided feedback from the Architectural Heritage Society of Scotland on this Committee's concerns regarding the Society's consultation replies on planning applications.

It was agreed:-

- (i) to note the reply from the Architectural Heritage Society of Scotland as detailed in the report; and
- (ii) to request the Head of Planning and Building Control to address this matter in any review of the Council's Scheme of Delegation.

The meeting terminated at 1110 hours.