

EAST AYRSHIRE COUNCIL

NORTHERN AREA LOCAL PLANNING COMMITTEE: 20 JANUARY 2006

**05/1112/FL: CHANGE OF USE AND ALTERATIONS TO FORMER MILL
BUILDING TO FORM 6 FLATS**

AND

**05/1075/LB: CHANGE OF USE AND ALTERATIONS TO FORMER MILL
BUILDING TO FORM 6 FLATS**

**AT 22 MAIN ROAD, WATERSIDE, KILMARNOCK
BY CASTLE DEVELOPMENTS LTD**

EXECUTIVE SUMMARY SHEET

1. DEVELOPMENT DESCRIPTION

1.1 Planning permission is sought to alter and change the use of the former mill building to form six flatted dwellings. The existing mill building covers a footprint area of some 282 sq metres and is formed over three storeys with a two storey rear wing extension.

1.2 The existing mill building is finished in natural stone, timber windows and doors, with slate roofing. It is proposed to re-point the stonework of the building and repair and patch the roof with slates to match the existing roof.

1.3 The six flats vary in size from two to three bedroom accommodation. Open space is provided to the rear and to the western side of the building, with nine off-road parking spaces located to the side of the building.

2. RECOMMENDATION

2.1 **It is recommended that the planning application be approved subject to the conditions indicated on the attached sheet and that the issuing of the planning notice be withheld until the applicant has concluded an appropriate Legal Agreement with the Council in respect of the matters detailed in paragraph 7.1 of this report and that the listed building application be approved subject to the notification of Historic Scotland under the listed Buildings and Buildings in Conservation Areas (Scotland) Regulations 1997 and subject to the conditions indicated on the attached sheet.**

3. CONCLUSIONS

3.1 As indicated in the report the applications are considered to be in accordance with the terms of the Development Plan. Therefore they should be approved unless material considerations indicate otherwise.

3.2 As per Section 6 of the report there are material considerations relevant to the applications however it is not considered that these are of sufficient weight to merit the refusal of the applications given the use of appropriate conditions.

CONTRARY DECISION NOTE

Should the Committee agree that the applications be refused contrary to the recommendation of the Head of Planning, Development and Building Standards, the applications will not require to be referred to the Development Services Committee as that would not constitute a significant departure from Council 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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BY CASTLE DEVELOPMENTS LTD**

Report by Head of Planning, Development and Building Standards

1. PURPOSE OF REPORT

1.1 The purpose of this report is to present for determination a full planning application which is to be considered by the Local Planning Committee under the scheme of delegation, due to the fact that objections have been submitted in respect of the application.

2. APPLICATION DETAILS

1.0 **Site Description:** The application site is located within Waterside Village, on the western side of the A719, Main Road. The former mill building is a Category B listed building and sits lower than Main Road. The site is located on the south side of the Craufurdland Water with residential properties to the north, north-west, south and south-west. The site comprises approximately 0.028 ha of land lying within the applicant's wider development site.

2.2 The application site will be accessed by the new access road, immediately to the south east of the application site and running west to access the remainder of the applicant's housing site, which is presently under construction.

2.3 **Proposed Development:** Planning permission is sought to alter and change the use of the former mill building to form six flatted dwellings. The existing mill building covers a footprint area of some 282 sq metres and is formed over three storeys with a two storey rear wing extension.

2.4 The existing mill building is finished in natural stone, timber windows and doors, with slate roofing. It is proposed to re-point the stonework of the building and repair and patch the roof with slates to match the existing roof.

2.5 The six flats vary in size from two to three bedroom accommodation. Open space is provided to the rear and to the western side of the building, with nine off-road parking spaces located to the side of the building.

3. CONSULTATIONS AND ISSUES RAISED

3.1 East Ayrshire Council's Roads and Transportation Division have no objection to the proposal in respect of road safety matters. In relation to flood risk, subject to the developer complying with the recommendations of the earlier Flood Risk Assessment for the site, which requires the construction of a 600 mm high bund and the provision for access along the river bank for inspection and maintenance purposes, they have no objections.

A condition can be attached to any grant of planning consent addressing the matter of the bund and access provision along the river bank.

3.2 Scottish Water have made no comments in respect of the proposal.

Noted.

3.3 Scottish Environment Protection Agency (SEPA) have no objection to the proposal providing that the drainage arrangements are to SEPA's satisfaction. All foul drainage from the site should be connected to the sewage treatment system which serves the site which has been constructed under the Control of Pollution Act 1974 (as amended). Any grant of planning permission should include a condition requiring the applicant to treat surface water from the site in accordance with the principles of the Sustainable Urban Drainage Systems Design Manual for Scotland and Northern Ireland, which was published by CIRIA in March 2000.

3.4 All wastes produced during the development of the site must be disposed of at a suitably licensed or exempt waste management facility in accordance with the Waste Management Licensing Regulations (1994) as amended.

3.5 Due to the proximity of watercourses, the principles contained within SEPA's Pollution Prevention Guidelines 5 and 6 must be adhered to at all times.

3.6 A Flood Risk Assessment relating to previous planning applications for this site has been submitted to SEPA previously and has confirmed that flood risk issues from the Craufurdland Water have been addressed satisfactorily.

3.7 Suitable provision should be made with regard to space for waste storage at individual properties and the development as a whole.

Should planning permission be granted for the proposed development, appropriately worded conditions can be imposed to ensure that a SUDS arrangement to SEPA's satisfaction is implemented within the development to deal with surface water drainage and all necessary works in respect of flood risk issues are suitably addressed. Notes can be attached on any grant of planning consent to address the matters of, waste disposal and the principles of SEPA's Pollution Prevention Guidelines.

3.8 Moscow and Waterside Community Council have raised objections to the proposal on the following grounds:-

(a) disabled access is not shown to Flats 1 and 4.

Disabled access is not required to flatted dwellings under the legislation.

(b) the car parking is inadequate and there is no car parking provision for visitors.

The Council's Roads and Transportation Division have raised no objections to the amount of car parking provided for the site.

(c) there may be a potential safety issue given that the only access to the sub station is through the car park.

The access to the sub-station is not through the car park, but via the footpath behind the car parking spaces and there are no known safety hazards resulting from this.

(d) a condition should be imposed to ensure that rubbish bins are not stored at the front of the Mill Building.

A bin store is proposed to the south west of the mill building adjacent to the sub station therefore it is not considered necessary to impose a condition to preclude rubbish bins from being stored at the front of the building.

(e) further information regarding any possible excavation on the riverbank to achieve access to the rear door is requested.

Excavation works are required at the rear elevation of the building and all works will require to be conducted in accordance with the submitted flood risk assessment.

3.9 East Ayrshire Council's Environmental Health, Licensing and Community Safety Division have no objections and do not require a site investigation for the

site given that the proposal involves the reuse of an existing building, however a condition should be imposed on any grant of planning consent to address any unsuspected contamination.

A condition can be imposed on any grant of planning consent to address the matter of any unsuspected contamination found on the site.

3.10 The Scottish Civic Trust have made no comments in respect of the proposal.

Noted.

3.11 The Architectural Heritage Society have no objections in principle, however have raised objections in respect of detailed aspects of the proposal as summarised below:-

(a) the proposed entrance door to the four flats is incongruous.

The entrance door details have been amended to take cognisance of Historic Scotland's comments and are considered compatible with the character and style of the building.

(b) the entrance to the two flats would be better centrally located to reflect symmetry.

The entrance detailing to the flats on the front entrance has been amended to reduce alterations to the front façade of the building and reflect the comments of Historic Scotland.

(c) there is no section through to show whether the proposed balcony is simply a grille or if it projects this would result in an overlooking impact to the rear garden of the 12/14 Main Street on the opposite side of the river.

As detailed on the submitted floor plans, the French doors at first floor level on west elevation shall be secured by means of a balustrade and no projecting balcony space is proposed therefore it is considered that no significant overlooking impact to the rear of 12/14 Main Street is proposed.

(d) no lights or other projections should be permitted on the frontage of the listed building.

No light or other projections are proposed under the current applications. Any works thereafter that materially affect the appearance of the building can be controlled.

- (e) no obstructions to access paths by refuse bins etc should be permitted.

A bin store to the south west of the mill building is proposed, therefore it is considered that adequate consideration has been given to potential obstructions on the access path.

- (f) access to the sub-station and for bin collection appears to be through parking spaces.

There is an access path between the bin store/substation area and the car parking therefore it is considered there is no access obstruction to the bin store or sub-station resulting from the positioning of the car parking.

- (g) nine car parking spaces are inadequate for six residential units.

As detailed the Council's Roads and Transportation Division have raised no objections to the amount of car parking provided for the site.

- (h) the siting and height of retaining walls requires to be clarified and any such walls should be constructed in natural stone as it is considered the blonde artificial stone wall at the entrance to the site detracts from the listed building therefore this should not be replicated.

The comments in respect of the materials for the retaining wall are noted and the final materials to be used are conditioned for the prior approval of the Council.

- (i) given the proximity to the water course great care must be taken to avoid extending the banking into the river using excavation materials.

A note can be attached to any grant of planning consent advising the developer to adhere to the principles contained within SEPA's Pollution Prevention Guidelines 5 and 6 on "Works in, Near or Liable to Affect Watercourses" and "Working at Construction and Demolition Sites".

3.12 Historic Scotland have offered informal comments on the proposal. Concerns were raised to the original proposal in respect of the alterations to the external openings, however these concerns have been negated following the submission of amended plans. Historic Scotland has recommended a series of conditions be attached to any grant of consent pertaining to pointing, windows and external paintwork. However, Historic Scotland still have concerns about the extent of the proposed timber replacement within the building.

Conditions can be imposed on any grant of planning and listed building consent to satisfy the requirements of Historic Scotland.

4. REPRESENTATIONS

In addition to the letters of objection from the Community Council and the Architectural Heritage Society as summarised in Section 3, a third party has raised objections on the following grounds.

4.1 That nine car parking spaces are inadequate and at the very least two car parking spaces per maisonette should be required in a village where there is not a regular bus service provision. East Ayrshire Council's Roads Division should be required to state in writing whether 9 car parking spaces are sufficient for a development with 32 bed spaces.

The Council's Roads and Transportation Division have confirmed in writing that the nine car parking space provision is compliant with the standards for 6 flats.

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 (2003).

Ayrshire Joint Structure Plan

5.2 There are no specific policies contained in the Structure Plan that relate to the conversion of existing buildings within settlement boundaries.

East Ayrshire Local Plan

1.0 Policy RES 7 indicates that the rehabilitation or conversion to residential use of existing, and traditionally designed and constructed buildings both within settlements and the rural area, will be encouraged. The proposed development will require to meet all of the following criteria:-

- (i) the Council will require to be satisfied that the structural condition of the building is suitable for its conversion to residential use;

The Council is satisfied that the existing building on site is capable of being reused to provide residential accommodation.

- (ii) the proposal is capable of being implemented while retaining, to at least eaves level, the existing external walls of the building. Any extension shall be limited to a maximum of 50% of the ground floor area of the existing building and a minimum 50% of the external wall area in the completed conversion/ rehabilitation shall be formed from the external walls of the original building.

No extensions in terms of wall area or floor area are proposed.

- (iii) the development meets the service requirements of all appropriate statutory undertakers and the Council as Roads Authority;

As detailed in section 3 the proposal meets the service requirements of all appropriate statutory undertakers and the Council as Roads Authority.

- (iv) the proposal is fully in keeping with the character and appearance of the area within which it is located;

The proposed residential use is compatible with the adjoining residential land use.

- (v) the proposal meets all the design requirements of the Council and reflects the style and design of the original building located on the site; and

With the exception of window and door openings there is little alteration proposed to the exterior of the building therefore it is considered that the resultant building is sympathetic to and will reflect the style and character of the original building.

- (vi) the proposal does not damage the architectural integrity of the building and re-uses wherever possible, any existing traditional building materials found on site.

It is considered that there are minimal alterations proposed to the front façade of the building where the architectural integrity of the building is preserved. It is unlikely that there will be any traditional building materials found on site however all new materials proposed are considered traditional and sympathetic to respect the character of the building.

5.3 Policy RES22 requires all developers to observe the minimum standards for the provision of private open space detailed in Schedule 4 of the Local Plan.

In total there is an area of some 263.58 sq metres of private open space to the rear and south west side. Furthermore there is a large landscaped area to the front of the building. The provisions of Schedule 4 request 25 sq metres per bedroom for flatted dwellings which equates to 400 sq metres. Although the allocation of private open space is short of the standard requirement of Schedule 4, it is considered that a relaxation of the standards can be made given that the proposal represents the re-use of an existing Listed Building that requires restoration; the benefits of which outweigh any shortfall in open space provision.

5.5 Policy ENV1 seeks to protect, preserve and enhance all heritage resources requiring conservation including Listed Buildings and Conservation Areas, together with their respective settings, Schedule Ancient Monuments and Archaeological and Industrial Archaeological sites and landscapes.

It is considered that the alterations are sympathetic and preserve the character of the listed building. The applicants have produced a scheme that promotes little intervention to the front façade of the existing building other than to enhance it and reflects the previous mill use of the building.

5.6 Policy ENV2 actively encourages the retention, restoration, renovation and re-use of listed buildings, unlisted buildings in Conservation Areas and other locally important, especially traditional older properties, throughout the area. There will be a presumption against the demolition or partial demolition of all such properties.

The proposal promotes the restoration and renovation of a listed building.

5.7 Policy ENV4 seeks to ensure that all development within or affecting the setting of a Conservation Area or affecting the appearance or setting of a Listed Building, is sympathetic to the area or building concerned in terms of its layout, size, scale, design, siting, materials and colour of finish. Wherever possible, all proposals should seek to preserve, enhance or incorporate features, which contribute positively to the character or appearance of the area and have due regard to the architectural and historic qualities of the area or building concerned.

It is considered that the alterations to the façade of the listed building have been kept to a minimum and all alterations to the window and door openings are sympathetic to the character of the building. The proposal seeks to re-use and restore the listed building which is presently vacant and in a state of disrepair.

5.8 Policy IND8 states that other than those sites specifically safeguarded for industrial use under Policy IND5 above, proposals for alternative uses of land or premises currently or formerly used for industrial purposes shall be considered acceptable subject to the following criteria:-

- (i) the proposed use not being detrimental to surrounding established uses;
- (ii) the proposal meeting with the requirement of all other relevant Local Plan policies; and
- (iii) the existence of alternative industrial or business land or premises with potential for future employment use within the settlement concerned.

The site is not safeguarded for industrial use under Policy IND5 and it is considered that the proposed residential use of the building is complementary to the surrounding residential area.

5.9 The applicant has been requested to confirm a contribution to the Leisure and recreation fund under Policy TLR5 of the Adopted East Ayrshire Local Plan.

The applicant has been asked to make a contribution on the basis of the Policy TLR5 mechanisms but has instead indicated that owing to the considerable re-development costs of the building they would be willing to make a contribution of £2,500 to the TLR5 Fund.

5.10 In conclusion, it is considered that the proposal is in accordance with the provisions of the Development Plan.

6. ASSESSMENT AGAINST MATERIAL CONSIDERATIONS

6.1 The principal material considerations relevant to the determination of the applications are the consultation responses, the representations received, the planning history of the site and the impact on the amenity of the area.

Consultation Responses

6.2 The consultation responses do not indicate that the applications should be refused.

Representations

6.3 The objections received have been summarised in Section 3.5 of the Report and are not considered to be of such weight as to merit refusal of the applications.

Impact on the Amenity of the Area

6.4 The proposal represents the reuse of a vacant and deteriorating prominent listed building within the settlement boundary. The proposed residential use of the building is considered complementary to the surrounding area and can be accommodated as detailed with no detriment to the area.

Planning History

6.5 The planning application site has been the subject of various planning applications as detailed below:-

- (i) Planning permission was granted (99/0829/FL) for the Proposed Refurbishment of Listed Building to Form 5 New Flats and Erection of 17 New Houses on 30 August 2002.
- (ii) Listed building consent was granted (01/0426/LB) for the Proposed Refurbishment of Listed Building to Form 5 Flats on 27 October 2002.
- (iii) Planning permission was granted (03/0010/FL) for the Proposed Realignment of Access Road/Junction as Per Planning Permission Ref: 99/0829/FL on 11 February 2002.
- (iv) Planning application (03/1096/FL) for the Proposed Part Conversion of Redundant Mill Building to Three Townhouses Plus Three, Two Storey Terraced Houses was withdrawn on 08 November 2005.
- (v) Planning permission was granted (03/1110/FL) for the Proposed Erection of 12, Two Storey Detailed Houses with Access Road and Accommodated Parking on 29 November 2004.
- (vi) Listed building application (03/1094/LB) for Proposed Part Conversion of Redundant Mill Building to Form Three Townhouses and Erection of Three, two Storey Terraced Houses was withdrawn on 08 November 2005.
- (vii) Planning application (04/0901/FL) for Proposed Installation of LPG Tanks was withdrawn on 08 November 2005.
- (viii) Planning permission was granted (05/0119/FL) for Proposed Vertical and Horizontal Alignment of Access Road on 27 June 2005.
- (ix) Listed building consent was refused (05/0147/LB) for Proposed Installation of LPG Tanks and Gas Dispersion Wall and Raising of

Ground Levels on 27 May 2005. The applicants appealed the decision which was allowed on 30 August 2005.

- (x) Listed building application (05/0737/LB) for Proposed Change of Use and Alterations to Former Listed Mill Building to Form 3 Townhouses and 2 Flats was withdrawn on 08 November 2005.

- (xi) The Council has had to serve 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 were appealed to the Scottish Ministers. The former notice was accompanied by a stop notice, which has now been withdrawn by the Council following compliance with the terms of that enforcement notice. The remaining enforcement notice and the refusal of planning application 05/0147/FL were the subject of a Public Hearing held on 18 July 2005.

7. FINANCIAL AND LEGAL IMPLICATIONS

7.1 The applicant's voluntary agreement to make a contribution of £2,500 to the Sports, Leisure and Recreation Fund in terms of Policy TLR 5 will require a legal agreement to be entered into between the Council and the applicant.

8. CONCLUSIONS

8.1 As indicated in the report the applications are considered to be in accordance with the terms of the Development Plan. Therefore they should be approved unless material considerations indicate otherwise.

8.2 As per Section 6 of the report there are material considerations relevant to the applications however it is not considered that these are of sufficient weight to merit the refusal of the applications given the use of appropriate conditions.

9. RECOMMENDATION

9.1 It is recommended that the planning application be approved subject to the conditions indicated on the attached sheet and that the issuing of the planning notice be withheld until the applicant has concluded an appropriate Legal Agreement with the Council in respect of the matters detailed in paragraph 7.1 of this report and that the listed building application be approved subject to the notification of Historic Scotland under the listed Buildings and Buildings in Conservation Areas (Scotland) Regulations 1997 and subject to the conditions indicated on the attached sheet.

CONTRARY DECISION NOTE

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

Alan Neish
Head of Planning, Development and Building Standards

12 January 2006
(GC/MMM)

FV/DVM

LIST OF BACKGROUND PAPERS

1. Application Forms and Plans.
2. Statutory Notices and Certificates.
3. Letters of Representation.
4. Consultation Responses.
5. Adopted East Ayrshire Local Plan (2003).
6. Approved Ayrshire Joint Structure Plan (1999).
7. Planning Application 99/0829/FL.
8. Listed Building Application 01/0426/LB.
9. Planning Application 03/0010/FL.
10. Planning Application 03/1096/FL.
11. Planning Application 03/1110/FL.
12. Listed Building Application 03/094/LB.
13. Planning Application 04/0901/FL.
14. Planning Application 05/0119/FL.
15. Listed Building Application 05/0147/LB.
16. Listed Building Application 05/0737/LB.
17. Planning Application 05/0160/FL.

Anyone wishing to inspect the above papers please contact Gillian Craig, Senior Planning Officer, on 01563 576769.

Implementation Officer: Dave Morris

EAST AYRSHIRE COUNCIL

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

05/1112/FL

Site of Proposal: 22 Main Road
Waterside
KILMARNOCK KA3 6JB

Nature of Proposal: Change of Use and Alterations to Former Mill
Building to Form 6 no. Flats

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

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

DPOs Reference: GC/MMM

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

1. Details of the proposed levels and banking retention works along the north western boundary of the site and adjacent to the Craufurdland Water shall be submitted to and approved by the Planning Authority prior to commencement of any development on site. The submitted details shall be implemented on site once approved prior to the occupation of any of the flatted dwellings hereby consented. The details shall also be accompanied by a confirmation in writing that the development will not be liable to flooding during a one in two hundred year flood event and that any of the development proposals will not adversely impact upon flood risk in the area.

REASON In the interests of residential and visual amenity.

2. Before any work commences on site, details of a Sustainable Urban Drainage System and its maintenance following installation shall be submitted to and approved by the Planning Authority in writing. The Sustainable Urban Drainage System shall thereafter be installed on site prior to the occupation of the flatted dwellinghouses.

REASON To ensure that adequate drainage is provided.

3. Notwithstanding the plans hereby approved, any septic tank provided to serve the development shall be sited in such a position as will enable it to be emptied by the tanker.

REASON In the interests of public safety.

4. Construction works shall not be undertaken on site outwith the hours of 08:00 hours to 18:00 hours Monday to Friday and 08:00 hours to 13:00 hours on Saturday and not at any time on Sunday.

REASON In order to protect the amenity of neighbouring properties.

5. All foul drainage from the site should be connected to the sewerage treatment system which serves the site to the satisfaction of the Planning Authority.

REASON In the interests of public health and residential amenity.

6. Within three months of the date of this consent details of a scheme showing in detail the provision to be made for the disposal of refuse shall be submitted to and approved by the Planning Authority and thereafter implemented prior to the occupation of any of the flatted dwellings. The said scheme shall have regard to the Council's three bin recycling scheme.

REASON In the interests of visual and residential amenity.

7. Notwithstanding the plans hereby approved, prior to the formation of the bin store and sub station compounds, samples of their external finishing materials shall be submitted to and approved in writing by the Planning Authority.

REASON In the interests of visual amenity.

8. Notwithstanding the plans hereby approved no window or door openings on the east elevation of the building are permitted unless a further specific planning and listed building application is submitted to and approved by the Planning Authority.

REASON To prevent an overlooking impact to the rear garden area of 16 Main Road, Waterside.

9. Notwithstanding the submitted plans, details of the design and construction of all fences and walls to be erected on the site shall be submitted to and approved by the Planning Authority before the construction of the walls and

fences commences on the site; and these boundary features shall only be erected as so approved.

REASON To allow the Planning Authority to control the design and construction of such features in the interests of visual amenity.

10. Within three months of date of this consent, full details of the landscape area to the south and south west of the Mill Building shall be submitted to and approved by the Planning Authority. Said landscaping treatment shall be implemented not later than the next available planting season after the development has commenced to the satisfaction of the Planning Authority. The details to be submitted shall include the provision to be made for the future maintenance of the landscape area and the sustainable urban drainage facilities. Any planting removed without the consent of the Planning Authority or seriously damaged within five years of consent, shall be replaced by specimens of the same size and species.

REASON To ensure the provision and maintenance of an appropriate landscaped area to the front of the building.

11. Notwithstanding the approved drawings, details and samples of all proposed external surface materials for hard landscaping shall be submitted, in writing, to and approved by the Planning Authority prior to the commencement of any hard landscaping works and thereafter implemented as approved.

REASON In the interest of visual amenity.

12. Any unsuspected contamination found during construction works should be brought to the attention of the Planning Authority and the appropriate means of dealing with the contamination agreed in writing by the Planning Authority prior to the continuation of works on site.

REASON To ensure adequate treatment of any unsuspected contamination on the site.

NOTES TO APPLICANT:-

1 The developer shall make early contact with Scottish Environment Protection Agency and Scottish Water to confirm their request to utilise a Sustainable Urban Drainage System (SUDS) with regard to surface water. These Authorities require this development to be drained in accordance with the recommendations contained in the CIRIA manual on SUDS.

2 The Council does not currently have a general agreement with Scottish Water in relation to the maintenance of public SUDS. Proposals for site specific agreements which may require to involve the developer or other third parties will be considered within the overall framework recommended in the design manual

for SUDS published by CIRIA.

3. All wastes produced during the development of the site must be disposed of at a suitably licensed or exempt waste management facility in accordance with the Waste Management Licensing Regulations (1994 as amended).

4. Due to the proximity of watercourses, the principles contained within SEPA's Pollution Prevention Guidelines 5 and 6 on "Works in, Near or Liable to Affect Watercourses" and "Working at Construction and Demolition Sites" must be adhered to at all times.

5. The applicant must make a separate application to Scottish Water Planning and Development Services team for permission to connect to the public water network at the appropriate time. It is important to note that the granting of planning consent does not necessarily guarantee a connection to Scottish Water's assets.

EAST AYRSHIRE COUNCIL

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

05/1075/LB

Site of Proposal:	22 Main Road Waterside KILMARNOCK KA3 6JB
Nature of Proposal:	Change of Use and Alterations to Former Mill Building to Form 6 no. Flats
Name & Address of Applicant:	Castle Developments Ltd 119 Cambuslang Road Cambuslang GLASGOW G72 7TS
Name & Address of Agent:	Thomson Dawes 21 Portland Road KILMARNOCK KA1 2BT

DPOs Reference: GC/MMM

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

1. Details of the proposed levels and banking retention works along the north western boundary of the site and adjacent to the Craufurdland Water shall be submitted to and approved by the Planning Authority prior to commencement of any development on site. The submitted details shall be implemented on site once approved prior to the occupation of any of the flatted dwellings hereby consented. The details shall also be accompanied by a flood risk assessment or similar professional confirmation in writing that the development will not be liable to flooding during a one in two hundred year flood event and that any of the development proposals will not adversely impact upon flood risk in the area.

REASON To protect the character and amenity of the listed building.

2. Notwithstanding the plans hereby approved, prior to the formation of the bin store and sub station compounds, samples of their external finishing materials shall be submitted to and approved in writing by the Planning Authority.

REASON In the interests of the visual amenity of the listed building.

3. Notwithstanding the plans hereby approved, details of the design and construction of all fences and walls to be erected on the site shall be submitted to and approved by the Planning Authority before the construction of the walls and fences commences on the site; and these boundary features shall only be erected as so approved.

REASON To allow the Planning Authority to control the design and construction of such features to protect the setting of the listed building.

4. Within three months of date of this consent, full details of the landscape area to the south and south west of the Mill Building shall be submitted to and approved by the Planning Authority. Said landscaping treatment shall be implemented not later than the next available planting season after the development has commenced to the satisfaction of the Planning Authority. The details to be submitted shall include the provision to be made for the future maintenance of the landscape area and the sustainable urban drainage facilities. Any planting removed without the consent of the Planning Authority or seriously damaged within five years of consent, specimens of the same size and species.

REASON To allow the Planning Authority to control the design and construction of such features to protect the setting of the listed building.

5. Notwithstanding the approved drawings, details and samples of all proposed external surface materials for hard landscaping shall be submitted, in writing, to and approved by the Planning Authority prior to the commencement of any hard landscaping works and thereafter implemented as approved.

REASON To allow the Planning Authority to control the design and construction of such features to protect the setting of the listed building.

6. Notwithstanding the plans hereby approved, within three months of the date of this consent full details of the re-pointing works to the external walls shall be submitted to and approved in writing by the Planning Authority prior to the commencement of any re-pointing works. The details submitted shall provide for any loose cement pointing to be raked out and replaced with a soft lime mortar. Thereafter the re-pointing works shall be carried out in accordance with the approved details.

REASON To protect the character and amenity of the listed buildings.

7. Notwithstanding the plans hereby approved all external timber work should be finished in solid paint, samples of which shall be submitted to and approved in writing by the Planning Authority prior to the installation of any external timber work.

REASON To protect the character and amenity of the listed building.

8. Notwithstanding the plans hereby approved prior to the installation of any new/replacement window and door openings details shall be submitted for the prior written approval of the Planning Authority. Thereafter all doors/windows shall be installed/replaced as per the approved details. The details shall include materials, method of opening of windows and details of astrigals.

REASON To protect the character and amenity of the listed building.

9. Notwithstanding the plans hereby approved, prior to the commencement of any external works on the west gable elevation of the Mill, details shall be submitted to and approved in writing by the Planning Authority and thereafter all works shall be carried out in accordance with the approved details.

REASON To protect the character and amenity of the listed building.

10. Notwithstanding the plans hereby approved a comprehensive assessment of all internal timbers shall be undertaken, submitted to and agreed in writing by the Planning Authority, prior to any works commencing on the internal timbers. Any removal works and replacement of timbers shall be carried out in accordance with the approved details.

REASON To protect the character and appearance of the listed building.

**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.**