

EAST AYRSHIRE COUNCIL

NORTHERN AREA LOCAL PLANNING COMMITTEE: 27 MAY 2005

**05/0160/FL: PROPOSED ERECTION OF THREE NO. TWO STOREY
TERRACED DWELLINGHOUSES
AT 22 MAIN ROAD, WATERSIDE
BY CASTLE DEVELOPMENTS LTD**

EXECUTIVE SUMMARY SHEET

1. DEVELOPMENT DESCRIPTION

1.1 Full planning consent is sought for the erection of 3, two storey terraced houses within the site and orientated towards the new access road. The site has the benefit of a planning consent already for terraced houses in this location, being 2, one and a half storey and 1 two storey dwellings under planning consent 99/0829/FL. The current proposal is for properties that are 9 metres in height and having a stagger in the ridge line as they make their way down the gradient into the site. Walls are wet dash rendered with smooth window bands, upvc mock sash and case windows are specified as is an artificial, slate grey interlocking tile. They would be three bedroom houses and would have two bathroom windows to the rear at first floor level together with a bedroom window for each property.

1.2 The houses would be located 20 metres at the nearest point from the existing house to the rear; 21.8 metres from the first floor window in that house's gable wall. Parking for 6 vehicles is shown to the south of the site on land in the applicant's ownership. Private garden ground to the requirements of the local plan has been indicated with associated fencing and rendered wall boundaries, having pedestrian access from the rear.

1.3 The applicants have submitted drawings showing the proposed levels of the terraced houses relative to the proposed new road and the existing house to the rear, as well as the listed building to the north.

2. RECOMMENDATION

2.1 It is recommended that the application for full planning permission be approved subject to the conditions listed on the attached sheet.

3. CONCLUSIONS

3.1 The application is for the erection of three terraced houses. As is indicated in section 5 of the report the planning application is in accordance with the Development Plan. The application should therefore be approved unless material considerations indicate otherwise.

3.2 The consultees have expressed views both for and against the proposal. These are addressed in the report. On balance and given the positive comments from Historic Scotland, the form of the development is acceptable. Loss of privacy has been a major contention from a neighbouring objector. The distances involved between windows and the lower orientation of the proposal relative to the existing adjacent house acts in favour of a positive recommendation. The design of the units is acceptable particularly given the application of appropriate conditions.

3.3 The submitted letters of objection have been carefully noted but are not in themselves considered to be of sufficient weight to justify a recommendation of refusal, particularly with the use of conditions on any consent granted.

CONTRARY DECISION NOTE

Should the Committee agree that the application be refused contrary to the recommendation of the Head of Planning, Development and Building Standards the application will not require to be referred to the Development Services Committee as this would not constitute a significant departure from policy.

Alan Neish
Head of Planning, Development and Building Standards

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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Report by Head of Planning, Development and Building Standards

1. PURPOSE OF REPORT

1.1 The purpose of this report is to present a full application for planning permission that is required to be considered by the Local Area Planning Committee because it is subject to objections.

2. APPLICATION DETAILS

2.1 **Site Description:** The application site is located within Waterside village and comprises 0.06 hectares of land located within a wider development site. The application site lies to the south of a Category 'B' listed former mill and to the south west of a site subject of an application for LPG tanks, gas dispersion wall and raising of ground levels. The site would be accessed from a new road immediately to the north, the alignment of which is also subject of a separate application.

2.2 To the south east of the site is located an existing bungalow with accommodation on two floors. This dwelling is located above the level of the application site by some three metres. The boundary between the site and the dwelling is marked by a 6 feet high wooden fence.

2.3 **Proposed Development:** Full planning consent is sought for the erection of 3, two storey terraced houses within the site and orientated towards the new access road. The site has the benefit of a planning consent already for terraced houses in this location, being 2, one and a half storey and 1 two storey dwellings under planning consent 99/0829/FL. The current proposal is for properties that are 9 metres in height and having a stagger in the ridge line as they make their way down the gradient into the site. Walls are wet dash rendered with smooth window bands, upvc mock sash and case windows are specified as is an

artificial, slate grey interlocking tile. They would be three bedroom houses and would have two bathroom windows to the rear at first floor level together with a bedroom window for each property.

2.4 The houses would be located 20 metres at the nearest point from the existing house to the rear; 21.8 metres from the first floor window in that house's gable wall. Parking for 6 vehicles is shown to the south of the site on land in the applicant's ownership. Private garden ground to the requirements of the local plan has been indicated with associated fencing and rendered wall boundaries, having pedestrian access from the rear.

2.5 The applicants have submitted drawings showing the proposed levels of the terraced houses relative to the proposed new road and the existing house to the rear, as well as the listed building to the north.

3. CONSULTATIONS AND ISSUES RAISED

3.1 East Ayrshire Council's Roads and Transportation Division have no objections.

Noted

3.2 Scottish Environment Protection Agency have not replied at the time of writing.

Noted. SEPA have expressed an interest in the source of materials used in infilling the site when responding to the other two recent applications before Committee. The applicants have confirmed that all materials used to infill any areas of the site have been generated from within the site boundary and no upfill materials have been imported. Only inert, compactible materials already on site were used to re-shape the site.

3.3 Moscow and Waterside Community Council have responded to their consultation objecting on the basis that this proposal cannot be properly considered until road alignment and layout issues are considered under the other two recent applications before Committee.

The Community Council also express concern that significant works have taken place on site without prior planning approval and scant regard paid to boundaries with adjoining properties. Any applications for further houses should not be considered until these issues are resolved. The requirement for a phased development plan for the site has not been met. A legal agreement under Section 75 of the Planning Act should be used to guarantee development of the listed former creamery.

Significant works had indeed taken place without discharge of conditions on existing planning permissions. As a consequence, the Planning Authority served two enforcement notices and a Stop Notice in order to secure appropriate discharge of conditions and to address works undertaken other than in accordance with the existing consents. The applications relating to the installation of LPG tanks and one for the alignment of the access road are in response to the enforcement process.

Members will of course be aware that the previous behaviour of the developers relative to the site cannot impact on the determination of current applications.

Adjoining proprietors have raised issues in respect of incursions onto their property or works impacting on their property. These matters have been pursued where the issues are pertinent to the planning process; otherwise they are matters to be resolved legally between the parties concerned.

The applicants have submitted and have had approved, a construction phasing plan confirming, within the context of existing consents, that the listed building was to be restored between weeks 17 and 25 of a 28 week programme starting in December 2004. The necessary enforcement action has seriously impacted on that programme. The Community Council's requested use of a legal agreement to maintain a commitment to that restoration prior to any further new houses being considered is noted. Indeed the applicants have been made aware of their comments. They say they are very committed to refurbishing the mill; that they have a commitment to a client to provide them a unit in the building plus a commercial imperative to finalise that sale; they have already put essential services into the building; they have invested in architectural and structural fees including a full computer study of mill plans and elevations and are keen to engage with the Planning Division with regard to replacing the roof and re-applying for the building's conversion. Without the refurbishment, they say, the new houses have a lower value.

The approval of houses in the wider site has not been accepted on the basis of "enabling" development; they are acceptable in principle under policy RES4 without there being a specific link to the refurbishment of the mill. The programme mentioned above did not require the mill to be refurbished before any of the other new houses. Consequently, there is no policy requirement to have the mill restored in advance of the three terraced house now proposed.

3.4 Historic Scotland have no objections and are pleased to note that the houses conform to their recommendations.

Noted .

3.5 Scottish Water comments that they should be contacted by the developer regarding water supply and foul drainage.

This can be addressed by a note to applicants on any approval issued.

3.6 Transco comment that they have no gas mains in the area. Privately owned pipes may be present and the owners should be contacted.

Noted. A note to this affect can be attached to any consent granted.

3.7 Architectural Heritage Society of Scotland objects to the three houses because;

- A] the amount of land for open space, parking, etc for houses underway should be re-assessed
- B] the houses are unacceptable in their impact on the listed building
- C] whilst the previous houses were cottages these are bland having a ridge height on a level with the mill nearby
- D] a poor blank gable is presented to Main Road
- E] the houses will affect the privacy and amenity of the houses to the south, the upper floor window distance hardly meeting the minimum of 18 metres.
- F] the front elevations are poor with no symmetry and inappropriate windows. These elevations should form a transition between the mill and the other new houses.
- G] Slates should be used.
- H] the 1.8 metre timber fencing to gardens is inappropriate. Rendered walls should be used, at the least to the south west of plot 3.
- I] the houses are tight to the access road
- J] A radical re-think is required to accommodate alterations since the original consent. A re-design featuring two houses only; reoriented; would introduce more coherence between old and new.

The application must be dealt with on its merits; consents are already in place for the wider housing development of the site. The proposal is not for additional houses.

Noting the comments of Historic Scotland, it is considered that the

houses are acceptable in terms of their relationship to the listed building and the access road. Their appearance would be improved through the use of natural slate, recognising their closer relationship with the listed mill. It is also agreed that the garden boundary feature south west of plot 3 should be a rendered wall. Conditions can be applied to this effect.

The elevation to Main Road will be seen across an expanse of landscaping and will not have the bland appearance suggested. The distance from the nearest first floor rear window to that of the neighbouring, existing house is 21.8 metres, in excess of that suggested, and accordingly acceptable.

4. REPRESENTATIONS

Letters of objection have been submitted from 4 individuals who reside locally, in addition to the objections submitted on behalf of the Community Council and the Architectural Heritage Society of Scotland. The grounds of objection are as follows:-

4.1 The height of the houses is too great; the back of them will look into my property invading my privacy. My children's bedroom window will be directly affected and the occupants will be able to see into their window raising issues of child protection. We will lose the privacy in our garden to which we are entitled.

The terraced houses are proposed where previously was located an industrial building. The proposed finished floor levels for the three terraced houses vary between 0.6 and 0.9 metres higher than the floor levels for the previous industrial building. The first floor gable window on the adjoining house is 21.8 metres distant and orientated at an angle to the proposed houses. It meets the window to window standards operated by the Division. It is also noted that the proposed houses' first floor windows would be looking upwards to the existing house's gable window. By condition the proposed bathroom windows can be maintained as obscure glazed.

4.2 The houses are out of character with the listed mill set in a conservation area. These houses should follow suit.

The site is not located within a conservation area; the mill is a category "B" Listed Building. The houses are considered to be of an appropriate design and the comments of Historic Scotland in that regard are noted. The particularly industrial and non traditional appearance of the former sawmill has been removed from the site

allowing for a more landscaped environment at the entrance to the site.

4.3 Two storey town houses opposite to be at the existing ground height.

The town houses are proposed with finished floor levels, (ffls), varying between 139.4 and 139.8 AOD. The existing levels would have been either those of the former sawmill unit or the ground around that unit. The ground levels around the sawmill were some 1 to 2.5 metres lower than at present, but the ffls for the proposed houses are no more than a metre higher than those of that mill. The critical assessment is whether the proposed houses at the level indicated are acceptable. It is considered that they are.

4.4 Failure to report planning history of the site properly; drawings submitted only after details being viewed by applicant, “fake visibility splays” provided to secure consent and allow sale of the site. Representations “ignored” in the consideration of subsequent applications.

Reference is being made here to allegations concerning previous applications. These are the subject of a separate complaint relating to procedural aspects of the determination of such applications which is being undertaken by the Solicitor to the Council. The current application should be considered on its merits in accordance with the development plan unless material considerations indicate otherwise.

4.5 The development schemes are detrimental to the setting and character of the environment when viewed from elsewhere because they raise levels above the original ground level. This is contrary to the local plan.

The consultations received indicate no adverse comment from Historic Scotland. The Architectural Heritage Society of Scotland has objected as detailed above. In as much as the three terraced houses are in part replacing a sizeable former sawmill, there is a positive enhancement of the environment. Ground levels are raised, but not to an extent such that the proposal is unacceptable.

4.6 The application should be determined in the context of the Local Plan. The application should be advertised as not in accordance with the development plan.

The application has been advertised as affecting the setting of a listed building. The principle of residential development has previously been agreed on site and is consistent with the local plan.

There is consequently no requirement to further advertise the application as not being in accordance with the development plan.

4.7 An independent survey should investigate flood risks arising from new levels.

The wider development site has been subject of a flood risk assessment agreed by SEPA.

4.8 The plans are piecemeal without a single masterplan, making a fair and reasonable assessment impossible. The application should be refused as incoherent and incomplete. The whole top of the site should be assessed in its entirety to appreciate contours and topography.

The application seeks to amend a single aspect of the development approved as part of planning consent 99/0829/FL, which was in itself a comprehensive submission in respect of the wider site. It is not considered that other aspects of that permission require to be revisited within a masterplan. The other applications before the Council for the alignment of the access road and for the LPG tanks and infilling of ground can be adequately assessed on their own merits, there being sufficient information available in that regard.

4.9 There are so numerous material considerations pointing to the non-sustainability of the proposal that they need not be included.

Comment noted

4.10 The development is contrary to Local Plan policies RES4 (I), (ii), (iii) and (iv); RES5 (iii); RES8 (vi); ENV1; ENV4; ENV7; ENV8; ENV11; ENV12 (i) & (vi); ENV13 (i), (ii) & (iii); ENV14 (ii) & (iv); ENV17; ENV20 (I), (ii) & (iii)

For an assessment of the application against the Local Plan, please consider section 5 below.

4.11 All current planning consents should be revoked and the Scottish Executive should call in this development application.

It is not considered that there is any basis for this contention.

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 and the Adopted East Ayrshire Local Plan (EALP).

5.2 Given the terms of this application, it is considered that it would be appropriate to determine the application against the Local Plan, the Structure Plan being focussed on matters of a more strategic nature.

Adopted East Ayrshire Local Plan

5.3 Having regard to the scope of the application, it is considered that there are no significant policy implications arising from the application. The application has not been advertised as development contrary to the development plan for that reason. However, it is appropriate to address the following Policy issues in that they have been specifically raised within objections received identifying the policies underlined below.

Policy SD1

5.4 SD1 confirms that the Council will adhere to the principles of sustainability in its consideration of all development proposals.

This application concerns the erection of three houses. It is not considered that the principles of sustainability would impact adversely to any significant extent in the consideration of the proposal.

Policy RES 4 (i), (ii), (iii), (iv)

5.5 RES 4 encourages sympathetic gap and infill development on sites where four criteria are met.

There would be limited impact on the surrounding natural and built environment;
There are no adverse transport or infrastructure implications;
The proposed houses are considered to be compatible with the surrounding house types and densities; and
The design is considered to comply with the Council's design guidance relating to new residential development.

Policy RES 5 (iii)

5.6 RES 5 encourages the subdivision of house curtilages subject to three criteria and addresses the issue of backland development.

Policy RES 5 relates only to developments where an existing house curtilage is to be sub-divided. This policy is therefore not applicable to this development.

Policy RES 8 (vi)

5.7 RES8 concerns the extent to which enabling development might be permissible when associated with the renovation of large residential or institutional listed buildings.

Policy RES 8 relates only to enabling developments i.e. where new build housing is required to unlock the development potential of a large listed building. This policy is therefore not applicable to this development.

Policy ENV 1

5.8 ENV 1 states that the Council will seek to protect, preserve and enhance all heritage resources including listed buildings.

It is considered that the proposed houses would have little impact on the setting of the listed building. Historic Scotland hold to this view, although the objections from the Architectural Heritage Society of Scotland are noted. Conditions can introduce the use of natural slate and suitable boundary feature to the south west of plot three to further improve the appearance of the development.

Policy ENV 4

5.9 ENV 4 seeks to ensure that all development affecting the appearance or setting of a listed building is sympathetic to the building concerned in terms of layout, size, design, siting, scale, materials and colour.

It is considered that the three houses would have a little impact on the setting of the listed building. Historic Scotland hold to this view, although the objections from the Architectural Heritage Society of Scotland are noted

Policy ENV 7

5.10 ENV 7 requires all developers to comply with the Council's existing and emerging design guidance and policy documents advising on the particular type of development proposed.

It is considered that the design of the houses is acceptable in this regard, particularly so with the introduction of slate roofs.

Policy ENV 8

5.11 ENV 8 encourages developers in formulating their proposals to ensure that a range of criteria are addressed, summarised as follows: accessible environment, traffic safety introduced, community safety and natural surveillance measures introduced, sustainability in design through recyclables and energy efficiency, designs are innovative and sensitive to the character of the area, developments are landscaped to reflect and compliment the surroundings, integration of open space with existing areas.

It is considered that the proposal does not contravene any of the criteria listed in policy ENV 8.

Policy ENV 11

5.12 ENV 11 requires priority to be given, in Sensitive Landscape Character Areas, to the protection and enhancement of the landscape.

The application site is not located within a Sensitive Landscape Character Area therefore this policy is not applicable to the proposed development.

Policy ENV 12 (i) (vi)

5.13 ENV 12 requires development to respect the local landscape characteristics of the rural area and especially when in the Sensitive Landscape Character Areas. Features adding to landscape character are listed.

The application site is not located within a Sensitive Landscape Character Area nor indeed in a rural landscape, being within a settlement boundary, therefore this policy is not applicable to the proposed development.

Policy ENV 13 (i) (ii) (iii)

5.14 ENV 13 regulates development in rural areas and in Sensitive Landscape

Character Areas to ensure that development is in keeping with the rural area, is sensitively sited and is achieved using appropriate planning mechanisms.

Policy ENV 13 relates to rural areas, and not land within settlement boundaries such as this proposal. This policy is not applicable to the proposed development.

Policy ENV 14 (ii) (iv)

5.15 ENV 14 seeks to ensure that development in rural areas shall have the minimum effect on those areas and lists a presumption against proposals having given adverse effects.

Policy ENV 14 relates to rural areas, and not land within settlement boundaries such as this proposal. This policy is not applicable to the proposed development.

Policy ENV 17

5.16 ENV 17 requires any developer intending to develop land where there is known to have been flooding in the past to fully investigate the flood risk on their proposals and on adjoining land; and take appropriate measures.

The applicants have submitted a flood risk assessment which addresses risk on the site and which has been agreed by SEPA.

Policy ENV 20 (i) (ii) (iii)

5.17 ENV 20 seeks to ensure that any new development has minimum adverse effects on the physical environment and the amenity of the area by reason of air, light and noise pollution, through the use of conditions or legal agreement as required.

The Environmental Health Division have no comments to make in respect of the application. It is not considered that the proposed houses will trigger the effects addressed by this policy.

5.18 In conclusion, it is considered that the application is consistent with the development plan.

6. ASSESSMENT AGAINST MATERIAL CONSIDERATIONS

6.1 The principal material considerations relevant to the determination of the application are the consultations, representations, the impact of the proposal on

the amenity of the area and immediate neighbours, Planning History and Scottish Planning Policy 7, "Planning and Flooding".

Consultations

6.2 A number of the consultation responses received are supportive of the application, the exceptions being the Architectural Heritage Society of Scotland and the Community Council. Historic Scotland's comments, given their acknowledged expertise, are seen as significant and they are pleased to note that the development conforms to their recommendations. On balance the proposals are viewed as acceptable.

Representations

6.3 The objections are assessed in detail in Section 4 above. Careful consideration has been given to their content and to their relevance in respect of the development plan. Given window to window separation distances, the design of the properties and the application of conditions, it is not considered that the objections merit the refusal of the application.

Impact on the Amenity of the Area

6.4 The circumstances of the site are such that it is considered that the proposal can be accommodated without significant detriment to the area in respect of adjacent uses and built heritage, particularly given the use of conditions attached to any consent.

Planning History

6.5 There is a complex history to the development of the site. The key applications are as follows:-

99/0829/FL Refurbishment of Listed Building to form 5 new flats and erection of 17 new houses. Granted 30/08/02. (This included three terraced houses of different configuration at the same location.)

01/0426/LB Refurbishment of Listed Building to form 5 flats. Granted 07/10/02

03/0010/FL Redesign access road. Granted 11/02/03.

03/1110/FL Erection of 12 two storey detached houses with access road and accommodated parking. Granted 29/11/04.

The following three applications are not determined and indeed may be revised / withdrawn in the light of decisions on the three most recent applications currently before Committee.

03/1094/LB Listed Building application for conversion to 3 townhouses. Not Determined.

03/1096/FL Full application for conversion to 3 townhouses and 3 two storey terraced houses. Not determined.

04/0901/FL Full application for erection of LPG tanks.

Three most recent applications:-

05/0119/FL Vertical and Horizontal Alignment of access road.

05/0147/FL Installation of LPG tanks, Gas Dispersion Wall and Raising of Ground Level

05/0160/FL Erection of three two storey terraced houses.

6.6 The Planning Authority have also had cause to serve two enforcement notices relating to the commencement of development prior to the discharge of all conditions, (03/1110/FL), and the undertaking of development at variance with issued consents and without the benefit of planning permission. Both notices have been appealed to the Scottish Ministers and will be considered at Public Local Inquiry. The former notice was accompanied by a Stop Notice, which has now been withdrawn by the Council following compliance with terms of that enforcement notice. The latter notice triggered applications 05/0119/FL and 05/0147/FL.

Scottish Planning Policy 7 "Planning and Flooding"

6.7 SPP7 indicates that flood risk is a material planning consideration. The Council's Roads Division have taken account of its provisions when dealing with their response to consultation. The development is consistent with SPP7.

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 The application is for the erection of three terraced houses. As is indicated in section 5 of the report the planning application is in accordance with the Development Plan. The application should therefore be approved unless material considerations indicate otherwise.

8.2 The consultees have expressed views both for and against the proposal. These are addressed in the report. On balance and given the positive comments from Historic Scotland, the form of the development is acceptable. Loss of privacy has been a major contention from a neighbouring objector. The distances involved between windows and the lower orientation of the proposal relative to the existing adjacent house acts in favour of a positive recommendation. The design of the units is acceptable particularly given the application of appropriate conditions.

8.3 The submitted letters of objection have been carefully noted but are not in themselves considered to be of sufficient weight to justify a recommendation of refusal, particularly with the use of conditions on any consent granted.

9. RECOMMENDATION

9.1 It is recommended that the application for full planning permission be approved subject to the conditions listed 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, Development and Building Standards the application will not require to be referred to the Development Services Committee as this would not constitute a significant departure from policy.

Alan Neish
Head of Planning, Development and Building Standards

20 May 2005 (DVM/SA)
FV-AN

LIST OF BACKGROUND PAPERS

1. Application Forms/Plans.
2. Statutory Letters/Certificates.
3. Consultations.
4. Letters of Objection.
5. Approved Ayrshire Joint Structure Plan.
6. Adopted East Ayrshire Local Plan.
7. Planning Application History as noted.

Anyone wishing to inspect the above papers please contact David Morris on 01563 576753.

Implementation Officer: Dave Morris

EAST AYRSHIRE COUNCIL

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

05/0160/FL

Site of Proposal: 22 Main Road
WATERSIDE

Nature of Proposal: Proposed erection of three
no. two storey terraced houses

Name & Address of Applicant: Castle Developments Ltd
119 Cambuslang Road
Cambuslang
GLASGOW G72 7TS

Name & Address of Agent: Thomson Dawes Architects
21 Portland Road
KILMARNOCK KA1 2BT

DPOs Reference: DVM/SA

The above FULL application should be granted subject to the following conditions:-

1. Construction works to the three houses shall not be undertaken outwith the hours of 08:00 hours to 18:00 hours Monday to Friday, and 09:00 hours to 16:00 hours on Saturday and not at any time on Sunday.

REASON In order to protect the amenity of neighbouring properties.

2. Public roads adjacent to the site shall be kept clear of mud or other deposited materials at all times by means of mechanical brushing as appropriate.

REASON In the interests of road safety.

3. Prior to the occupation of the houses hereby approved, the six car parking spaces shown to the immediate south of plot three shall have been provided on site. These spaces shall be delineated for the use of the three approved houses.

REASON In the interests of road safety.

4. Notwithstanding the details shown on the approved plans, the use of Marley Marquess roof tiles is not hereby approved. The roofs to these houses shall be finished with natural slate, a sample of which shall be submitted to and approved by the Planning Authority prior to the commencement of development.

REASON In the interests of visual amenity.

5. Notwithstanding the details shown on the approved plans, the 1.8m timber palisade fence along the south boundary of plot 3 is not hereby approved. This length of boundary shall be demarcated by a 1.8m high rendered wall to match that proposed for the north east boundary to plot 1.

REASON In the interests of visual amenity.

6. The two bathrooms at first floor level to each house shall be provided with obscure glazed windows which treatment shall be retained in place at all times thereafter.

REASON In the interests of residential amenity.

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(Scotland) Order 1992 or any Order or Enactment replacing this, no extensions shall be erected to the rear of plot 1 unless a further specific planning application has been submitted to and approved by the Planning Authority.

REASON To enable the Planning Authority to retain control over such development within the rear garden in recognition of the relative proximity of the plot to the LPG storage tank facility located adjacent.

Notes to Applicant:

1. The developer shall make early contact with Scottish Water regarding water supply and foul drainage.

2. The applicants are advised to establish that in the construction of the three terraced houses they will not be encountering any private gas supplies located on site.

**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.**