

EAST AYRSHIRE COUNCIL**CENTRAL LOCAL PLANNING COMMITTEE****MINUTES OF MEETING HELD ON FRIDAY 14 JANUARY 2000 AT 1000 HOURS
IN THE MEETING ROOM, COUNCIL HEADQUARTERS, LONDON ROAD,
KILMARNOCK**

PRESENT: Councillors Drew McIntyre, Daniel Coffey, Willie Coffey, Douglas Reid, Robert Stevenson, John Weir, Iain Linton, Alex Walsh, Jane Darnbrough and John Knapp.

ATTENDING: William Stafford, Director of Community Services; Dave Morris, Development Promotion Manager; Julie Armstrong, Senior Administrative Officer; Karen MacLeod, Solicitor; Mike Rooney, Team Leader (Environmental Health) and Melanie Macleod, Administrative Officer.

APOLOGIES: Councillors Brian Reeves and Alan Campbell.

CHAIR: Councillor Drew McIntyre, Chair.

CONSIDERATION OF PLANNING APPLICATIONS**1. PROCEDURE**

The Administrative Officer established that the Hearing procedure was understood by all participants.

1.1 DECLARATION OF INTEREST

Councillors Reid, D Coffey and W Coffey declared an non-pecuniary interest in 1.2 below.

1.2 APPLICATION NO 99/0857/FL: KILMARNOCK FOOTBALL CLUB

There was submitted an executive summary sheet and a report dated 6 January 2000 (circulated) by the Head of Planning and Building Control on a full planning application for a proposed shed to house gas heated warm air heat exchanger to supply warm ducted air to under the playing surface at Rugby Park, Rugby Road, Kilmarnock.

The Development Promotion Manager reported that one letter of objection, representing residents of Rugby Road, had been received, details of which were contained in the report; reported on the receipt and content of a response received from West of Scotland Water; 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) The development to which this permission relates must be begun within five years from the date of this permission; (2) The noise produced by the plant should not exceed the background noise level at any given time by more than 10 dBA measured at the boundary of the nearest property. Noise levels will be assessed in accordance with BS 4142: 1997 and include any relevant correction factors as specified in the British Standard; (3) The proposed development and associated equipment shall not be operated between the hours of 10.00 p.m. and 8.00 a.m. on any day of the week; (4) Notwithstanding the submitted details, the specification of the building shell shall be

such as to achieve noise attenuation of 50 dBA; (5) Notwithstanding the submitted details, the wrapping of the supply ducting on the western elevation shall be such as to ensure a sound pressure level at one metre from the ducting of 70 dBA; and (6) Prior to the commencement of development, a noise monitoring programme shall be submitted to and approved by the Planning Authority in respect of the use of the plant hereby approved. Once the equipment has been installed and is operational, the applicant shall undertake a monitoring exercise in accordance with the details of the agreed programme. The exercise shall confirm the levels of noise generated by the plant when operated either in 'vacuum' or 'heat' modes. The results of this monitoring exercise shall be submitted to the Planning Authority; Condition (1) being imposed to comply with Section 58 of the Town and Country Planning (Scotland) Act 1997; Conditions (2) and (3) in the interests of the amenity of neighbouring properties; and Conditions (4), (5) and (6) in order to safeguard the amenity of neighbouring properties.

The Committee heard Fiona Lambert in support of her objection. The Committee then heard Ewan Lawrence and Dr Bernadette McKell on behalf of the applicant. Members asked questions of the objector and of the agents to the applicant. The objector and agents to the applicant responded to the issues raised, all in accordance with the Hearing procedure.

Councillor Darnbrough, seconded by Councillor Knapp, moved that the application be approved subject to the conditions and for the reasons detailed.

Councillor Weir, seconded by Councillor Stevenson, moved that the application be approved subject to the conditions and for the reasons detailed, subject to Condition (2) being amended from a noise level of 10 dBA to a level of 5 dBA and subject to Condition (3) being amended from hours of operation between 10.00 pm and 8.00 am to between 9.00 pm and 9.00 am.

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

1.3 APPLICATION NO 99/0659/FL: MRS TURNER

There was submitted an executive summary sheet and a report dated 6 January 2000 (circulated) by the Head of Planning and Building Control on a full planning application for a proposed porch to side at 18 Harperland Drive, Kilmarnock.

The Development Promotion Manager reported that the Section of paragraph 4.6 of the report should read "it is considered that the porch will not have an adverse visual affect

The Development Promotion Manager reported that one letter of objection had been received, details of which were contained 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) The development to which this permission relates must be begun within five years from the date of this permission; and (2) The proposed extension shall be finished in materials to match those of the existing dwellinghouse; Condition (1) being imposed to comply with Section 58 of the Town and Country Planning (Scotland) Act 1997; and Condition (2) in the interest in visual amenity.

The Committee heard Mr Russell in support of his objection. Members asked questions of the objector. The applicant was not present or represented. The

objector responded to the issues raised, all in accordance with the Hearing procedure.

Councillor Knapp, seconded by Councillor Darnbrough, moved that the application be approved subject to the conditions and for the reasons detailed.

Councillor W Coffey, seconded by Councillor D Coffey, moved that the application be refused on the grounds of visual amenity.

On a division by a show of hands, there were 5 votes for the motion and 5 votes for the amendment. There being an equality of votes, the Chair exercised his casting vote in favour of the motion.

The meeting terminated at 1112 hours.