

EAST AYRSHIRE COUNCIL

SOUTHERN LOCAL PLANNING COMMITTEE: 11 AUGUST 2006

**06/0253/FL: PROPOSED ERECTION OF PRIVATE DWELLINGHOUSE
AT SINCLAIRSTON HOUSE, SINCLAIRSTON
BY MS MAUREEN MCDOUGALL**

EXECUTIVE SUMMARY SHEET

1. DEVELOPMENT DESCRIPTION

1.1 It is proposed to erect a single storey dwelling on an "L" shape floor plan of modest proportions. It is proposed to clad the external walls in a self coloured white wet cast render with black Marley Modern tiles for the roof. Windows of a sash and case appearance are proposed with smooth banding around them.

2. RECOMMENDATION

2.1 It is recommended that the application be approved for the reasons listed on the attached sheet.

3. CONCLUSIONS

3.1 As indicated in section 5 of the report, the application is considered to be in accordance with the development plan. Therefore, given the terms of Section 25 and Section 37(2) of the Town and Country Planning (Scotland) Act 1997, the application should be approved unless material considerations indicate otherwise. As is indicated at Section 6 of the report, there are material considerations relevant to this application, however the third party letters of representation raise issues which are not of sufficient weight to indicate that the application should be refused.

3.2 The application site is located within the small settlement envelope of Sinclairston and can be considered as a brownfield development site as it was previously occupied by the Forestry Commission's offices. The scale, design and position of the proposed single storey dwellinghouse is perceived to be in keeping with the immediate surroundings, particularly so with an additional planting scheme along the northern boundary assisting in continuing the natural landscape in this semi rural location whilst providing a level of screening along the road frontage.

3.3 The designation of the site under a Tree Preservation Order, does require that a detailed survey of the trees is undertaken. The applicant has submitted this report which was carried out on 8 March 2006 and the findings have been verified by the Council's Arboricultural Officer and hence it has been demonstrated that the development can take place without significant detriment to the integrity of this wider Sinclairston No.1 TPO designation. However the findings of both investigations suggest that all seven trees within the application site are of poor health and some of which along the road frontage are leaning badly and are of possible risk with respect to public safety. Following this inspection the Sinclairston TPO designation will be revised to take into consideration the poor condition of the trees in question.

3.4 The points raised within the third party letters of objection include the damage to the existing trees within the application site. Following the further investigation work detailed above, the damage to the trees would not be material in the determination of the application, whilst further road and drainage issues raised by the objectors can be addressed with the imposition of suspensive conditions or are not planning considerations.

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 would not require to be referred to the Development Services Committee as it would not be a significant departure from the East Ayrshire Local Plan.

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 for determination a full planning application which is to be considered by the Local Planning Committee under the scheme of delegation, as the proposal is subject to objections.

2. APPLICATION DETAILS

2.1 **Site Description:** The site is situated on the south side of the B7046 public road in the hamlet of Sinclairston and is adjacent to a triangular wooded area. The ground rises slightly from the main road where it adjoins a shared access leading to the residential property known as "Kyle". The application area is considered to be a brownfield site that was previously occupied by the Forestry Commission's offices, demolished sometime approximately in 2003. The site is bounded on both sides partially by an area of Ancient Woodland and is covered by the Sinclairston No. 1 Tree Preservation Order.

2.2 The site area consists of approximately 780 metres². Opposite the site is a small wooded area and a traditional two storey (dormer) dwelling constructed of ashlar sandstone and with a slate clad roof. The property to the north of the site adjacent to the wooded area is a relatively new but traditionally styled single storey dwelling finished in a grey wet render with an imitation slate roof.

2.3 **Proposed Development:** It is proposed to erect a single storey dwelling on an "L" shape floor plan of modest proportions. It is proposed to clad the external walls in a self coloured white wet cast render with black Marley Modern tiles for the roof. Windows of a sash and case appearance are proposed with smooth banding around them.

3. CONSULTATIONS AND ISSUES RAISED

3.1 Power Systems has no objection to the proposed development.

Noted.

3.2 The Scottish Environment Protection Agency has no objection to the proposed development provided the drainage arrangements are to its satisfaction. In this regard the proposed septic tank and blind soak away must be designed and constructed to meet with the current code of practice BS6297:1983. This will require the applicant to carry out percolation tests on site to assess if this is indeed a viable means of effluent disposal. Should percolation tests indicate that the soils on site were not suitable for effluent disposal then SEPA would object to the development as there are no suitable watercourses in the area to accept any more sewage effluent. Surface water must be excluded from the septic tank to minimise the amount of drainage being treated and should be discharged to the burn via a suitably designed SUD system, such as a filter trench or French drain. Waste materials generated by this development that require to be removed such as construction, demolition wastes and surplus excavated material, must be removed from the site by licensed waste carriers. Waste must be removed to a site that has either an appropriate waste management licence or is registered with SEPA as exempt from licensing.

A suspensive condition can be attached to any consent granted for the proposed development directing the applicant to carry out ground porosity tests and make early contact with SEPA with respect to the drainage of the site.

3.3 East Ayrshire Council's Roads and Transportation Division has no objection to the proposed development subject to the following conditions:

- (i) A 2 metre wide footway across the frontage of the site shall be formed to East Ayrshire Council's Roads Division's standards.
- (ii) Junction visibilities of 2.5m by 90m shall be required to be formed prior to the commencement of development on site, at the junction between the private driveway and the B7046 and no obstruction greater than one metre in height is to be allowed within these areas.
- (iii) The applicant shall provide off road parking for a minimum of 3 cars and shall incorporate a turning area within the site.
- (iv) No surface water shall be allowed to discharge onto the public road

Conditions can be attached to any consent granted for the proposed development to meet the requirements of the Roads and Transportation Division.

3.4 Scottish Water has advised that their infrastructure is not affected by this proposal. An existing water main is located in the street adjacent but there are no known sewers to which a connection may be made.

Noted.

3.5 Drongan, Rankinston and Stair Community Council has not responded to the consultation letter at the time of writing this report.

Noted.

3.6 Outdoor Amenities Section of Neighbourhood Services has checked the condition of TPO protected trees lying within the site, (7), and consider that the applicants' submitted tree survey does not in fact convey all the defects present in the trees. Outdoor Amenities recommend felling of all 7 trees and their subsequent replacement to at least 'standard' size. In addition a protective fence should be formed around the trees to the north of the site sufficient to protect their roof plates.

In that the trees are diseased or have defects, their removal is appropriate subject to re-planting. A condition could address this issue on any consent granted.

4. REPRESENTATIONS

4.1 This planning application has attracted three letters of objection. The main points of objection are summarised as follows:

4.2 The applicant does not own all the land within the outlined application site shown on their drawings to which the application relates. There are areas of ground owned by Muirston Farm and Polquharin Farm within the designated site.

The applicant has amended her proposal to exclude land in the ownership of Muirston Farm. The issue relating to site ownership is a legal matter and the completed ownership certificate has been accepted by the Planning Division. It is therefore not considered that these matters are material in the determination of the application.

4.3 The present use of the site is stated on the application form as a Council Depot.

This information is noted on the application forms however it is detailed in the 'Change of Use' section and therefore would not invalidate this application.

4.4 There is an existing 15" diameter water main running along this boundary. We understand from Scottish Water that no construction is permitted next to this water main within a distance of three metres plus the depth of the main. If the main is at a depth of say one meter then the house has to be a minimum of four metres from the main, hence the house cannot be built in the position shown.

If there is a water main within the site this is a matter for the developer to take account of when undertaking a ground suitability survey and prepare the site layout accordingly. Furthermore as part of the statutory consultation process Scottish Water is asked to provide comments on the application for which they have stated that their infrastructure is not affected by the proposal.

4.5 The septic tank for our site is located within the application site. The construction of the house shown on the drawings is over the line of our existing drainage between the house and the septic tank. We would ask that the applicant is required to show this information on their drawings and to provide proposals for protecting and maintaining our services. We understand from SEPA that the watercourse at the junction with the Muirston Farm Road to which the discharge of effluent from the existing septic tanks is at maximum capacity and the only option for a new build is to site a soakaway / infiltration system. This is unlikely to succeed due to the clay soil type locally.

The issues in respect to the objector's existing drainage arrangement is not a planning consideration and would be a legal issue between the parties involved. SEPA has advised that the developer should demonstrate a satisfactory means of disposal prior to any planning permission being granted. It is not considered that this issue would justify refusal of the application but rather that it could be the subject of a suspensive condition if the Committee are of a mind to approve the application. Furthermore until the applicant undertakes ground porosity testing of the site it is not possible to assume ground suitability.

4.6 The applicant has not shown any proposed drainage arrangements on their application drawings.

Drainage from the site is a material planning consideration however, it is not considered that this issue would justify refusal of the application but rather that it could be the subject of a suspensive condition if the Committee are minded to grant approval of the application. If the current circumstances in respect of existing and proposed service infrastructure should dictate a development form differing from that hereby approved, the applicant would need to address the matter to the Planning Division, potentially even in the form of a revised re-submission.

4.7 The site comprises a wooded area of trees which are designated under the Sinclairston Tree Preservation Order. Can you please confirm that the applicant has carried out a detailed survey of the trees and submitted a report to demonstrate that the development can take place without significant detriment to the integrity of the trees protected by the TPO in accordance with the requirements of BS5837:1991 "Trees in relation to construction" and Local Plan Policy ENV15.

The applicant has submitted a full detailed independent tree survey in relation to the proposed development. Seven trees have been identified which fall within the application site and under the Sinclairston TPO all of which have been examined both through the independent survey and corroborated by the Council's Outdoor Services Division. They are of agreement that a number of the trees (Scots Pine and Beech) within the application site are in a poor and dangerous condition. They have recently investigated the health and safety of the trees contained within the Sinclairston TPO. Measures are in train to formally revise this designation to take into consideration the new findings. It should be noted that a large Scots Pine has recently fallen to the east of the site most probably due to the presence of a large cavity in the trunk and the impact of the prevailing weather. If the committee are minded to grant approval of this application a condition can be attached to any consent to ensure a re planting scheme along the road frontage in place of the existing trees.

4.8 I have been advised that no building can be erected within a minimum of 8m from an established tree covered by a TPO. Can this be achieved?

As detailed in section 4.7 of this report the trees outlined within the application site have been assessed both independently and by officers of the Council and the view formed that the trees under the Sinclairston TPO will require to be revised to take into consideration this detailed assessment. This means that due to the poor condition of the seven trees falling within the immediate red line site their removal would be acceptable which would negate the requirement with respect to a minimum distance between development and these existing trees.

4.9 With reference to Planning Advice Note PAN 61 the provision of SUDS in new developments should be coordinated through the planning process. Clause 24 of PAN 61 states that a detailed drainage design is to be submitted when making an application for full planning permission. If an outline application is not submitted then we trust a drainage strategy in accordance with clause 23 should also be included with the full planning application.

The details relating to the proposed method of SUDS have not been submitted as requested and in accordance with PAN 61. However, it is not always the case that for a single dwellinghouse the full drainage specification must be detailed prior to the determination of the planning application. It is therefore considered acceptable in many cases to impose a suspensive condition regarding SUDS on any consent and hence this is not an issue which alone would be of sufficient weight to merit a recommendation of refusal.

4.10 We understand that any footway in front of the house requires to be 2m across, according to East Ayrshire Roads and Transportation Division, the current plan shows this to be only 1.8m across.

The Roads and Transportation Division have provided detailed comments and if the committee are minded to grant approval of this application a condition will be attached requiring the applicant to establish a 2 metre wide footway along the frontage of the application site.

4.11 The distance between the east corner of the house and the east boundary is noted as 1000mm (1.0m). This is not in accordance with planning design guidance 12(a), which requires a minimum distance of 1500mm (1.5m).

As measured on the site plan the nearest point of the dwelling to the eastern boundary is 1 metre. However this is only for a very small area at the immediate eastern corner section of the proposed dwelling, as the boundary line changes direction to cut diagonally across the eastern side of the application site. After this the distance from proposed dwelling to boundary then extends for the full length of the east elevation to achieve a minimum distance of 1.5 metres. This is considered to be compatible with the Council's Design Guidance.

4.12 Our septic tank is located in the South corner of the application site next to the designated car parking area. Is there a minimum distance that a new building can be erected from an existing septic tank?

In terms of the granting of planning consent the exact position of any septic tank at this stage would not warrant the refusal of an application. However, this issue will have to be addressed should the applicant apply for a Building Warrant and at such time, the applicant will clearly require to be able to accommodate any legal obligations placed on the site in relation to third party septic tanks.

4.13 As the plans show a 3 bedroom house there should be adequate parking for 3 cars and incorporate a turning area within the site. Again this is based on guidance from East Ayrshire Roads and Transportation Division.

As detailed in section 3.3 of this report the Council's Roads and Transportation Division have noted the requirement for a condition ensuring off road parking for 3 vehicles made available within the red line application site. This will be included as a condition to any consent granted.

4.14 With reference to item 1c there is not adequate provision for off road visitor parking. Only two parking spaces are proposed within the application site and any parking on the narrow 3.8m wide and 3.7m wide privately owned access road would cause an obstruction for access to other existing properties. We are concerned that this could result in cars parking on the verges of the B7046 public road near a blind corner with pedestrian access to the front of the property. This would be a risk to road safety.

The objector makes reference to item 1c which is their annotated digital image of the access road. As explained the Roads and Transportation Division have provided a detailed response and have stated that the development would require to cater for 3 off road car parking spaces. If the application was to be approved this condition would be attached and the applicant would have to comply with this requirement.

4.15 The access road to the rear of the proposed dwelling is a private access owned by Mr and Mrs McNaughton of Sinclairston House. This access road is shown on the 1:100 plan as being 5m wide. The actual width of this access is 3.7m. Taking into consideration the correct position of the western boundary with land owned by Muirston Farm and the width of the existing access with stone walls we doubt it is possible to manoeuvre cars into the parking spaces as provided.

As detailed in Section 3.3 of this report the Roads and Transportation Division as a statutory consultee have inspected the site and provided comments in the interests of road safety. No comments were made with respect to any requirement for widening this section of private road.

4.16 Construction of a new 2m footway along the B7046 frontage of the proposed site will be detrimental to trees designated under the Sinclairston TPO.

As highlighted in section 4.1 the applicant has submitted a detailed tree survey in which it recommends, in line with the Councils Outdoor Services, that the trees along the immediate road frontage

of the application site are in a poor and in some respects unsafe condition and it would be advisable to remove them in the interests of public safety. This would therefore allow for the footpath to be established. As this frontage onto the main public road will not be used as a vehicular means of access it would be appropriate to continue some natural screening of the site from the road which could be achieved by the imposition of a condition for a planting scheme incorporating a traditional native hedgerow.

4.17 The access to the site is restrictive to larger vehicles due to the width of the road and cornering. This would mean that access for building supplies and equipment would likely have to be from the main road over an access point the applicant made without planning approval. If this access point is used it raises concerns that the adjacent trees in this area which are protected by a TPO may be damaged.

This issue has been addressed both in the Tree Survey and in the Roads Division's response and is therefore not considered to be material in the determination of the application.

4.18 It has not been demonstrated that the required visibility splay can be achieved.

The Roads and Transportation have stated the required visibility splay in this instance would be a 2.5m by 90m and following discussions they have stated that this can be achieved. During a site visit this was measured and at that time the 2.5m measurement from the rear of the public road did allow for the clear visibility for at least a distance of 90m.

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 (1999) and the Adopted East Ayrshire Local Plan (2003).

Ayrshire Joint Structure Plan

5.2 There are no policies contained within the Structure Plan which are especially relevant to this application.

East Ayrshire Local Plan (2003)

5.3 Policy RES4 states that, within Settlement Boundaries, the Council will positively encourage the sympathetic residential development of gap, infill or other redevelopment sites, including those sites created through the large scale demolition of existing housing, not specifically safeguarded or identified for particular development purposes on the Local Plan maps. Developments will be assessed against a set of four stated criteria, as follows:

- (i) impact on the surrounding natural and built environment and adjacent uses;

A house at this location would not be detrimental to adjacent uses. However, there are some mature trees on the north, eastern and western boundaries of the site. The footprint of the house does not appear to affect any trees but conditions safeguarding root systems during construction can usefully be applied.

- (ii) transportation and infrastructure implications;

Consultees have not in this respect highlighted any adverse transportation or infrastructure implications.

- (iii) compatibility with surrounding densities and housing types; and

The density and house type is acceptable.

- (iv) compliance with the Council's Development Promotion and Design Guidance.

The design is generally acceptable for this location.

5.4 Policy RES 22 requires all developers to observe the minimum standards for the provision of private open space detailed in Schedule 4 of the Local Plan. The policy also allows those standards quoted to be relaxed in respect of the conversion of existing properties to flats where this can be fully justified by the developer and where considered appropriate by the Planning Authority.

The proposal meets with the minimum private open space standards.

5.5 Under Policy ENV15 (ii) the Council will protect those individual, groups and areas of trees which contribute significantly to the landscape quality of both the built and rural environment, through the serving of Tree Preservation Orders.

A group of beech and Scots Pine trees within the northern part of the development site are protected by a TPO. However as this

designation has recently been re-assessed following a detailed tree survey it is now acknowledged that the trees located within the application site are all of a poor condition especially those located along the road frontage.

5.6 The principle of a residential development at this site is acceptable in terms of RES4, RES22 and ENV15 of the Adopted East Ayrshire Local Plan.

6. ASSESSMENT AGAINST MATERIAL CONSIDERATIONS

6.1 The principal material considerations relevant to the determination of the application are the consultation responses and third party representations.

Consultations Responses

6.2 None of the consultation responses received have indicated that the recommendation should be other than approval subject to the imposition of appropriate conditions in any consent granted for the proposed development.

Representations

6.3 Many of the concerns raised by third parties are valid planning issues. However it is considered that the various points including the current TPO and the road safety issues have been addressed or can be adequately addressed with the imposition of appropriate conditions and would therefore not indicate that the application should be refused on such grounds. Other matters raised are of a legal nature and need not impede consideration of the application; although without resolution they may well impeded the development.

7. FINANCIAL AND LEGAL IMPLICATIONS

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

8. CONCLUSIONS

8.1 As indicated in section 5 of the report, the application is considered to be in accordance with the development plan. Therefore, given the terms of Section 25 and Section 37(2) of the Town and Country Planning (Scotland) Act 1997, the application should be approved unless material considerations indicate otherwise. As is indicated at Section 6 of the report, there are material considerations relevant to this application, however the third party letters of

representation raise issues which are not of sufficient weight to indicate that the application should be refused.

8.2 The application site is located within the small settlement envelope of Sinclairston and can be considered as a brownfield development site as it was previously occupied by the Forestry Commission's offices. The scale, design and position of the proposed single storey dwellinghouse is perceived to be in keeping with the immediate surroundings, particularly so with an additional planting scheme along the northern boundary assisting in continuing the natural landscape in this semi rural location whilst providing a level of screening along the road frontage.

8.3 The designation of the site under a Tree Preservation Order, does require that a detailed survey of the trees is undertaken. The applicant has submitted this report which was carried out on 8 March 2006 and the findings have been verified by the Council's Arboricultural Officer and hence it has been demonstrated that the development can take place without significant detriment to the integrity of this wider Sinclairston No.1 TPO designation. However the findings of both investigations suggest that all seven trees within the application site are of poor health and some of which along the road frontage are leaning badly and are of possible risk with respect to public safety. Following this inspection the Sinclairston TPO designation will be revised to take into consideration the poor condition of the trees in question.

8.4 The points raised within the third party letters of objection include the damage to the existing trees within the application site. Following the further investigation work detailed above, the damage to the trees would not be material in the determination of the application, whilst further road and drainage issues raised by the objectors can be addressed with the imposition of suspensive conditions or are not planning considerations.

9. RECOMMENDATION

9.1 It is recommended that the application be approved for the reasons 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 would not require to be referred to the Development Services Committee as it would not be a significant departure from the East Ayrshire Local Plan.

Alan Neish
Head of Planning, Development and Building Standards

03 August 2006
(RG/MMM)

FV/DVM

LIST OF BACKGROUND PAPERS

1. Application Form 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. East Ayrshire Council Design Guidance.
8. Tree survey schedule prepared by Bell Ingram (8/03/06)

Anyone wishing to inspect the above background papers should contact Robin Ghosh on 01563 555483.

Implementation Officer: Dave Morris

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

Application No: 06/0253/FL

Location	SINCLAIRSTON HOUSE SINCLAIRSTON KA18 2RT
Nature of Proposal:	PROPOSED ERECTION OF PRIVATE DWELLINGHOUSE
Name and Address of Applicant:	MAUREEN MCDUGALL SHALLOCH FARM, LOW COYLTON DRONGAN KA6 7EE
Name and Address of Agent	ARCTEC DESIGNS 23 DALLAS PLACE TROON KA10 6JE

DPO's Ref: RG/MMM
PPO's Ref: Hugh Melvin

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

1. Notwithstanding the details on the plans hereby approved the proposed roof covering is not hereby approved. Details/samples of a natural slate or a suitable slate substitute roof finish shall be submitted to and shall have the prior approval of the Planning Authority before any development commences on site.

REASON In the interests of the character of the building and visual amenity.

2. Prior to the commencement of wall rendering works the developer shall prepare a one metre square sample panel of the render to be used for inspection and written approval by an official of the Planning Authority.

REASON To ensure the render is suitable to the building in the interests of visual amenity.

3. Notwithstanding the details on the plans hereby approved the windows to be installed shall be a sash and case look alike and shall have a stepped transom at the mid rail to the satisfaction of the Planning Authority.

REASON In the interests of visual amenity.

4. Notwithstanding the details on the plans hereby approved the rainwater goods shall not be PVC. They shall be either cast iron or an aluminium profile and painted in a colour to be agreed in writing by the Planning Authority prior to the commencement of development.

REASON In the interests of the character of the building and visual amenity.

5. Prior to the commencement of development on site visibility splay areas of 2.5m by 90m will require to be formed and maintained at the site access with the B7046 with no obstruction to visibility greater than 1 metre in height being allowed within these areas.

REASON To enable drivers of vehicles leaving the site to have a clear view over a length of road sufficient to allow safe exit.

6. Notwithstanding the submitted plans, parking spaces for three cars shall be provided and maintained within the site area.

REASON In the interest of road safety.

7. No surface water shall issue from the site onto the public road.

REASON In the interest of road safety.

8. Prior to the occupation of the dwellinghouse a 2 metre wide kerbed pedestrian footpath along the frontage of the site to the B7046 shall be formed to East Ayrshire Council Roads Division standards.

REASON In the interest of road safety.

9. Notwithstanding the submitted plans the western and northern boundaries of the site (as shown in yellow on the docquetted approved plan) shall be defined by a landscaping scheme incorporating a native hedgerow and tree planting, full details of which shall be submitted to, for approval by, the Planning Authority within 2 months of the dwellinghouse being completed on site. The scheme shall be implemented during the next appropriate planting season following occupation of the dwelling.

REASON In the interests of visual amenity and to prevent an inappropriate suburban interface with the rural area which would be detrimental to the landscape character of the area.

10. Prior to the commencement of development the developer shall ensure a satisfactory means of both foul and surface water drainage has received formal written approval from both Scottish Water and the Scottish Environment Protection Agency. These systems shall be maintained in perpetuity through a programme of future management and maintenance which shall be submitted for the written approval of the Planning Authority prior to the commencement of development.

REASON In the interests of public health and safety.

11. Those seven trees lying in the triangular area adjacent to the B7046 shall be felled prior to the commencement of development, but only in the event of a contract being let for the construction of the dwelling hereby approved. Prior to the commencement of development, details of seven replacement trees of at least standard size (8-10cm girths) and of varieties suitable for the location, shall be submitted to and approved by the Planning Authority. The trees as approved shall thereafter be planted on site during the first available planting season following occupation of the dwelling. Any trees which fail or are damaged shall be replaced with equivalent specimens.

REASON In the interests of visual amenity and to sustain the presence of significant tree planting in this locality.

12. No demolition, site clearance or building operations shall be commenced until chestnut pale fencing of a height not less than 1.2 metres has been erected around the south west side of the TPO protected trees lying on the site's north east boundary. The fencing shall enclose either the area described by the limit of the spread of the branches of the trees, or a radius of 5 metres from the trunk of these trees, whichever is greater.

Such fencing shall be maintained during the course of development, and no storage, site structure, parking or any other operation shall be permitted within the area enclosed, unless with the agreement of the Planning Authority.

REASON To allow for the protection of trees adjacent to the site which might otherwise be adversely affected by development in the site.

**DUE TO ORDNANCE SURVEY REGULATIONS AND COPYRIGHT
THE MAP IS AVAILABLE FOR VIEWING AT THE COUNCIL'S**

**PLANNING OFFICE IN LUGAR. FOR INFORMATION ON
VIEWING PLEASE CONTACT (01563) 555320.**