

EAST AYRSHIRE COUNCIL

SOUTHERN LOCAL PLANNING COMMITTEE

**MINUTES OF MEETING HELD ON FRIDAY 11 JANUARY 2002 AT 1000 HOURS
IN MAUCHLINE COMMUNITY CENTRE, KILMARNOCK ROAD, MAUCHLINE**

PRESENT: Councillors Tommy Farrell, George Smith, Jimmy Kelly, William Menzies, Provost Jimmy Boyd and Councillors Elaine Dinwoodie and Jimmy Carmichael.

ATTENDING: David Mitchell, Head of Administrative and Legal Services/Solicitor to the Council; Hugh Melvin, Senior Development Promotion Officer; Tamara Skinner, Solicitor; and Stuart Nelson, Administrative Officer.

APOLOGIES: Councillors Eric Jackson, Julie Faulds and Eric Ross.

CHAIR: Councillor Tommy Farrell, Chair (Items 1-6); and Councillor Jimmy Kelly, Vice-Chair (Item 7).

CHAIR'S REMARKS

1. The Chair introduced and welcomed to the meeting Tamara Skinner, who had recently taken up the post of Solicitor within the Council's Legal Section.

HEARING PROCEDURE

2. The Chair established that the Hearing Procedure was understood by all participants.
3. **APPLICATION NO 01/0629/FL: SCOTTISH COAL COMPANY LIMITED: RIGGHEAD OPENCAST COAL SITE, NEAR NEW CUMNOCK**

There was submitted an executive summary sheet and report dated 17 December 2001 (both circulated) by the Head of Planning and Building Control on a full planning application for the proposed variation to the approved scheme of working and restoration contours of planning consent 99/0355/FL.

3.1 Declaration of Interest

Councillor Menzies declared an indirect pecuniary and non-pecuniary interest in this item of business and left the meeting during consideration and determination of this item.

3.2 Consideration of Item

The Senior Development Promotion Officer reported that three letters of objection had been received, details of which were contained within the report; advised that one of the objections had been withdrawn prior to the meeting; summarised the planning considerations in respect of the application; and gave the recommendation of the Head of Planning and Building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 has satisfactorily amended the existing agreement under Section 75 of the Town and Country Planning (Scotland) Act 1997 with the applicant, in respect of the matter referred to in Section 8.4 of the report.

3.3 Planning Hearing

The Committee heard Mr David Paton and Mrs Nancy Irving in support of their objections. The Committee then heard Mr Peter Barker, representing the applicant, in support of the application. Members asked questions of the objectors and of the applicant's representative. The objectors and the applicant's representative responded to the issues raised, all in accordance with the Hearing Procedure.

3.4 Determination of Application

It was agreed (i) 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:- Notwithstanding the provisions of Condition (1), the proposed water feature located to the north of Hall of Auchincross steading, as indicated on the restoration plan (Ref No PRIGG8D), is not hereby approved. Within six months of the date of this consent the applicant shall submit to, and have approved by the Planning Authority, details of an alternative restoration proposal for this part of the development site; Reason: in the interests of public safety; and (ii) that the issue of the Decision Notice be withheld until the Solicitor to the Council has satisfactorily amended the existing agreement under Section 75 of the Town and Country Planning (Scotland) Act 1997 with the applicant, in respect of the matter referred to in Section 8.4 of the report.

Councillor Menzies re-joined the meeting at this point.

4. APPLICATION NO 01/0535/OL: MR JOHN C FERGUSON: SHIELDMAINS STORE, COALHALL

There was submitted an executive summary sheet and report dated 31 December 2001 (both circulated) by the Head of Planning and Building Control on an outline planning application for the proposed erection of a 5/6 apartment one and a half storey dwellinghouse at Shieldmains Store, Coalhall.

The Senior Development Promotion 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: 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.

5. APPLICATION NO 01/0742/OL: STANLEY STORES (STRATHCLYDE) LIMITED: LAND ADJACENT TO SKERRINGTON FARM, CUMNOCK

There was submitted an executive summary sheet and report dated 17 December 2001 (both circulated) by the Head of Planning and Building Control on an outline planning application for the proposed erection of one detached dwellinghouse at land adjacent to Skerrington Farm, Cumnock.

The Senior Development Promotion 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.

Councillor Menzies, seconded by Councillor Dinwoodie moved that the application be approved since the proposal would neither result in an unacceptable loss of amenity

open space nor be detrimental to the amenity of the residential area, with appropriate conditions to be determined by the Head of Planning and Building Control.

Provost Boyd, seconded by Councillor Smith, moved as an amendment that the application be refused for the reasons detailed in the report.

On a division by a show of hands, the motion was carried by four votes to two.

6. APPLICATION NO 01/0785/LB: MRS TODD: 2 CRAIGSTON SQUARE, LUGAR

There was submitted an executive summary sheet and report dated 6 December 2001 (both circulated) by the Head of Planning and Building Control on a listed building consent application for the proposed installation of replacement windows at the front of the existing house at 2 Craigston Square, Lugar.

The Senior Development Promotion 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.

7. APPLICATION NO 01/0787/LB: MR I DOUGALL: 85 MAIN STREET, OCHILTREE

There was submitted an executive summary sheet and report dated 7 December 2001 (both circulated) by the Head of Planning and Building on a listed building consent application for the proposed replacement of windows at 85 Main Street, Ochiltree.

The Senior Development Promotion 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 01/0688/FL: MR AND MRS McDERMID: 72 BARSKIMMING ROAD, MAUCLINE (Item 4, Page 2262, 99/02)

The Committee gave further consideration to a full planning application for the proposed erection of a conservatory at 72 Barskimming Road, Mauchline. In this connection, there was submitted an executive summary sheet and report dated 3 January 2002 (both circulated) by the Head of Planning and Building Control relative to this application.

8.1 Appointment of Chair/Participation in Determination of Application

Councillor Farrell vacated the Chair in favour of Councillor Kelly, Vice-Chair and took no part in the discussion or determination of the ensuing item.

8.2 Consideration of Item

It was noted that Members of the Committee had attended a site visit in respect of this application prior to the meeting.

The Senior Development Promotion 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.

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

The meeting terminated at 1110 hours.

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