

APPENDIX 9

DN2 - PP(Local Development)(Conditions)

Department of Neighbourhood Services
Head of Planning and Economic Development Service
Alan Neish Dip TP



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TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997 (as amended by The Planning etc. (Scotland) Act 2006)

Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008

Application Reference Number: 10/0528/PP

TO: Mrs Joyce Black
per
Nicoll Design

GRANT OF PLANNING PERMISSION

With reference to your application validated on 13th September 2010 for planning permission under the above mentioned Act and Regulations for the following development:

Proposed erection of garage (retrospective) as indicated in the plans:

Plan Type	Reference	Version No	Received Date
Proposed Composite Plans			20.07.2010

AT

Kilholm Street, Newmilns, East Ayrshire,

East Ayrshire Council in exercise of their powers under the above mentioned Act and Regulations hereby **GRANT** planning permission for the said development in accordance with the above listed plans, docquetted as relative hereto and with the particulars given in the application and subject to the following standard condition to comply with Sections 58 of The Town and Country Planning (Scotland) Act 1997 as amended by the Planning etc. (Scotland) 2006

- (a) That the development hereby granted shall be begun within **three years** of the date of this permission;
and **subject to the following additional conditions** imposed for the reasons stated:

Elizabeth Morton, Depute Chief Executive/Executive Director of Neighbourhood Services

1. No structure temporary or permanent which would impede access at any time to the watercourse screen for the Caffie Burn shall be permitted.

Reason: To enable 24 Hour access for maintenance of the watercourse screen for the Caffie Burn.

2. No storage of materials or parking of vehicles at any time shall be permitted outwith the confines of the garage footprint.

Reason: To enable 24 Hour access for maintenance of the watercourse screen for the Caffie Burn.

The Council has granted consent for this development for the following reason(s):

The proposed development accords with the Development Plan and the Councils Design Guidance criteria and there are no material considerations in this instance which would justify a recommendation other than approval.

Dated this 15th November 2010

Signed...

Alan Neish

Head of Planning and Economic Development

Notes to Applicant

1. It should be understood that this permission DOES NOT carry with it any building warrant which may be required under the building regulations currently in force, or any necessary consent or approval to the proposed development under other statutory enactments.
2. If the applicant is aggrieved by the decision of the Planning Authority to refuse permission for or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may require the Planning Authority to review the case under section 43A of the Town and Country Planning (Scotland) Act 1997 **within three months from the date of this notice**. A Notice of Review form for this purpose is available for download from the Councils website (<http://www.east-ayrshire.gov.uk/devser/planandbuild/online.asp>) or on request by contacting the offices listed above. The completed Notice of Review form should be sent to the **Head of Democratic Services, East Ayrshire Council, Council Headquarters, London Road, Kilmarnock, KA3 7BU**.
3. If permission to develop land is refused or granted subject to conditions, whether by the Planning Authority or by the Scottish Ministers, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, the owner of the land may serve on the Planning Authority a purchase notice requiring the purchase of the owner of the land's interest in the land in accordance with Part 5 of the Town and Country Planning (Scotland) Act, 1997.
4. Applicants should have early contact with the appropriate bodies that provide Water, Sewerage and Roads infrastructure otherwise the availability of services might be delayed.
5. The proposed development may lie / lies within a coal mining area. Applicants should take account of any coal mining hazards to stability in their proposals. Developers must also seek permission from the Coal Authority before undertaking any operations that involve entry into any coal or mines of coal, including coal mine shafts and adits and the implementation of site investigations or other works. Property specific summary information on any past, current and proposed surface and underground coal mining activity to affect the development can be obtained from the Coal Authority. The Coal Authority Mining Reports Service can be contacted on 0845 762 6848 or at www.coal.gov.uk.