

**EAST AYRSHIRE COUNCIL**

**SOUTHERN LOCAL PLANNING COMMITTEE**

**MINUTES OF MEETING HELD ON TUESDAY 30 SEPTEMBER 1997 AT 1000 HOURS IN OCHILTREE COMMUNITY CENTRE, MAIN STREET, OCHILTREE**

**PRESENT:** Councillors Robert Taylor, Eric Jackson, Tommy Farrell, George Smith, James Boyd and John Smith.

**ATTENDING:** David Morris, Development Promotion Manager; John Bryson, Area Engineer (Roads and Transportation); Ken Robinson, Principal Administrative Officer; Hugh Melvin, Acting Senior Development Promotion Officer and Ian Gemmell Administrative Officer.

**APOLOGIES:** Councillors Eric Ross, James Kelly, David Sneller and James Carmichael.

**CHAIR:** Councillor John Smith (Vice-Chair)

**CONSIDERATION OF PLANNING APPLICATIONS**

**1.1 APPLICATION NUMBER 97/0402/FL: THE COAL AUTHORITY**

There was submitted a report dated 18 September 1997 (circulated) by the Head of Planning and Building Control on a full planning application for the construction of a minewater treatment system at Old Kames Colliery Site, Kames, Muirkirk.

The Acting Senior Development Promotion Officer reported that a letter of representation had been received, details of which were given in 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 following conditions, viz:- (1) That the development to which this permission relates must be begun not later than the expiration of five years from the date of this permission (2) The access arrangements for the site during the construction phase of the proposed development shall be to the requirements of East Ayrshire Road's Division and to the satisfaction of the Planning Authority; (3) During the construction of the proposed development the applicant shall take all reasonable measures to prevent contamination of watercourses with construction materials, chemicals or fuel oils, to the satisfaction of the Planning Authority; (4) The public road adjacent to the site shall be kept clear of mud or other deposited material at all times; and (5) Prior to works commencing on site, the applicant shall submit details of the method of sludge disposal in consultation with the Scottish Environment Protection Agency, to the Planning Authority for approval and development shall commence only one approval is forth coming. Condition (1) being imposed to comply with Section 58 of the Town and Country Planning (Scotland) Act 1997; Condition (2) In the interest of public road safety; Condition (3) To prevent pollution to watercourses; Condition (4) In the interest of road safety; and Condition (5) In the interests of controlling waste deposition.

The Committee then heard representations from two representatives of Muirkirk Angling Association, Mr Timmins and Mr Davidson, who spoke in connection with their concerns that fish spawning should not be affected by vehicles fording the River Ayr at the site access. The applicant was not present.

It was agreed to approve the application subject to the conditions and for the reasons detailed, and to impose the additional condition that appropriate measures should be taken to protect fish spawn at the fording point on the River Ayr, to the satisfaction of the Planning Authority.

## **1.2 APPLICATION NUMBER 97/0544/OL: SIOBHAN ORRETT**

There was submitted a report dated 15 September 1997 (circulated) by the Head of Planning and Building Control on a planning application for the erection of a single dwelling bungalow at 52 Wellwood Street, Muirkirk.

The Development Promotion Officer reported that two letters of objection had been received, details of which were given in the report, summarised the planning considerations in respect of the application and gave the recommendation of the Head of Planning and Building Control: Refusal for the following reasons, viz:- (1) The proposed development would result in a third dwellinghouse erected at this location to the rear of Wellwood Street, and as the applicant was unable to provide a proper access road with street lighting as require by East Ayrshire Council as Roads Authority, the proposed development would be detrimental to public road safety.

It was agreed to continue consideration of the application to a special meeting of this Committee, following a site visit.

## **1.3 APPLICATION NUMBER 97/0323/FL: RACKWOOD COLLIERY COMPANY LTD**

### **1.3.1 Declaration of Interest**

Councillor Jackson declared an indirect pecuniary interest in terms of the National Code of Local Government Conduct in this application and took no part in consideration or determination of this item.

### **Consideration of Item**

### **1.3.2** There was submitted a report dated 24 September 1997 (circulated) by the Head of Planning and Building Control on a full planning application for the proposed sale of anthracite and domestic coal to coal merchants and general public, imported and stored on site at Hannahston Opencast Coal Site, Drongan.

The Development Promotion Officer 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 following conditions, viz:- (1) That the development to which this permission relates must be begun not later than the expiration of five years from the date of this permission (2) The permission hereby granted relates solely to the domestic sale of coal produced from the Hannahston Opencast Coal Site and that no importation of coal for domestic sale shall be undertaken on the site; (3) The domestic sale of coal from the Hannahston Opencast Coal Site shall cease on the completion of coaling operations at the site or on exhaustion of stockpiled coal reserves, whichever date is the later; and (4) No sale of coal shall take place from outwith the car park area to which visiting members of the public and other purchasers of coal shall be confined by means of notices posted on site. Condition (1) being imposed to comply with Section 58 of the Town and Country Planning (Scotland) Act 1997; Condition (2) in order to retain effective control of sales within the site; Condition (3) to ensure that the sale of coal

is of a temporary nature and in the interests of restoration of the opencast site; and Condition (4) In the interest of public safety.

It was agreed to refuse the application for the reason that the proposal was contrary to Policy COM3 of the Mauchline/Drongan/Ochiltree Local Plan and Policy SHOP 1 of the Cumnock and Doon Valley District Wide Local Plan.

#### **1.4 APPLICATION NUMBER 97/0598/FL: MR G MORRISON**

There was submitted a report dated 10 September 1997 (circulated) by the Head of Planning and Building Control on a full planning application for the erection of a brick boundary wall and wooden dividing fence at 19 Ladies Walk, Drongan.

The Acting Senior Development Promotion Manager reported that a letter of objection had been received, details of which were given in the report, summarised the planning consideration in respect of the application and gave the recommendation of the Head of Planning and Building Control, viz:- Approval subject to the following condition, viz:- The development to which this permission relates must be begun within five years from the date of this permission, this condition being imposed to comply with Section 58 of the Town and Country Planning (Scotland) Act 1997.

It was agreed to approve the application.

#### **1.5 APPLICATION NUMBER 97/0551/FL: D KING AND SON**

There was submitted a report dated 17 September 1997 (circulated) by the Head of Planning and Building Control on a full planning application for the erection of 11 new detached dwellinghouses and formation of access road at Plots 27 to 37 Oakbank Drive/Robbiesland Drive, Holmhead, Cumnock.

The Acting Senior Development Promotion Officer summarised the planning consideration in respect of the application and gave the recommendation of the Head of Planning and Building Control: Approval subject to the following conditions, viz:- (1) That the development to which this permission relates must be begun not later than the expiration of five years from the date of this permission (2) The proposed development shall be carried out in accordance with the application form and plans submitted to the Planning Authority on 23 July 1997; (3) Prior to commencement of any works on site the developer shall submit details of the screening mound to the rear of plots 34-37 including details of proposed tree and shrub planting and screen fencing at this location; (4) That prior to commencement of works on the site, the applicant shall satisfy himself as to suitability of the site for construction purposes; (5) No trees shall be felled, lopped or have roots cut on the site without written consent of the Planning Authority; (6) The new access road shall be 5.5 metre wide with 2 metres wide service strips including street lighting, to East Ayrshire Council's Roads Division standards, and to the satisfaction of the Planning Authority; (7) Three off-road parking spaces shall be provided with each plot; (8) Junction visibility splays of 4.5 metres by 60 metres shall be provided at the junction of the new access road with Oakbank Drive, with no object greater than 1 metre in height being allowed within these areas; and (9) Prior to works commencing on site, the developer shall submit samples of external wall finishing materials and roofing material to the Planning Authority for approval. Condition (1) being imposed to comply with Section 58 of the Town and Country Planning (Scotland) Act 1997;

Condition (2) To ensure that the development is carried out in accordance with the approved details; Conditions (3) and (7) In the interest of residential amenity; Condition (4) In the interest of public safety; Conditions (5) and (9) In the interest of visual amenity; and Conditions (6) and (8) In the interest of public road safety.

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

**1.6 APPLICATION NUMBER 97/0536/FL: AYRSHIRE CANCER SUPPORT GROUP**

Noted that the above application had been withdrawn.

The meeting terminated at 1105 hours.