

EAST AYRSHIRE COUNCIL

NORTHERN LOCAL PLANNING COMMITTEE: 30 APRIL 2009

**08/0777/FL: CHANGE OF USE FROM FORMER BT EXCHANGE UNIT TO
FORM AN INTERNET CAFÉ AND FORMATION OF SERVICE LAYBY
AT FORMER BT EXCHANGE UNIT, POLWARTH STREET, GALSTON
BY MR D YOUNG**

EXECUTIVE SUMMARY SHEET

1. DEVELOPMENT DESCRIPTION

1.1 The application relates to a change of use for the building from the former BT exchange use to an internet café with ancillary Class 3 Food and Drink use. The primary purpose of the premises is to provide facilities enabling members of the public to access the internet. Access to the building will be taken via a raised walkway from the pavement edge to the east elevation of the building where a new access is to be formed. The development also involves the creation of a service layby off Polwarth Street which involves the realignment of the public footpath. The service layby is proposed to be sited to the east of the building between the Galston Bridge and the Tree Preservation Order tree. The proposed layby works are 2 metres away from the canopy of the protected sycamore tree and will not impact on it.

2. RECOMMENDATION

2.1 It is recommended that the application be approved subject to the conditions on the attached sheet.

3. CONCLUSIONS

3.1 As indicated in Section 5 of the report, the application is considered to be largely contrary to the development plan. Therefore given the terms of Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 the application should be refused unless material considerations indicate otherwise.

3.2 As indicated in Section 6, there are material considerations relevant to the determination of this application. The Alteration to the East Ayrshire Local Plan encourages Schedule 6(i) uses to town centre locations and as the site lies outwith the town centre and indeed settlement boundary, the proposal is contrary to this document. The Roads Division has considered the creation of a service

layby to be sufficient in terms of access and road safety. The comments submitted by the Community Council were largely addressed by the Roads Division comments. The sequential type approach mentioned by the Community Council is noted however it is felt that the visual impact, existing redundant building, close proximity to the town boundary and the nearby knitwear shop combine to provide a strong justification for a favourable view in this case. The supporting statement touches on the potential negative visual impact that could be created as a result of leaving the building to deteriorate further and it is felt that the reuse of the building will provide for a better visual impact in the longer term at this visually prominent entrance to and exit from Galston.

CONTRARY DECISION NOTE

Should the Committee agree that the application be refused contrary to the recommendation of the Head of Planning and Economic Development the application will not require to be referred to the Principal Planning Committee as such a decision would not be a significant departure from Policy.

Alan Neish
Head of Planning and Economic Development

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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NORTHERN LOCAL PLANNING COMMITTEE: 30 APRIL 2009

08/0777/FL: CHANGE OF USE FROM FORMER BT EXCHANGE UNIT TO FORM AN INTERNET CAFÉ AND FORMATION OF SERVICE LAYBY AT FORMER BT EXCHANGE UNIT, POLWARTH STREET, GALSTON BY MR D YOUNG

Report by Head of Planning and Economic Development

1. PURPOSE OF REPORT

1.1 The purpose of this report is to present for determination a planning application which is to be considered by the Local Planning Committee under the scheme of delegation, since it is recommended for approval, and would be a significant departure from the East Ayrshire Local Plan.

2. APPLICATION DETAILS

2.1 **Site Description:** The site is located to the north of Galston, across the River Irvine. The site is bounded by the River Irvine to the south with various dwellings and commercial units on the opposite bank, to the north and west by a large field and to the east by Polwarth Street. To the south east of the site is the Galston Bridge, a B listed structure and to the north east a Sycamore Tree protected by Tree Preservation Order TPO/6/1987. The existing building on site is a single storey building accessed via steps at the west due to the high basecourse likely to have been required due to the close proximity to the river. The building is a former BT exchange unit finished with a slate roof and white painted render walls. The site sits at a lower level than the adjacent road with a height difference of about 1.2 metres. There is no formal existing vehicle access from the road to the unit.

2.2 **Proposed Development:** The application relates to a change of use for the building from the former BT exchange use to an internet café with ancillary Class 3 Food and Drink use. The primary purpose of the premises is to provide facilities enabling members of the public to access the internet. Access to the building will be taken via a raised walkway from the pavement edge to the east elevation of the building where a new access is to be formed. The development also involves the creation of a service layby off Polwarth Street which involves the realignment of the public footpath. The service layby is proposed to be sited to the east of the building between the Galston Bridge and the Tree Preservation Order tree. The proposed layby works are 2 metres away from the canopy of the protected sycamore tree and will not impact on it.

3. CONSULTATIONS AND ISSUES RAISED

3.1 East Ayrshire Council's Roads and Transportation Division have no objections to this application subject to a condition requiring that the service layby be constructed to adoptable standard prior to any other work commencing within the site and that appropriate detailed designs are incorporated into the road construction consent.

Noted. An appropriately worded condition could be attached to any grant of planning consent requiring the formation of the layby prior to any other works commencing and an appropriate note could be added informing the developer of the requirement for a road construction consent.

3.2 Galston Community Council has objected to this development on the following grounds

3.2.1 The area proposed for an internet café is inappropriate on the edge of a busy main road with dangerous access considering there are plenty of suitable premises in Galston town centre.

In terms of the road, it is noted that the Roads Division has offered no objection to the development and consider that the proposed service layby is sufficient for this development. With regard to the provision of suitable alternative premises within Galston town centre, this point is noted and is supported by Local Plan policy as detailed at section 5 below. In support of this application it is noted that the existing building has been vacant for a considerable length of time. It is considered that the reuse of the redundant building would be a significant visual improvement for the area. The site is located at one of the main entrances to Galston and is therefore visually prominent to locals and visitors alike. If the building remains unused it is considered that vandalism and degradation will lead to an unsightly visual impact at this important location, to the detriment of the area. Further to this it is noted that the town centre boundary as shown on the Local Plan map is approximately 100 metres to the south along Polwarth Street. It should be noted that the Balmoral Knitwear shop is located on the other side of the River Irvine, the closest property to the application site, and also a class 1 type use.

3.2.2 The siting of this service layby is extremely dangerous as traffic going out of Galston would not see any traffic exiting this service area because of the blind summit of the bridge.

The application site does sit close to the humpback bridge however the site is located within the 30mph speed limit for Galston. In addition the Council's Roads Division has not objected to the development and has recommended approval subject to the condition that the service layby be formed prior to any other works commencing on site.

3.2.3 The existing footpath is used by the Galston pupils of Loudoun Academy and any change to this path would cause the pupils to cross over the brow of the bridge at an extremely busy time for traffic.

The formation of the service layby alters the current footpath taking into account the shape of the service layby. It is considered that an alteration of the footpath at this location would not cause pupils to change their crossing habits significantly as it solely relates to a small section of the footpath on Polwarth Street.

3.2.4 Any traffic exiting this layby could not turn right as the road is low lying at this point and would not be seen by other drivers.

It is agreed that such a manoeuvre would be inappropriate however it is noted that the roundabout to the north of the site on the A71 would allow this change in direction in a much safer manner. The Roads Division has not objected to the proposal.

3.3 East Ayrshire Council's Environmental Health Division has been unable to offer detailed comment in relation to this application as insufficient information is enclosed regarding level of catering, ventilation etc.

Noted. Given the location of the site, it is considered that this type of information is not required at this stage, noting also the proposed use of the building.

3.4 Scottish Environment Protection Agency offer no objection to the application and advise that given the small scale nature of the extension of the building it would not have a significant detrimental effect on the functional floodplain or local flood risk and that the landraising will have a low impact on storage within the functional flood plain. SEPA further recommend that any landraising be limited to that essential to provide an improved access to the building and that all materials used are water resistant. Furthermore, all foul drainage should be connected to the public sewerage system, surface water should be treated in accordance with the principles of the SUDS Manual 1997

and any construction/demolition required at the site should be carried out with due regard to SEPA's guidelines on the avoidance of pollution.

The points made by SEPA are noted. The landraising required at this site is to allow the formation of an access into the property that is above the 200 year flood event level. The developer has undertaken to ensure the a minimal area of the floodplain is developed by running the access from the public road to the eastern elevation of the building which is the closest point to the public road. This will require a new opening to be formed on the eastern elevation. Appropriate conditions and notes could be added to any consent with regard to the construction materials used, drainage and the avoidance of pollution in construction/demolition.

3.5 The Access Panel have considered the application and concluded that detailed comments on access would best be addressed through any future Building Warrant submission.

Noted.

3.6 The Roads Division Flooding Section have advised that as the development includes small alterations which impact on the flood plain they should be exempt from Scottish Planning Policy 7: Planning and Flooding (section 15) however the finished floor level (FFL) of the building and the access route should be a minimum of 300mm above the 200 year flood level.

The developer has provided information to demonstrate that the FFL of the building and the access is at least 800mm above the 200 year flood level therefore safe access and aggress from the building can be achieved during the 200 year flood event.

4. REPRESENTATIONS

4.1 One letter of objection from the Galston Community Council has been submitted in connection with this application, details of which are addressed at section 3 above.

5. ASSESSMENT AGAINST DEVELOPMENT PLAN

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 (AJSP) and the Adopted East Ayrshire Local Plan (EALP).

East Ayrshire Local Plan

5.2 Policy SD7 states that the Council will positively support, encourage and promote the sympathetic upgrading, re-use and conversion of existing properties, both within the area settlements and throughout the rural area, in preference to the construction of new build properties.

It is considered that the proposal generally meets with the principles of this policy as the proposal is to convert an existing property at the edge of the settlement boundary.

5.3 Policy SD3 states that within the Rural Protection Area, development proposals relating to land located outwith settlement boundaries will be acceptable to the Council only where the development:

- (i) comprises an acceptable form of residential use as detailed in Policy RES13 of the Local Plan; or
- (ii) can be fully justified in terms of site specific locational need; or
- (iii) can be fully justified in terms of social and economic benefit to the community; or
- (iv) contributes to rural land diversification; or
- (v) provides for the operational needs of agriculture or forestry.

The relevant criteria of this policy are (ii) and (iii). There is no specific justification for this site over a town centre site which is relatively nearby although it is noted that the application site is on the boundary of the town and close to an existing retail unit which is also outwith the town centre. In terms of site specific locational need it is considered that the existing redundant nature of the building provides a degree of this requirement. In relation to the social and economic benefits of the proposal, it is considered that it will bring some benefit to the settlement of Galston. This would be in terms of an improved visual appearance at the entrance to the town and the

facilities that the site could provide. It is noted that in terms of Policy, such a service should be located within the town centre.

5.4 Policy RTC1 states that the Council will adopt a sequential approach in assessing development proposals for retail, commercial leisure developments and other uses appropriate to town centres as described in Schedule 5 of the Plan. Developers will be required to locate all such development firstly, in town centres as identified on the Local Plan maps and secondly, in edge of centre locations, in preference to out-of-town centre locations. Applicants proposing such developments in out-of-town centre locations shall be required to demonstrate that no suitable alternative site can be found or assembled within town centres and thereafter in an edge of centre location.

The proposed use falls predominantly within class 1 of the use classes order and the applicant proposes a small class 3 sale of food and drink for consumption on the premises ancillary use. Schedule 5 of the Local Plan requires that all developers locate such uses within the town centre in the first instance. The applicant has not submitted any information to satisfy the sequential test which therefore suggests that the proposal could realistically be sited within the town centre of Galston. The supporting statement submitted by the applicant argues the difficulty in siting such a use within an empty town centre unit as such units are difficult to convert to the proposed specialised use and many are in a very poor state of repair.

5.5 Policy RTC5 states that in assessing all out-of-centre retail and other Schedule 5 development proposals, the Council will have regard to:

- (i) whether the applicants have adopted a sequential approach and can demonstrate that no suitable alternative sites are available within or on the edge of town centres;

Taking each point in turn, the applicants have not adopted a sequential approach to the development and it is likely that a suitable building within the town centre could be found although the applicant has highlighted in his supporting statement that it would be difficult to find a unit that could feasibly be repaired and converted to such a specialised use at reasonable cost.

- (ii) whether the proposal would affect, either individually or cumulatively, the vitality and viability of town centres and whether the scale of the proposal is appropriate to its location;

It is considered that the proposal is relatively small and would also not significantly harm the vitality or viability of the town centre as the location is at the edge of the settlement boundary, adjacent to an existing retail unit and within easy walking distance of the town centre.

- (iii) whether the proposal is accessible to a choice of means of transport;

The proposal can be accessed relatively easily as the site is located near to the town centre and is also on the route between the Loudoun Academy and the town.

- (iv) the effect of the proposal on travel patterns, infrastructure and road works;

The proposed layby would require road alterations however the Roads Division has not indicated that this would be an issue and it is recommended that a note requiring the applicant to obtain appropriate consents in this regard be attached to any grant of planning permission.

- (v) whether the proposal would be compatible with other uses in the surrounding area;

The site sits at the edge of the settlement with the adjacent property across the river being the Balmoral Knitwear shop, also a class 1 use. To the north east of the site is the Co-op shop, a further class 1 use. The site is otherwise bounded by the road and vacant ground/agricultural land.

- (vi) whether the design of the proposed building would be acceptable;

The design of the building is not proposed to change other than the raised access and alterations to create an entrance door. Given the materials proposed, the design of the building is considered to be acceptable.

- (vii) the effect of the proposal on the environmental quality, character and amenity of the area;

The proposal will not have a detrimental impact on the environmental quality character and amenity of the area.

- (viii) whether the proposal would be compatible with other local plan policy objectives.

In terms of other local plan policies, it is noted above that the proposal is not compliant with RTC1 and is only part compliant with SD3. It is considered that the proposal is generally compliant with policy SD7.

6. ASSESSMENT AGAINST MATERIAL CONSIDERATIONS

6.1 The principal material considerations relevant to the determination of the application are the Alteration to the East Ayrshire Local Plan (Finalised Version with Modifications), consultation responses, letter of representation, supporting statement and the impact on the amenity of the area.

Alteration to the East Ayrshire Local Plan (Finalised Version with Modifications)

6.2 Policy SD5 states that development proposals outwith settlement boundaries, as indicated on the Local Plan Rural Area Map, will be acceptable to the Council only where the development:

- (i) comprises an acceptable form of residential development in accord with Policies RES 9 and RES10 of the Local Plan; or
- (ii) contributes to rural diversification through the development of appropriate industrial, business, tourism, leisure, recreational and other developments with a justified need for a rural location; or
- (iii) constitutes an acceptable form of farm diversification; or
- (iv) is of demonstrated benefit to the vitality and viability of local rural communities; or
- (ii) provides for the operational needs of agriculture or forestry.

The current proposal is not considered to be in accordance with any of the above criterion.

6.3 Through Policy SD8, the Council will positively support, encourage and promote the sympathetic renovation, re-use and conversion of existing properties, both within the area settlements and throughout the rural area.

As the proposal represents the change of use of an existing vacant building outwith the settlement boundary of Galston, the proposal is considered to be in accordance with the provisions of this strategic policy.

6.4 Policy RTC1 states that the Council will adopt a sequential approach in assessing development proposals for retail, commercial leisure developments and other uses appropriate to town centres as described in Schedule 6(i) of the Plan. Developers will be required to locate all such development firstly, in town centres as identified on the Local Plan maps; secondly, in edge of centre locations where no such town centre sites are available; and thirdly, in identified commercial centres as identified on the local plan maps, in preference to out of centre locations. Applicants proposing such developments in out of centre locations will be required to demonstrate to the satisfaction of the Council:

- (i) that no suitable alternative site can be found or assembled within town centres, in an edge of centre location or in an identified commercial centre: and
- (ii) that the chosen location is, or can be made, easily accessible by a choice of modes of transport.

The applicant has not submitted information demonstrating that a sequential approach has been taken for the proposed change of use. As the site is considered to represent an out of centre location, in order to comply with this policy the applicant would need to demonstrate that the proposed use could not be located within the town centre or in an edge of centre location. In response to this the applicant has advised that the proposed use would require upgrading and extensive works to the currently vacant buildings within the town centre. It should be noted that the site is accessible by public transport and is a short walk from nearby car parks and the general town centre area.

6.5 Through RTC2, subject to the provision of all other retail and town centre policies, the Council will ensure that all development proposals for the classes of

development detailed in Schedule 6(i) of the Local Plan are commensurate with the size and function of the area or settlement within which they are proposed. In this regard:

- (i) all major retail and other Schedule 6(i) uses of East Ayrshire wide impact and importance are directed to the main town of Kilmarnock;
- (ii) all major retail and other Schedule 6(i) uses of significant importance to a range of local communities within the investment corridors are directed to the service centres of Cumnock, Auchinleck, Stewarton, Galston and Dalmellington;
- (iii) all retail and other Schedule 6(i) uses of local importance are directed to the particular service centres or local communities to be served by the development.

The proposed internet café comprises of a Schedule 6(i) use of local importance and should therefore be directed to the service centre of Galston.

6.6 Policy RTC9 states that in addition to the types of development detailed in policies RTC 7 and RTC 8, small scale retail development proposals, falling within Class 1 of the Use Classes Order, in out of centre locations will generally be supported by the Council where:

- (i) the proposal is for a local shop or shops required to meet the day to day convenience needs of local residents. New local and top-up shopping provision in existing neighbourhood or local centres will be particularly supported by the Council and preference will be given to the re-use of existing vacant premises rather than new build developments; or
- (ii) the proposal is for a factory shop located within the curtilage of an existing factory unit or for a shop attached to an existing or approved craft workshop, where the retail outlet is purely ancillary to the main manufacturing use of the premises and where the goods sold are limited exclusively to those goods manufactured on site; or

Note: In cases where individual factory shops are proposed in locations outwith the curtilage of the factory premises to which they relate or where a number of factory retail outlets, unrelated to their manufacturing base, are grouped together to form a Factory Outlet Centre, the developments will be treated as normal retail developments and will be assessed accordingly.

- (iii) the proposal is for a farm shop located on the farm unit to which the shop relates, established specifically to sell local agricultural or horticultural

- products and where the majority of goods sold consist of those produced or grown on site; or
- (iv) the proposal is for a tourism, leisure or recreation related retail development, where the goods sold and services provided cater specifically for tourists and visitors to the area and where the proposed shop is purely ancillary to the main tourism, leisure or recreation use of the premises; or
 - (v) the proposal is for the sale of coal or other minerals direct from an extraction site, either to local distributors or to individual members of the general public for local domestic use; or
 - (vi) the proposal is for a small scale shop designed to serve the needs of a dispersed rural community or, if attached to a rural petrol station (see Policy RTC14 below), the travelling public.

Notwithstanding the above policy approach, all retail developments in out of centre locations will require to be assessed against criteria (iv) to (x) detailed in Policy RTC6 above.

Note: for the purpose of this policy, small scale retail development proposals are deemed to have a gross floor area of less than 200 square metres.

It is considered that the current proposal does not meet any of the above criterion.

Consultation Responses

6.7 The consultee comments are relevant to the consideration of this application. The Roads Division have considered that the formation of the service layby is sufficient for the proposal and it is considered that this provides an adequate response to three of the Galston Community Council's points of objection. The point relating to the preferred location of the proposal being the town centre is noted and is supported by Local Plan policies. The fact the building is already on site and redundant, the visual prominence of the site on a main entrance to the town of Galston and the close relationship to the settlement boundary including the knitwear shop adds significant weight to the case for approval contrary to the sequential approach advocated by Local Plan policy. The points raised by SEPA and the Councils Flooding section have been addressed by the applicant through the submission of detailed levels information demonstrating that the building and therefore its occupants will not be at risk during a 200 year flood event.

Letter of Representation

6.8 The letter of representation from the Community Council concerns road safety and the proposed use of the building in preference to a town centre unit. It is considered that the road safety aspects have been adequately addressed by the Roads Division response confirming that the service layby is sufficient at this location. In terms of the sequential approach essentially being advocated by the Community Council, this is noted. East Ayrshire Local Plan policy requires that developers locate within the recognised town centre boundaries rather than out of centre locations and therefore the point raised by the Community Council is validated by Local Plan policy. It is considered however that the proposed use does have merit at this location. The site is located at the entrance to Galston and is of relative visual prominence. The reuse of the redundant building would improve the entrance to Galston visually as the building would be regularly maintained rather than left in a derelict condition. Further to this, the building is of good construction and merits reuse if possible and it is located near to the settlement boundary being separated only by the river. On the other side of this river is the Balmoral Knitwear shop which is also outwith the town centre and is essentially adjacent to the proposal.

Impact on the Amenity of the Area

6.9 It is considered that the proposal would have a positive impact upon the amenity of the area. The building is currently vacant but was a former BT exchange unit. This use is unlikely to be required at this location again due to the changing technologies involved in communications. To date the building has remained vacant and has suffered from vandalism including damage to the external door and a minor fire. The reuse of this building would stop the current deterioration and would avoid potential long term blight at an important entrance to Galston.

Supporting Statement

6.10 The application is accompanied by a supporting statement highlighting the potential benefits of using this building for the stated purpose. These include the fact that the building has been empty for a number of years, the difficulty in using a town centre unit, the position of the site in relation to passing trade from Loudoun Academy as well as ease of access in relation to the close proximity to Galston and the potential to create a useful service that provides for the social and educational needs of local people.

7. FINANCIAL AND LEGAL IMPLICATIONS

7.1 There are no financial or legal implications for the Council in determining this application.

8. CONCLUSIONS

8.1 As indicated in Section 5 of the report, the application is considered to be largely contrary to the development plan. Therefore given the terms of Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 the application should be refused unless material considerations indicate otherwise.

8.2 As indicated in Section 6, there are material considerations relevant to the determination of this application. The Alteration to the East Ayrshire Local Plan encourages Schedule 6(i) uses to town centre locations and as the site lies outwith the town centre and indeed settlement boundary, the proposal is contrary to this document. The Roads Division has considered the creation of a service layby to be sufficient in terms of access and road safety. The comments submitted by the Community Council were largely addressed by the Roads Division comments. The sequential type approach mentioned by the Community Council is noted however it is felt that the visual impact, existing redundant building, close proximity to the town boundary and the nearby knitwear shop combine to provide a strong justification for a favourable view in this case. The supporting statement touches on the potential negative visual impact that could be created as a result of leaving the building to deteriorate further and it is felt that the reuse of the building will provide for a better visual impact in the longer term at this visually prominent entrance to and exit from Galston.

9. RECOMMENDATION

9.1 It is recommended that the application be approved subject to the conditions on the attached sheet.

CONTRARY DECISION NOTE

Should the Committee agree that the application be refused contrary to the recommendation of the Head of Planning and Economic Development the application will not require to be referred to the Principal Planning Committee as such a decision would not be a significant departure from Policy.

Alan Neish
Head of Planning and Economic Development

DW/IMB
22 April 2009
FV/DVM

LIST OF BACKGROUND PAPERS

1. Application Form and Plans.
2. Statutory Notices and Certificates.
3. Consultation Responses.
4. Letter of Representation.
5. Supporting statement
6. Adopted East Ayrshire Local Plan (2003).
7. Alteration to the East Ayrshire Local Plan (Finalised Version with Modifications)

Anyone wishing to inspect the above papers please contact David Wilson Senior Planning Officer (Acting), on 01563 576779.

Implementation Officer: Dave Morris

TP24

EAST AYRSHIRE COUNCIL

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

Application No: 08/0777/FL

Site of Proposal:	Former BT Exchange Unit, Polwarth Street, Galston
Nature of Proposal:	Change of Use from Former BT Exchange Unit to Form an Internet Café and Formation of Service Layby.
Name & Address of Applicant:	Mr D Young 28 Craigmore Avenue Bearsden GALSGOW
Name & Address of Agent:	Mr S McQuiston 44 Lainshaw Avenue Shortlees Kilmarnock East Ayrshire KA1 4RZ

DPO's Reference: DW/IMB

The above full application should be approved subject to the following conditions:

1. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 and the Town and Country Planning (Use Classes) (Scotland) Order 1997, this permission relates to the use of the premises as a class 1 internet café (with ancillary class 3 food and drink use) and the further express permission of the Planning Authority shall be required in respect of any other use which falls within the same use class to the use hereby approved.

REASON: To ensure that any future use is compatible with the restricted access to the site.

2. The service layby shown on approved drawing numbers DY02 and DY03 shall be constructed to adoptable road standard and be completed prior to any work commencing on the site.

REASON: To ensure that the development can be adequately accessed in the interest of road safety.

3. A landscaping scheme for the development including planting on the boundary of the site with the public road shall be submitted to and approved in writing by the Planning Authority prior to the commencement of development and shall thereafter be implemented on site prior to the use commencing or during the next available planting season, whichever is the sooner.

REASON: To provide a reasonable degree of screening to the site in the interests of visual amenity at this entrance to Galston.

4. Notwithstanding the plans hereby approved, details of any boundary treatments including height, materials and colours shall be submitted for the written approval of the Planning Authority prior to any work commencing on site and shall thereafter be implemented as approved.

REASON: To ensure that any boundary treatments do not injure the visual amenity of the surrounding area.

5. Notwithstanding the plans hereby approved, further details of the proposed levels of catering and ventilation shall be submitted for the written approval of the Planning Authority, in consultation with the Councils Environmental Health Division, prior to any work commencing on site and shall be implemented as approved thereafter.

REASON: To ensure that appropriate details relating to the operation of the building are submitted in the interest of public safety and amenity.

6. Notwithstanding the plans and details hereby approved, further details and a sample of proposed external materials of the building and walkway shall be submitted for the written approval of the Planning Authority prior to the commencement of development and implemented on site as approved thereafter.

REASON: To ensure that the external materials are commensurate with the existing building and the surrounding area in the interests of visual amenity.

7. The access walkway hereby approved under condition 6 shall be constructed prior to the internet café use commencing.

REASON: To ensure that a safe exit is provided from the building above the 1 in 200 year flood event level.

Notes

1. The applicant is advised to make early contact with the Roads Division to obtain all appropriate permits and permissions to undertake works to the public road.
2. Any surface water from the site should be treated in accordance with the principles of the SUDS Manual (C697) published by CIRIA in March 2007.
3. The applicant is advised to make early contact with Scottish Water to ensure that an appropriate scheme is provided for the development.
4. The applicant is advised to utilise water resistant materials in the construction of the access walkway.

**DUE TO ORDNANCE SURVEY REGULATIONS AND COPYRIGHT
THE MAP IS AVAILABLE FOR VIEWING AT THE COUNCIL'S
PLANNING OFFICE IN KILMARNOCK. FOR INFORMATION ON
VIEWING PLEASE CONTACT (01563) 576790.**