

EAST AYRSHIRE COUNCIL**SOUTHERN LOCAL PLANNING COMMITTEE****MINUTES OF MEETING HELD ON FRIDAY 10 OCTOBER 2003 AT 1000 HOURS
IN THE BARRHILL CENTRE, BANK AVENUE, CUMNOCK**

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

ATTENDING: Hugh Melvin, Principal Planning Officer; Nicola Monroe, Senior Planning Officer; Julian Thorp, Planning Officer; Karen McLeod, Solicitor; and Stuart Nelson, Administrative Officer.

APOLOGIES: Councillors Eric Jackson, Jimmy Kelly and Eric Ross.

CHAIR: Councillor Neil McGhee, Chair.

HEARING PROCEDURE

1. The Administrative Officer established that the Hearing Procedure was understood by all participants.
2. **APPLICATION NO 03/0506/FL: THE SCOTTISH COAL COMPANY LIMITED: EXCAVATION AREA B, HOUSE OF WATER OPENCAST COAL SITE, DALLEAGLES, NEW CUMNOCK**

There was submitted an executive summary sheet and report dated 30 September 2003 (both circulated) by the Head of Planning and Building Control on a full planning application for a proposed variation and extension to the approved scheme of working at Excavation Area B, House of Water Opencast Coal Site, Dalleagles, New Cumnock.

2.1 Declaration of Interest

Councillor Menzies declared an indirect pecuniary interest in this item of business and left the meeting at this point.

2.2 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 and Building Control: Approval, 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 a formal amendment to the Agreement under Section 75 of the Town and Country Planning (Scotland) Act 1997 with the applicant in respect of the matters described in Section 8.6 of the report.

2.3 Planning Hearing

The Committee heard Ruth Ross, objector, in support of her objections.

The Committee then heard Philip Rayson who was accompanied by Dacre Purchase, as representatives of the applicant, in support of the application. Members then

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.

2.4 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 a formal amendment to the Agreement under Section 75 of the Town and Country Planning (Scotland) Act 1997 with the applicant, in respect of the matters described in Section 8.6 of the report.

Councillor Menzies rejoined the meeting at this point.

3. APPLICATION NO 03/0407/FL: HOMES 4 U: SITE AT MAIN STREET, AUCHINLECK

There was submitted an executive summary sheet and report dated 1 October 2003 (both circulated) by the Head of Planning and Building Control on a full planning application for the proposed erection of a dwellinghouse at Main Street, Auchinleck.

The Principal Planning Officer reported that three letters 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 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 (a) to the conditions, and for the reasons, detailed in the report; and (b) to the following additional condition, for the reason indicated namely:- "15. Notwithstanding the provisions of Conditions 2 and 3 above, the external finishes of the proposed dwellinghouse shall reflect the character and finishes of the adjacent residential properties to the satisfaction of the Planning Authority. Reason: In the interests of visual amenity".

4. APPLICATION NO 03/0709/AD: EASSDA SCOTLAND LIMITED: BURNTON ROAD, B742, DALRYMPLE

There was submitted an executive summary sheet and report dated 1 October 2003 (both circulated) by the Head of Planning and Building Control on an application for advertisement consent for the proposed erection of a free standing sign at Burnton Road, B742, Dalrymple.

The Principal Planning Officer advised that the sign which was the subject of this application did not contain erroneous or misleading information, contrary to indications given in Paragraph 3.2 of the Executive Summary Sheet and Paragraph 8.2 of the report by the Head of Planning and Building Control; reported that two objections 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 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.

5. APPLICATION NO 03/0666/FL: MS JENNIFER HOGG: DUBBS COTTAGE, 5 MAIN STREET, DALRYMPLE

There was submitted an executive summary sheet and report dated 1 October 2003 (both circulated) by the Head of Planning and Building Control on a full planning application for the proposed erection of a chicken run at Dubbs Cottage, 5 Main Street, Dalrymple.

5.1 Consideration of Item

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 and Building Control: Approval, subject to the conditions, and for the reasons, detailed in the report.

5.2 Planning Hearing

The Committee heard June Cameron, objector, in support of her objections. Members asked a question of the objector who responded to the issue raised, all in accordance with the Hearing Procedure.

The Committee then heard Jennifer Hogg, applicant, in support of the application.

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.

6. APPLICATION NO 03/0746/FL: KIER MINING: GREENBURN OPENCAST COAL SITE, NEW CUMNOCK

There was submitted an executive summary sheet and report dated 30 September 2003 (both circulated) by the Head of Planning and Building Control on a full planning application for a proposed variation to Conditions 7 and 35 of consent 00/0793/FL to allow formation of a vehicle underpass and ancillary development at Greenburn Opencast Coal Site, New Cumnock.

The Principal Planning Officer reported that there were no objections 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.

7. APPLICATION NO 03/0076/FL: MRS P M STEVENSON: COYLE WATER FISHERY, A70, COALHALL

There was submitted an executive summary sheet and report dated 1 October 2003 (both circulated) by the Head of Planning and Building Control on a full planning application for the proposed erection of a residential dwellinghouse to form living accommodation for a Fishery Manager at Coyle Water Fishery, A70, Coalhall.

The Senior 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 Building Control: Refusal, for the reasons detailed in the report.

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

8. APPLICATION NO 03/0618/FL: MR E WITHERS: 185A MAIN STREET, AUCHINLECK

There was submitted an executive summary sheet and report dated 1 October 2003 (both circulated) by the Head of Planning and Building Control on a full planning application for the proposed conversion of a factory building to form a single dwelling and garage at 185A Main Street, Auchinleck.

The Senior Planning Officer reported that one letter of representation 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 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.

9. THE SINCLAIRSTON NO 1 (PROVISIONAL) TREE PRESERVATION ORDER 2003

There was submitted a report dated 2 October 2003 (circulated) by the Head of Planning and Building Control which advised on the making, serving and advertising of the Sinclairston No 1 (Provisional) Tree Preservation Order 2003 and sought the Committee's view on whether or not this Tree Preservation Order should be confirmed.

It was agreed that the Sinclairston No 1 (Provisional) Tree Preservation Order 2003 be confirmed.

The meeting terminated at 1054 hours.