

EAST AYRSHIRE COUNCIL

SOUTHERN LOCAL PLANNING COMMITTEE: 05 OCTOBER 2001

01/0346/FL : FINAL RESTORATION OF MORIBUND SITE, BY LOCALISED CONTOURING, SOILING (UTILISING SEWAGE, PAPER AND WOOD SLUDGE CAKES, AUGMENTED AS NECESSARY USING EXISTING SUBSOILS AND IMPORTED INERT FILLS), PLANTING AND CREATION OF WETLAND POND AREA AT FORMER AUCHLIN MINE, BY SKARES.

APPLICATION BY PORTCULLIS DEVELOPMENTS LIMITED

EXECUTIVE SUMMARY SHEET

1. DEVELOPMENT DESCRIPTION

1.1 Full planning permission is sought for the restoration of this abandoned, despoiled site through localised re-grading of the site and the introduction of sewage, paper and wood sludge cake to act as a growth medium. The sludge cake will be incorporated into the existing soils within the application site to a depth of 1.5 metres to produce a substitute growth medium to provide a suitable landform to sustain a range of habitats.

1.2 In order to achieve the required substitute soiling within the site, it is proposed to import some 120,000 tonnes of sludge cake into the site. The existing water body within the site is to be retained but will be partially infilled with inert material to form an area of wetland and to facilitate the introduction of an island feature to create diverse wildlife habitat. In this respect it is proposed to import up to a further 30,000 tonnes of inert material. In order to encourage aquatic life within the currently stagnant pond, it is proposed to partly divert the Closs Burn into the pond. The partially restored spoil heap is to be planted with trees.

1.3 The importation of this material will result in between 10 to 15 laden heavy goods vehicles entering the site on a daily basis (i.e. 20 to 30 movements) travelling along the B7046 and Uc28 roads from the A70 Cumnock-Ayr road. The intended hours of operation for the development are 0700 hours to 1800 hours Monday to Friday and 0700 hours to 1630 hours on Saturdays and Sundays. The proposed operations will last approximately two years.

1.4 The applicant has indicated that the main source of materials is from the new waste-water treatment plant at Meadowhead in North Ayrshire. Sewage sludge brought into the site will be incorporated into the existing soils as it arrives on site, thereby negating the need to store it locally within the site. This has the benefit of minimising odorous emissions. In order to deal with any residual odours that may occur from the handling of the sewage sludge cake on site, the applicant intends to use atomiser sprays similar to those used in the applicant's existing site at Whitehill Bing near Skares.

1.5 The existing concrete pad within the site will be used as a hard standing for site offices, canteen and toilet facilities. A wheel washing area will also be provided within the site as well as fuel storage tanks and other storage facilities. Essentially the existing infrastructure currently used at the applicant's Whitehill Bing site will be transferred to this location.

1.6 The restoration strategy for this site is to provide enhancement of natural heritage resources through the creation of diverse habitats including wetland, water, woodland and grassland.

2. RECOMMENDATION

2.1 It is recommended that the application be refused on the grounds listed on the attached sheet.

3. CONCLUSIONS

3.1 As is indicated in Section 5 in the report, the application is considered to be in accordance with the development plan. Therefore, given the terms of Section 25 and Section 37 (2) of the Town and Country Planning (Scotland) Act 1997, the application should be approved unless material considerations indicate otherwise. As is indicated in Section 6 in the report, there are material considerations relevant to this application. There are no specific policies within the EALP which are relevant to the determination of this application, but restoration of this site would be consistent with the provisions of the East Ayrshire Opencast Coal Subject Plan, (Finalised Version with Modifications).

3.2 The general principle of the proposed development is considered to be acceptable and in some respects is welcomed because of the potential for habitat enhancement of a despoiled mineral site. No significant concerns have been raised through the consultation process that cannot be addressed through either the imposition of appropriate planning conditions or through a Section 75 Agreement under the Town and Country Planning (Scotland) Act 1997.

3.3 However, as indicated in Section 6.5 in the report, the proposed development would result in a significant increase in HGV movements along the proposed access route to the site from the A70 road. Cumulatively, approval of the proposed development, in conjunction with other approved operations in the locality of the site, would result in up to 270 HGV movements (Monday to Friday) on this route. It is considered that this level of movements would result in adverse impacts on the amenity and enjoyment of existing residential properties lying adjacent to the B7046 and Uc28 roads.

3.4 Should the Committee be minded to approve the application, it would not require to be referred to the Development Services Committee for consideration, as approval would not result in any departure from policy.

Alan Neish
Head of Planning and Building Control

Note: This document combines key sections of the associated report for quick reference and should not in itself be considered as having been the basis for recommendation preparation or decision making by the Planning Authority.

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APPLICATION BY PORTCULLIS DEVELOPMENTS LIMITED

Report by Head of Planning and Building Control

1. PURPOSE OF REPORT

1.1 The purpose of this report is to present for determination a full planning application which is to be considered by the Local Planning Committee under the Scheme of Delegation as the development is of area significance, is the subject of objections and is recommended for refusal.

2. APPLICATION DETAILS

2.1 **Site Description:** The application site is located approximately 1 mile west of Skares village and is located in open countryside some 500 metres south off the B7046 Skares Road. The site is bounded on all sides by agricultural land. Further to the east lies the existing operational opencast site at Skares Road and to the west lies the Piperhill opencast site currently undergoing restoration.

2.2 The application site relates to the former Auchlin Drift Mine site extending to approximately 50 acres. The site has been abandoned with all structures associated with the former mine having been removed. A large concrete pad occupies the north-east corner of the application site. The site is however characterised by industrial dereliction in a semi-naturalised state. A partially restored spoil heap dominates the southern part of the site while a significant body of water occupies the central part of the site. This pool lies on the former drift mine access. A small watercourse, the Closs Burn, runs through the northern part of the site.

2.3 The site itself is relatively remote with the nearest occupied properties lying to the east (Auchlin Farm – 300 metres), and to the north (Auchencloigh Lodge – 600 metres). The topography of the surrounding area is such that the application site is not readily seen from the B7046 road.

2.4 **Proposed Development:** Full planning permission is sought for the restoration of this abandoned, despoiled site through localised re-grading of the site and the introduction of sewage, paper and wood sludge cake to act as

a growth medium. The sludge cake will be incorporated into the existing soils within the application site to a depth of 1.5 metres to produce a substitute growth medium to provide a suitable landform to sustain a range of habitats.

2.5 In order to achieve the required substitute soiling within the site, it is proposed to import some 120,000 tonnes of sludge cake into the site. The existing water body within the site is to be retained but will be partially infilled with inert material to form an area of wetland and to facilitate the introduction of an island feature to create diverse wildlife habitat. In this respect it is proposed to import up to a further 30,000 tonnes of inert material. In order to encourage aquatic life within the currently stagnant pond, it is proposed to partly divert the Closs Burn into the pond. The partially restored spoil heap is to be planted with trees.

2.6 The importation of this material will result in between 10 to 15 laden heavy goods vehicles entering the site on a daily basis (i.e. 20 to 30 movements) travelling along the B7046 and Uc28 roads from the A70 Cumnock-Ayr road. The intended hours of operation for the development are 0700 hours to 1800 hours Monday to Friday and 0700 hours to 1630 hours on Saturdays and Sundays. The proposed operations will last approximately two years.

2.7 The applicant has indicated that the main source of materials is from the new waste-water treatment plant at Meadowhead in North Ayrshire. Sewage sludge brought into the site will be incorporated into the existing soils as it arrives on site, thereby negating the need to store it locally within the site. This has the benefit of minimising odorous emissions. In order to deal with any residual odours that may occur from the handling of the sewage sludge cake on site, the applicant intends to use atomiser sprays similar to those used in the applicant's existing site at Whitehill Bing near Skares.

2.8 The existing concrete pad within the site will be used as a hard standing for site offices, canteen and toilet facilities. A wheel washing area will also be provided within the site as well as fuel storage tanks and other storage facilities. Essentially the existing infrastructure currently used at the applicant's Whitehill Bing site will be transferred to this location.

2.9 The restoration strategy for this site is to provide enhancement of natural heritage resources through the creation of diverse habitats including wetland, water, woodland and grassland.

3. CONSULTATIONS AND ISSUES RAISED

3.1 Ochiltree Community Council has not responded to the consultation letter.

Noted.

3.2 West of Scotland Water Authority has no objections to the proposed development.

Noted.

3.3 The Coal Authority indicates that the site is within the zone of influence on the surface from workings in one seam of coal at shallow to 60 metres depth, the last date of working being 1982. Within or within 20 metres of the site, there are 4 mine entries. In view of the mining circumstances a prudent developer would seek appropriate technical advice before works are undertaken on site.

A note can be attached to any planning consent granted for the proposed development advising the applicant to seek appropriate technical advice regarding the mineral stability of the site.

3.4 The Royal Society for the Protection of Birds requests that any planning permission for this proposal be made conditional on the immediate completion of a bird survey and the completion of a restoration and management plan for the site. As ecological information is absent from the application, it would be appreciated if a survey could be requested to identify any priority birds present on the site. RSPB has spoken to the applicant and the most pragmatic way to proceed is an immediate walkover survey to establish the presence (or otherwise) of 'red listed' species of birds. These birds are in need of habitat protection and enhancement and this also accords with priorities identified in the draft Ayrshire Local Bio-diversity Action Plan.

A condition can be attached to any consent granted for the proposed development to meet the requirements of RSPB. It is considered that the proposed development represents an opportunity to secure habitat provision and enhancement for the benefit of natural heritage resources.

RSPB also requests that a detailed restoration and management plan be produced in consultation with RSPB and other interested parties, stating the conservation objectives of restoration, and detailing the management work to be undertaken, who it will be completed by and when. Information should also be included on monitoring to be carried out and the issuing of progress reports to interested parties.

A condition can be attached to any consent granted for the proposed development to meet the requirements of RSPB. The restoration and management plan can be the subject of further consultation with both RSPB and Scottish Natural Heritage.

3.5 Scottish Natural Heritage states that there is the potential to substantially enhance the natural heritage importance of the area through this application. Whilst SNH has no objection to this proposal and welcomes that the site is to be re-instated, it is not possible to provide detailed comments regarding the detailed design due to the limited information presented.

Noted.

SNH indicates that the plans show that the Closs Burn runs into the Closs Water. There is concern that the burn is proposed to be diverted although there is no reference to this in the applicants supporting statement. A good pond design can have considerable wildlife benefits. The pond depths are major influences on pond community types. There is no indication within the plans for the proposed depths for the shallow water. Varying the depths can create a mosaic of permanent, semi-permanent and seasonal pools providing greater habitat diversity. This variation in depth should be encouraged within the proposal.

The applicant has provided further written information in support of the application clarifying that the Closs Burn will be diverted through the proposed pond and wetland feature in order to encourage aquatic life in the presently stagnant water body within the site. In this respect the applicant has sought the advice of the Scottish Environment Protection Agency (Biology Department). Advice has been given to the applicant regarding the depths of water for the wetland area. The applicant has indicated that advice will also be sought from SNH and RSPB in this regard.

SNH further indicates that the proposal for an island is welcomed which will be of benefit, in particular for birds to feed, roost and nest. The height of the island is important in that a low island would allow for greater bio-diversity. Clarification should be sought on the proposed height of the island.

The applicant, again on the advice of SEPA, has clarified that the height of the island feature would be between 0.5 and 1 metre consistent with the comments of SNH.

3.6 The Scottish Environment Protection Agency indicates that there will be no objections from its point of view provided that the drainage arrangements are to its satisfaction. In this regard the applicant will require to ensure that no pollution of the Closs Water, a tributary of the Burnock Water, occurs either from the site operations or the foul drainage arrangements serving the site office. Contaminated surface water run-off from the waste storage or vehicle washing should be collected and treated prior to discharging to the Closs Water.

Conditions can be attached to any consent granted for the proposed development to meet the requirements of SEPA.

Although a consent exists for a discharge of trade effluent to the Closs Water from the settlement lagoons of the former coal mine, SEPA will either require this consent to be reviewed to take into consideration any discharges arising from the site operations or a new application to be made in full. SEPA will write to the applicants advising them of the legislative requirements under the Control of Pollution Act 1994.

Noted.

The waste treatment operation will require a Waste Management Licence under the Environmental Protection Act 1990 and this has been discussed with the applicant. The applicant has registered an exemption from waste management licensing for the manufacture of soil from waste consisting of waste wood and paper sludge cake and inert construction materials. This allows a maximum of 500 tonnes of these materials to be treated on any one day and will facilitate mixing trials prior to the commencement of the full operation.

Noted.

3.7 East Ayrshire Council's Environmental Health and Waste Management Division has no adverse comments to make on the proposed development.

Noted.

3.8 East Ayrshire Council's Roads Division has no objections to the proposed development subject to conditions. The applicant will require to remove or arrange the removal of a small gorse bush to the west of the access road onto the B7046 road to ensure acceptable visibility is achieved at the access to the public road. This may be on land outwith the applicant's control and would therefore require a Section 75 Agreement with the landowner.

The requirements of the Roads Division can be secured through a Section 75 Agreement under the Town and Country Planning (Scotland) Act 1997.

The Roads Division further advises that the applicant will require to contribute funds towards the repair and maintenance of the B7046 and U728 with a proportional sum based on their usage and ATH's Skares Road OCCS usage with a contribution from East Ayrshire Council. These figures would require to be calculated and agreed with the applicant and incorporated into a Section 75 Agreement prior to the development commencing on site.

The requirements of the Roads Division can be secured through a Section 75 Agreement under the Town and Country Planning (Scotland) Act 1997. The applicant has indicated agreement in principle to making such contributions.

4. REPRESENTATIONS

4.1 Three letters of representation have been received objecting to the proposed development. One letter of objection raises no specific planning grounds of objection to the development. The points of objection are summarised as follows:

4.2 Due to the present Digit working at Whitehill the stench at my home becomes so intense that we are unable to open a window so another company utilising more sewage will make it unbearable.

The existing operation at Whitehill is being undertaken by the present applicant. It is the intention of the applicant to transfer operations to the Auchlin site following completion of the ground contouring operations at Whitehill. The sewage sludge cake to be imported into the site will not be stored but will be incorporated into the subsoil as it arrives on site. The applicant advises that this has the proven effect of reducing odour emissions to a minimum. In addition the sewage sludge is dosed with potassium permanganate at the wastewater treatment plant.

The applicant also proposes to utilise atomiser sprays applied by means of rotary blowers to deal with any residual odours that may occur. Consequently, it is considered that with these measures and the relative remoteness of the application site, there will be minimal impact through odour nuisance.

4.3 The tipper lorries that visit the site have no recall for any other road users who happen to be using the roads at the time.

The comments of the objector are not considered to be valid planning grounds of objection to the proposed development.

4.4 MEGA referred previously to this development requiring to be advertised as contrary to the development plan and also as a bad neighbour development.

The application has been advertised in terms of Article 12 of the Town and Country Planning (General Development Procedure) (Scotland) Order 1992 i.e. as a bad neighbour development. The proposed development is not considered to be contrary to the policy provisions of the Adopted Mauchline/Drongan/Ochiltree Local Plan as indicated in Section 5 of this report. Consequently the application did not require separate statutory advertising under the Development Contrary to Development Plans procedures.

4.5 According to the Finalised East Ayrshire Local Plan any development in the Rural Diversification Area is only acceptable outside settlement boundaries if it provides for sensitive industrial, business, recreational or tourist development with a site specific locational need.

As indicated in Section 6.2 of this report, there are no specific policies within the EALP relevant to the determination of this application. It is recognised, however that the proposed development represents an opportunity to restore an abandoned

former drift mining/ opencast site which would be consistent with the provisions of Policy MIN15 of the East Ayrshire Opencast Coal Subject Plan (Finalised Version with Modifications).

4.6 The land is not classified as derelict in the national survey, nor has the Council identified it as being in need of urgent treatment.

Notwithstanding the comments of the objector, the site is presently derelict and the proposed development would result in the restoration of the site to a condition that would substantially enhance the natural heritage importance of the area as indicated by Scottish Natural Heritage.

4.7 Restoration is not required where natural vegetation has taken place. In any case, lush nitrogen rich vegetation is not appropriate where soil levels are unusually thin. Sewage sludge does not require to be added to material on this specific site.

While the site has through time acquired a semi-natural appearance, the character and appearance of the site is such that it is of low amenity and conservation value. The large stagnant body of water, the significant concrete pad that was formerly occupied by the mine buildings and the sparsely vegetated and partially restored spoil heap reflect the industrial dereliction of the site. The site would benefit significantly from the restoration proposals promoted by this development. The introduction of sewage, paper and wood sludge cake as a growth medium would assist in promoting conditions that would encourage a range of habitats.

4.8 MEGA objects strongly to this proposal. It will introduce yet more HGVs into an already congested area.

The proposed development will result in up to 30 vehicle movements per day on the B7046 road. This section of road is also used by HGVs transporting coal from the Skares Road Opencast Site to both Killoch Coal Disposal Point and also domestic markets. The current production rate of this opencast site results in an average of 224 HGV movements per day, Monday to Friday, with a maximum of 240 movements allowed. As indicated in Section 6. of this report, it is considered that the additional HGV movements generated by the proposed development would result in adverse cumulative traffic impact on residential properties located on the B7046 road.

4.9 The development will extend the no-go area in East Ayrshire for investment, tourists and judging by local depopulation, residents.

The proposed development is of a temporary nature and would result in the restoration of a derelict site. The site in its present

condition does not enhance the potential investment or tourism prospect of the area in which it is located.

4.10 This material could be dried and burned at Longannet as tests have proved. There would then be two benefits for East Ayrshire – less coal extraction and less environmental despoilation.

The application submitted requires to be determined on its own merits.

4.11 MEGA objects to such long working hours –7 am to 6 pm weekdays is unacceptable. No work should be permitted at weekends.

Given the relative remoteness of the application site, it is considered that the hours of operation are acceptable, except in relation to the movement of vehicles. At present, the movement of HGVs carrying coal is restricted to 8 am to 6 pm Mondays to Fridays with no vehicle movements on Saturdays or Sundays. It is considered that if consent was granted for the proposed development, similar haulage restrictions should be applied to this development.

4.12 If the application is approved no other waste material other than sewage sludge should be permitted without a further application. You have not assessed the potential impact of any wood waste etc.

The proposals include the importation of paper and wood sludge cake. The application has been the subject of consultation with SEPA and no adverse comments have been received in respect of these materials.

4.13 The route the 10-15 laden vehicles per day arriving at the site is unclear. Why is the route to/from Underwood Sewage Works included if the material is to be imported into East Ayrshire from Meadowhead in North Ayrshire?

The applicant has indicated that the main source (i.e. not the exclusive source) of sewage sludge to be introduced into the application site is from Meadowhead.

4.14 The proposed development falls to be considered under Schedule 2 of the Environmental Impact Assessment (Scotland) Regulations 1999.

The application was screened in accordance with the provisions of the EIA Regulations 1999 and it was considered that a formal Environmental Impact Statement was not necessary in this case.

5. DEVELOPMENT PLAN STATUS

5.1 Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 require that planning applications be determined in accordance with the development plan unless material considerations indicate otherwise. For the purposes of this application, the development plan comprises the Approved Ayrshire Joint Structure Plan and the Adopted Mauchline/Drongan/Ochiltree Local Plan, (1993). The Adopted Plan was prepared within the context of the then emerging Strathclyde Structure Plan.

5.2 Policy ENV20 is applicable in this instance and states:

“The Council recognises the benefits to the community associated with nature conservation and will seek to realise opportunities for habitat creation, retention, interpretation and sympathetic management throughout the district and especially in conjunction with the restoration of opencast coal sites and other developments considered appropriate”.

The proposed development represents an opportunity for the restoration of an abandoned drift mine/ opencast site and will result in site improvements through re-contouring of the abandoned working area, provision of tree planting and substantial enhancement areas of habitat for the benefit of natural heritage interests. It is considered that the proposed development is consistent with the provisions of Policy ENV20.

5.3 Similarly, Policy MIN7 states:

“The progressive restoration of opencast sites will be required to reduce the impact of operations and to return the land to a productive or beneficial afteruse at the earliest opportunity. Restoration of opencast sites will require to be of the highest standard and where appropriate will provide facilities to the local population. In addition to agricultural use, restoration of land for forestry or wildlife/nature conservation/environmental educational use will be favourably considered where appropriate”.

It is considered that the proposed development would be consistent with the provisions of Policy MIN7.

6. ASSESSMENT AGAINST OTHER MATERIAL CONSIDERATIONS

6.1 The other principal material considerations relevant to the determination of the application are the East Ayrshire Local Plan, (Finalised Version with Modifications) (2001), representations received and relevant planning history of the area in which the development site is located.

6.2 The Adopted Local Plan is considerably out of date and therefore it is considered appropriate that greater weight should be attached to more recent expressions of policy. The Council has agreed that the East Ayrshire Local Plan, (Finalised Version with Modifications), (EALP), should be considered as

a prime material consideration. However, there are no specific policies within the EALP which are relevant to the determination of this application.

6.3 The proposed development can be assessed against Policy MIN15 of the East Ayrshire Opencast Coal Subject Plan (Finalised Version with Modifications) 2001 which states:

“All developers are required to progressively restore their operational sites to the highest possible standards. The use of restored land for specific agricultural, forestry, recreational and nature conservation purposes will be acceptable to the Council and applicants are encouraged to create wildlife habitats and wetland areas, if appropriate, within their restoration proposals”.

The proposed development represents an opportunity for the restoration of an abandoned drift mine/ opencast site and will result in site improvements through re-contouring of the abandoned working area, provision of tree planting and substantial enhancement areas of habitat for the benefit of natural heritage interests. It is considered that the proposed development is consistent with the provisions of Policy ENV20.

6.4 **Planning History:** The more recent planning history of the site is as follows:

- (i) CD/87/286 : Extension to Mineral Workings at Auchlin Mine – Approved on 29 February 1988 subject to a limited consent to expire on 29 February 2003. Application by Fairclough Parkinson Mining Limited.
- (ii) CD/91/9/Q: Proposed Landfill Operation and restoration of Auchlin Mine – Application granted subject to a Section 50 Agreement but subsequently withdrawn on 21 August 1995 due to failure to conclude this agreement. Application by Fairclough Parkinson Mining Limited.

6.5 Although not directly related to this site, the Council has granted planning consent for the extraction of coal by opencast methods at Skares Road. More recently the Council approved an application for the introduction of a limited nightshift operation on 08 June 2000 (Ref. No. 00/0010/FL) for a period of three years.

The effect of this limited nightshift operation was to increase the coal production on a daily basis from the Skares Road site. Coals are transported from this site via the B7046 and Uc28 roads to Killoch Coal Disposal Point and to local domestic markets. This transport route is the same route proposed under the present application for Auchlin. Current production levels from the Skares Road site results on average in some 224 vehicle movements per day on this route between the hours of 0800 to 1800 Mondays to Fridays (maximum movements restricted to 240).

The proposed development at Auchlin would result in up to an additional 30 heavy goods vehicle movements on this route. Notwithstanding other vehicle usage of this route on a daily basis, this represents a 13% increase in HGV movements along this route. Although lying within a relatively sparsely populated area, there are three residential properties that lie directly on this route. Given the significant existing level of HGV movements, it is considered that the additional HGV movements generated by the proposed development would result in adverse cumulative impact on the residential amenity and enjoyment of these residential properties to an unacceptable degree.

7. FINANCIAL AND LEGAL IMPLICATIONS

7.1 There are no financial implications for the Council in the determination of this application. Should the Committee be minded to approve the application, legal implications would arise through the need for a Section 75 Agreement to be concluded with the applicant in respect of matters identified in Section 3 of this report.

8. CONCLUSIONS

8.1 As is indicated in Section 5 above, the application is considered to be in accordance with the development plan. Therefore, given the terms of Section 25 and Section 37 (2) of the Town and Country Planning (Scotland) Act 1997, the application should be approved unless material considerations indicate otherwise. As is indicated in Section 6 above, there are material considerations relevant to this application. There are no specific policies within the EALP which are relevant to the determination of this application, but restoration of this site would be consistent with the provisions of the East Ayrshire Opencast Coal Subject Plan, (Finalised Version with Modifications).

8.2 The general principle of the proposed development is considered to be acceptable and in some respects is welcomed because of the potential for habitat enhancement of a despoiled mineral site. No significant concerns have been raised through the consultation process that cannot be addressed through either the imposition of appropriate planning conditions or through a Section 75 Agreement under the Town and Country Planning (Scotland) Act 1997.

8.3 However, as indicated in Section 6.5 above, the proposed development would result in a significant increase in HGV movements along the proposed access route to the site from the A70 road. Cumulatively, approval of the proposed development, in conjunction with other approved operations in the locality of the site, would result in up to 270 HGV movements (Monday to Friday) on this route. It is considered that this level of movements would result in adverse impacts on the amenity and enjoyment of existing residential properties lying adjacent to the B7046 and Uc28 roads.

8.4 Should the Committee be minded to approve the application, it would not require to be referred to the Development Services Committee for consideration, as approval would not result in any departure from policy.

9. RECOMMENDATION

9.1 It is recommended that the application be refused on the grounds listed on the attached sheet.

Alan Neish
Head of Planning and Building Control

25 September 2001
HM/HM
FV/DVM

LIST OF BACKGROUND PAPERS

1. Application form and plans.
2. Statutory notices/certificates.
3. Consultation responses.
4. Letters of representation.
5. Adopted Mauchline/Drongan/Ochiltree Local Plan (1993)
6. Approved Ayrshire Joint Structure Plan (1999).
7. East Ayrshire Local Plan, Finalised Version with Modifications (2001).
8. East Ayrshire Opencast Coal Subject Plan, Finalised Version with Modifications (2001).
9. Previous applications CD/87/286 and CD/91/9/Q
10. Approved Strathclyde Structure Plan.

Any person wishing to inspect the background papers listed above, should contact Mr. Hugh Melvin on 01563 555481.

Implementation Officer: Dave Morris

