

EAST AYRSHIRE COUNCIL

NORTHERN LOCAL PLANNING COMMITTEE: 29 JANUARY 2010

**09/0598/PP & 09/0599/LB: CHANGE OF USE OF VACANT BUILDING TO
FORM BAR/RESTAURANT AND DISCOTHEQUE
AT 8 VENNEL STREET, STEWARTON
BY MR PETER BROWN**

EXECUTIVE SUMMARY SHEET

1. DEVELOPMENT DESCRIPTION

1.1 The applications relate to the refurbishment of a vacant two storey C(s) listed property to form a ground floor restaurant and bar with a discotheque on the first floor and a chill out area in the second floor roof area. The applicant proposes a full height extension at the rear over most of the elevation to accommodate the access stairs and a first floor partially enclosed smoking area. Vehicular access to the site is taken from Vennel Street between number 8 and number 12 which leads to the hard surfaced car parking area providing some 20 spaces. Access to the ground floor restaurant is achieved directly off Vennel Street with a further access at the rear of the building which provides access to all floors.

2. RECOMMENDATION

2.1 It is recommended that the planning and listed building applications be approved subject to conditions.

3. CONCLUSIONS

3.1 As indicated in Section 5 of the report, the application is considered to be compliant with 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 approved 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 Local Plan provides the same position in the main as the adopted Local Plan and as such indicates that the application should be supported. With the exception of the Community

Council, the consultees have raised no issues with the development and a significant number of letters of support have been received.

3.3 The key material consideration that is not supportive of the applications is the large number of letters of objection combined with the objection of the Community Council as a consultee. As noted in the report the key areas of concern are around the impact to residential amenity and the traffic impact. Whilst it is agreed that there will be a degree of impact to nearby residential properties, this should be considered against the town centre location of the development. The dwellings likely to be most impacted upon are located within or immediately adjacent to the town centre where a greater degree of noise and disturbance is to be expected. Given this circumstance and the careful design of the development to locate the entrance and smoking area at the rear combined with stewarding it is considered that the impact overall will be minimal. As the Roads Division have not highlighted any concerns regarding road safety it is considered that the points raised by the objectors in this regard do not carry any significant weight.

3.4 In conclusion it is considered that despite the significant level of objection, this is insufficient to outweigh the policies of the development plans which support the proposal.

CONTRARY DECISION NOTE

Should the Committee agree that the application be refused contrary to the recommendation of the Head of Planning and Economic Development on the principle of the development, the application would require to be referred to the full Council, as the principle of the development is in accordance with the Development Plan.

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.

EAST AYRSHIRE COUNCIL

NORTHERN LOCAL PLANNING COMMITTEE: 29 JANUARY 2010

**09/0598/PP & 09/0599/LB: CHANGE OF USE OF VACANT BUILDING TO
FORM BAR/RESTAURANT AND DISCOTHEQUE
AT 8 VENNEL STREET, STEWARTON
BY MR PETER BROWN**

Report by Head of Planning and Economic Development

1. PURPOSE OF REPORT

1.1 The purpose of this report is to present for determination an application for planning permission and one for listed building consent which are to be considered by the Local Planning Committee under the scheme of delegation as the planning application is subject to more than 10 objections.

2. APPLICATION DETAILS

2.1 **Site Description:** The site is located within the town centre of Stewarton on Vennel Street, near the Cross. The site is currently occupied by a vacant two storey C(s) listed stone and slate building which was formerly the Outer Limits night club. To the rear of the building is an area of open ground stretching along the rear gardens of Lainshaw Street and Vennel Street. The site is bounded to the west by properties on Lainshaw Street, to the north and east by Vennel Street and to the south by numbers 12 and 16 Vennel Street.

2.2 **Proposed Development:** The applications relate to the refurbishment of the vacant two storey property to form a ground floor restaurant and bar with a discotheque on the first floor and a chill out lounge area in the second floor roof area. The applicant proposes a full height extension at the rear over most of the elevation to accommodate the access stairs and a first floor partially enclosed smoking area. Vehicular access to the site is taken from Vennel Street between number 8 and number 12 which leads to the hard surfaced car parking area providing some 20 spaces. Access to the ground floor restaurant is achieved directly off Vennel Street with a further access at the rear of the building which provides access to all floors.

3. CONSULTATIONS AND ISSUES RAISED

3.1 West of Scotland Archaeology Service have no objections but recommend that a condition be attached requiring the provision of an archaeological watching brief during all ground disturbance.

A suitable condition could be attached to any consent granted.

3.2 East Ayrshire Council's Roads Division and the North District Access Panel have no objections to the development.

Noted.

3.3 Strathclyde Police have offered no objection. They have advised that the site is within a highly populated residential area and the town has a long history of parking problems which could be exacerbated by the development and given parking restrictions surrounding the Cross, taxi uplift of patrons could be difficult. The location of the smoking shelter to the rear is considered to be best practice. They further add that a venue of this nature could lead to an increase in levels of anti social behaviour and disorder but that adequate stewarding could help to deter this.

Noted. The Roads Division are satisfied with the parking provision. Whilst it is noted that residential property is located around the site, the site is located within the town centre of Stewarton where such uses should be located. As pointed out by the Police, anti social behaviour can be associated with this type of development however the applicant has indicated that stewarding will be provided and any anti social behaviour would ultimately be a matter for the Police to control.

3.4 East Ayrshire Councils Environmental Health Division has advised that they have no objection in principle to the application. They do however suggest that the developer submit details to acoustically insulate the building to prevent noise breakout from the premises. They comment that noise from patrons coupled with increased traffic levels would have an impact on the surrounding noise environment but this would predominantly be within the remit of Strathclyde Police. As a result of this they recommend the undertaking of a Noise Impact Assessment for the scheme. Further conditions in relation to construction working times, burning of waste, drainage and contaminated land are also suggested.

Suspensive conditions could be attached to any grant of planning consent to ensure that noise insulation construction details are provided and that a Noise Impact Assessment be undertaken and approved by the Planning Authority in consultation with Environmental Health, prior to the operation of the discotheque element of the proposal. The further conditions proposed relating to construction working times, burning, drainage and contaminated land can also be attached as conditions to a grant of planning consent.

3.5 Stewarton and District Community Council has objected to the development on the following grounds:

3.5.1 The disco and chill out zone cause concern due to potential numbers and noise generated, particularly at closing time. The plans indicate an occupancy of 135 persons in the disco and 140 persons in the chill out zone, totally 275 persons, not including staff. There is only one stair and lift linking these two areas of activity making the stairway a busy two way pedestrian zone.

The capacity of the venue in relation to the internal access provision is a Building Standards matter that would be addressed at Building Warrant stage.

3.5.2 The proximity of this building to the traffic lights in the centre of the town which govern the flow of traffic through the town.

The Roads Division have raised no objections to the development.

3.5.3 The high risk of late night noise from both music and the number of persons using the facilities offered by the proposals particularly given its closeness to nearby sheltered and private residences.

Whilst there are residential properties near to this site, it should be noted that the proposed restaurant and disco are within the town centre boundary where such uses should be located. Any dwelling located immediately adjacent to the town centre boundary or within the town centre should expect a higher degree of noise and movement than for example within a dedicated residential area. To minimise impact, the applicant has sited the smoking area and the entrance to the nightclub at the rear. The location of the smoking area at the rear is highlighted as good practice by the Police. It is proposed to attach a suspensive condition to any grant of planning permission requiring appropriate sound proofing of the building.

3.5.4 The narrow pavement fronting the property.

The Roads Division has raised no objection to the width of the footpath.

3.5.5 The building currently is vacant and deteriorating. The intended external works to the property would be a welcome improvement to the street scene. However the two proposed upper floor uses are considered to be detrimental to the immediate location of this building for the reasons detailed above. We consider these two uses, unfortunately, to be in the wrong place for both public safety and environmental impact i.e. there is an increased risk of accident at peak usage when there is a moving mix of persons and vehicles exiting the area and the noise level which would be so generated.

The policies of the Councils Local Plan state that such uses should, in principle, be located within the town centre boundary. This building is within the Stewarton town centre boundary. In terms of the risk of accidents, it should be noted that the Roads Division has raised no objection on road safety grounds.

3.5.6 To try to meet the transport need for the building it appears from the plans that it is the intention to utilise the local supermarket car park for taxis and evening parking for users. This car park is the property of Sainsburys and we object to the apparent presumption that this car park can be so utilised after normal shopping hours.

Whilst the applicant has indicated a taxi provision at Sainsburys car park, there is no formal taxi rank at this location nor anywhere in Stewarton. However private hire taxis can enter the site directly to pick up patrons.

3.6 The Scottish Civic Trust has no objections and welcome plans to bring the neglected building back into use.

Noted.

3.7 Historic Scotland has no objections to the proposal however they ask that a window survey be undertaken to establish if the windows are historic.

The applicant has advised that there are no windows remaining in the property and as such propose to install new windows. A condition regarding external materials could be attached to any consent to allow adequate control over any replacement windows.

4. REPRESENTATIONS

4.1 216 objections and 222 letters of support have been received in connection with the planning application. Three letters of objection have been received against the listed building application, including the Community Council. A summary of the objections is listed below.

4.2 The impact on residential amenity of excessive noise, general disturbance, early morning nuisance to neighbours, noise/bad language from smokers and anti social behaviour and vandalism.

It is considered that there will be a degree of adverse impact to those properties nearest the development. It should be noted however that these properties are within or immediately adjacent to the town centre where a degree of disturbance is likely to be expected. Issues such as excessive noise and anti social behaviour are matters for the Police and Environmental Health to enforce and it should be noted that they have raised no objection to the development, subject to appropriate conditions.

4.3 The impact on residential amenity of extra traffic at the Cross and insufficient parking facilities in the site.

The cross road junction can adequately accommodate such additional traffic as is generated and these would not be central to any detriment to residential amenity The proposal provides 20 parking spaces which is to the satisfaction of the Roads Division.

4.4 The impact on residential amenity of more litter.

The proposal is for a restaurant and nightclub which are not considered in themselves to be uses that generate litter.

4.5 There is a sheltered housing complex nearby, Vennel Lane is opposite this building and regularly used by residents. There are also many family homes in the area.

The site is within the identified town centre boundary of Stewarton where these uses are acceptable in principle. It is noted that there are residential properties adjacent to and nearby the application site which will, to a degree, be adversely effected by the development. However, given the town centre location a higher degree of disturbance should be expected.

4.6 The large number of food and licensed premises in Stewarton and the detrimental effect on established businesses this proposal will cause. The negative health effects associated with alcohol. The presence of a discotheque in another venue, a social club and other regular entertainment events in various places nearby. The loss of view and a reduction in value of house.

These issues are not material planning considerations.

4.7 The safety of young people coming and going from the premises has to be considered.

It is unclear what aspect of safety the objectors are raising however the applicant has advised that stewarding will be provided at the venue to address incidents of anti social behaviour. Furthermore, access to the venue is from the rear, away from the public road and the site is within the town centre where such uses should be located.

4.8 Loss of sunlight.

The extension at the rear will have little or no impact on available sunlight given the position and design of the extension and the distance to other properties.

4.9 The application should be publicised more widely.

The application has been publicised in the Kilmarnock Standard on 2 October 2009 and has appeared on the Councils website. Furthermore, the relevant neighbour notification has been undertaken. This therefore meets with the requirements of the legislation in terms of publicity for the application.

4.10 The key areas raised in the letters of support were the provision of more local social activities to provide for the increasing town population. It also encourages the use of local businesses and provides local jobs in a time of recession. Furthermore, the buildings are within the town centre and are an eyesore.

It is noted that the building is within the town centre boundary and is currently vacant. The reuse of the building would bring further services to the town and is likely to generate employment.

5. ASSESSMENT AGAINST DEVELOPMENT PLAN

5.1 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).

Ayrshire Joint Structure Plan

5.2 Policy COMM 6 emphasises the need to encourage a wide range of retail, commercial, business, entertainment and leisure opportunities to promote the viability and vitality of town centres.

The proposal is within the town centre and complies with this policy.

East Ayrshire Local Plan

5.3 Policy RTC 2 details through Schedule 5, the types of development that are acceptable within town centres.

The site is within the town centre boundary and the proposed uses fall within Schedule 5. The proposal is therefore compliant.

5.4 Policy RTC 11 refers to vacant properties and encourages the reuse of property for Schedule 5 uses.

The proposed uses fall within Schedule 5. The proposal is therefore compliant.

5.5 Policy RTC 15 states that public houses are acceptable town centre uses.

The proposal is within the town centre therefore it is compliant with this policy.

5.6 Policy ENV 2 encourages the re-use of listed buildings.

This proposal brings back into use a vacant C(s) listed building and is therefore compliant with this policy.

5.7 Policy ENV 4 requires works to a listed building to be sympathetic to its appearance and character.

Historic Scotland and the Scottish Civic Trust have no objections to the development and the applicant has indicated the use of similar materials to the existing. The proposal is therefore compliant with this policy.

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, the impact on the amenity of the area, planning history, the objections, the supporting statement and the letters of support.

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

6.2 Policy RTC 1 states that Schedule 6(i) uses will be directed to the town centre in the first instance.

The site is within the town centre boundary and the proposed uses fall within Schedule 6(i). The proposal is therefore compliant with this policy.

6.3 Policy RTC 3 encourages the retention and improvement of facilities falling within Schedule 6(i).

The previous uses of the building fall within Schedule 6(i) therefore the re-use of the building is compliant with this policy.

6.4 Policy RTC 15 advises that public houses are acceptable town centre uses.

The proposal is within the town centre therefore it is compliant with this policy.

6.5 Policy ENV 4 encourages the re-use of listed buildings and requires works to be sympathetic to its appearance and character.

This proposal brings back into use a vacant C(s) listed building and is therefore compliant with this policy. Historic Scotland and the Scottish Civic Trust have no objections to the development and the applicant has indicated the use of similar materials to those existing. The proposal is therefore considered to be compliant with this policy.

Consultation Responses

6.6 The consultation responses, with the exception of the Community Council, have offered no negative comments on the development. The points made by the Community Council with regard to traffic impact are considered to be largely addressed by the comments of the Roads Division. The comments in relation to

the impact on residential properties are noted however the development is located within the town centre where such uses are considered to be appropriate and the applicant has designed the scheme to present as minimal an impact as possible on nearby residential dwellings.

Impact on the Amenity of the Area

6.7 The visual amenity of the area will be significantly improved as a result of the development. The reuse of the building and the provision of a car parking area to the rear will positively improve the appearance of this section of Vennel Street. In terms of residential amenity that there will be a degree of adverse impact to those properties nearest the development. It should be noted however that these properties are within or immediately adjacent to the town centre where a degree of disturbance is likely to be expected.

Letters of Representation

6.8 The letters of objection predominantly focus on the effect on residential amenity that the use will create as well as road safety concerns. Whilst it is agreed that the proposal will have an adverse impact on some nearby residential properties, this should be considered against the location of the development. Uses such as those proposed are found within town centre areas and this is reflected in the Local Plan policy. The building is within the town centre boundary of Stewarton and those residential properties nearby are either within this boundary or adjacent to it; therefore a degree of disturbance should be expected by residents. To minimise this disturbance, the applicant has located the entrance to the disco and the smoking area at the rear of the building. The proposed suspensive condition relating to noise insulation will ensure that noise from the disco will be minimised. The applicant has also advised that stewarding will be provided to control and minimise anti social behaviour and disturbance. Should anti social behaviour occur, it would be a matter for the Police to regulate. Given the town centre location and the design features proposed, the use is acceptable and will minimise disturbance to most nearby residential properties. With regards to the road safety concerns it should be noted that the Roads Division has raised no objection to the development either in respect of traffic impact at the Cross or on Vennel Street itself.

Letters of support

6.9 The letters of support encourage the reuse of the building and the provision of local facilities.

Supporting Statement

6.10 The applicant has provided some comments with regard to the consultation responses from the Police and the Access Panel. They have stated

that the site is within the town centre and also advised that adequate stewarding will be provided to prevent and minimise anti social behaviour.

Planning History

6.11 Application 09/0332/FL for Proposed restaurant/bar with discotheque and casino was withdrawn on 5 August 2009.

6.12 Application 09/0399/LB for Alteration and extension of building to form restaurant/bar with discotheque/casino was withdrawn on 5 August 2009.

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 compliant with 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 approved 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 Local Plan provides the same position in the main as the adopted Local Plan and as such indicates that the application should be supported. With the exception of the Community Council, the consultees have raised no issues with the development and a significant number of letters of support have been received.

8.3 A key material consideration that is not supportive of the applications is the large number of letters of objection combined with the objection of the Community Council as a consultee. As noted above the key areas of concern are around the impact to residential amenity and the traffic impact. Whilst it is agreed that there will be a degree of impact to nearby residential properties, this should be considered against the town centre location of the development. The dwellings likely to be most impacted upon are located within or immediately adjacent to the town centre where a greater degree of noise and disturbance is to be expected. Given this circumstance and the design of the development to locate the entrance and smoking area at the rear combined with stewarding it is considered that the impact overall can be minimised. As the Roads Division have not highlighted any concerns regarding road safety it is considered that the points raised by the objectors in this regard do not carry significant weight.

8.4 In conclusion it is considered that despite the significant level of objection, this is insufficient to outweigh the policies of the development plans which support the proposal.

9. RECOMMENDATION

9.1 It is recommended that the planning and listed building applications be approved subject to conditions.

CONTRARY DECISION NOTE

Should the Committee agree that the applications be refused contrary to the recommendation of the Head of Planning and Economic Development, the applications would not require to be referred to the full Council, as this would not be a significant breach of policy.

Alan Neish
Head of Planning and Economic Development

LIST OF BACKGROUND PAPERS

1. Application Form and Plans.
2. Statutory Notices and Certificates.
3. Consultation Responses.
4. Adopted East Ayrshire Local Plan (2003).
5. Alteration to the East Ayrshire Local Plan (Finalised Version with Modifications)
6. Planning application 09/0332/FL
7. Listed building application 09/0399/LB

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: 09/0598/PP

Site of Proposal: 8 Vennel Street, Stewarton

Nature of Proposal: Change of use of vacant building to form bar/restaurant and discotheque.

Name & Address of Applicant: Mr Peter Brown
Balgraymill Farm
Cutstraw Road
Fenwick
KA3 6BB

DPO's Reference: DW/KMC

The above for planning permission should be approved subject to the following conditions:

1. Notwithstanding the plans and details hereby approved, details and a sample of all external materials shall be submitted to and approved by the Planning Authority prior to any development commencing on site and shall be implemented and maintained on site as approved thereafter.

Reason: In the interests of maintaining the character and appearance of the listed building and in the interests of general visual amenity.

2. Notwithstanding the plans and details hereby approved, details of the proposed surface finish of the car park area shall be submitted to and approved by the Planning Authority prior to any development commencing on site and shall be implemented on site as approved thereafter.

Reason: In the interests of maintaining the character and appearance of the listed building and in the interests of general visual amenity.

3. The developer shall secure the implementation of an archaeological watching brief, to be carried out by an archaeological organisation acceptable to the Planning Authority, during all ground disturbance. The retained archaeological organisation shall be afforded access at all reasonable times and

allowed to record, recover and report items of interest and finds. A method statement for the watching brief shall be submitted by the applicant and approved in writing by the Planning Authority prior to the commencement of the watching brief. The name of the archaeological organisation retained by the developer shall be given to the Planning Authority and to the West of Scotland Archaeology Service in writing not less than 14 days before development commences.

Reason: In order that any archaeological issue can be identified and addressed.

4. No construction work, site clearance or preparation works shall take place before 08:00 hours and after 18:00 hours Monday to Friday, 08:00 hours and after 13:00 hours on Saturday and at no time on a Sunday.

Reason: In the interests of residential amenity.

5. Notwithstanding the plans and details hereby approved, the car park and the no entry junction box on Vennel Street shall be completed as detailed in the approved plans prior to the operation of the restaurant and discotheque.

Reason: In the interests of road safety.

6. Details of the proposed boundary treatment for the car parking area shall be submitted to and approved by the Planning Authority in writing prior to the commencement of development and shall be implemented on site as approved prior to the uses commencing.

Reason: In the interests of visual amenity.

7. Should any unsuspected contamination be encountered during the proposed works, the Planning Authority shall be informed accordingly and thereafter be provided with written details of any required remedial measures formulated to address the risk of exposure to key receptors for its written approval. Upon completion of works the Planning Authority shall be informed in writing, confirming that all approved remedial measures have been undertaken.

Reason: To ensure that any contamination is appropriately addressed in the interests of public health.

8. Prior to the commencement of development, full details of the proposed surface water drainage arrangements for the site shall be submitted to and approved in writing by the Planning Authority and be implemented on site as approved thereafter.

Reason: To ensure that adequate drainage arrangements are provided.

9. Construction or other waste on site shall not be disposed of by means of burning at any time.

Reason: To protect the general amenity of the surrounding area during construction.

10. The discotheque and “chill out” area use shall not commence on site until such time as a Noise Impact Assessment, which provides calculations of the likely noise levels and provides detailed mitigation proposals to address the noise, is submitted to and approved by the Planning Authority in consultation with the Environmental Health section.

Reason: To ensure that noise from the discotheque use does not adversely impact upon nearby residential properties or the wider surrounding area, in the interests of residential and general amenity.

11. The mitigation measures approved under condition 10 above shall be implemented on site prior to the use commencing and be maintained thereafter as approved.

Reason: To ensure that noise from the discotheque use does not adversely impact upon nearby residential properties or the wider surrounding area, in the interests of residential and general amenity.

12. Notwithstanding the details of the Noise Impact Assessment and mitigation measures proposed under condition 10 above, upon installation of the mitigation measures and prior to the use commencing, the Planning Authority shall be afforded access to conduct noise tests to ensure that the mitigation measures are adequate. Should the mitigating measures fail to be of a sufficient standard the developer shall undertake further mitigation to the satisfaction of Planning Authority.

Reason: To ensure that noise from the discotheque use does not adversely impact upon nearby residential properties or the wider surrounding area, in the interests of residential and general amenity value.

13. Notwithstanding the plans and details hereby approved, the exact position and design of the proposed kitchen flue shall be further agreed in writing with the Planning Authority prior to the commencement of development and be implemented as approved thereafter.

Reason: In the interests of visual amenity.

EAST AYRSHIRE COUNCIL

PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) (SCOTLAND)
ACT 1997

Application No: 09/0599/LB

Site of Proposal: 8 Vennel Street, Stewarton

Nature of Proposal: Existing gable staircase to be demolished and new staircase, lift and external smoking area to be added to rear of building. New floors, double glazed windows and natural slated roof to be constructed. Rear construction to be rendered to match existing and front stone to be repaired as necessary.

Name & Address of Applicant: Mr Peter Brown
Balgraymill Farm
Cutstraw Road
Fenwick
KA3 6BB

DPO's Reference: DW/KMC

The above Listed Building application should be approved subject to the following conditions

1. Notwithstanding the plans and details hereby approved, details and a sample of all external materials shall be submitted to and approved by the Planning Authority prior to any development commencing on site and shall be implemented on site as approved thereafter.

Reason: In the interests of maintaining the character and appearance of the listed building and in the interests of general visual amenity.

2. Notwithstanding the plans and details hereby approved, the exact position and design of the proposed kitchen flue shall be further agreed in writing with the Planning Authority prior to the commencement of development and be implemented as approved thereafter.

Reason: In the interests of visual amenity.