

EAST AYRSHIRE COUNCIL

CENTRAL LOCAL PLANNING COMMITTEE: 06 FEBRUARY 2004

**03/0901/LB: PROPOSED EXTENSION AND INTERNAL ALTERATIONS
03/0974/FL: PROPOSED CHANGE OF USE OF BANK TO RESTAURANT
AND PUBLIC HOUSE, ERECTION OF CONSERVATORY AND FORMATION
OF BEER GARDEN
AT 46 BANK STREET, KILMARNOCK
FOR BUDDA PROPERTIES LTD**

EXECUTIVE SUMMARY SHEET

1. DEVELOPMENT DESCRIPTION

1.1 Full Planning Permission and Listed Building Consent are sought to undertake the following development:

- Change the use of the building to a restaurant and public house.
- Erection of a white painted timber glazed conservatory attached to the building within the rear car park area. The conservatory will have a Monopitch roof and a glazing arrangement which respects that of the existing building.
- The formation of a beer garden and children's outdoor play area to the southern site boundary enclosed by cast iron low level railings.
- 10 car parking spaces delineated within the existing car park at the eastern boundary. A bin storage area will be formed to the north eastern corner and enclosed by 2 metre fencing. A service bay on the northern boundary will be formed to accommodate deliveries.
- The restaurant and public house will be formed on the ground floor with toilets, kitchens and cellar area within the basement. Upper floors will comprise office accommodation for the applicant.
- The building will be re-painted and existing windows overhauled. The autoteller will be removed along with the access steps and a new sash and case window installed painted to match existing windows.
- Internal alterations will be undertaken primarily on the ground floor. The existing storm doors and vestibule, internal cornicing, arches and columns will

be retained. An internal access will be formed on the rear elevation to enter/exit the conservatory and dining area.

- A new vehicular access is being formed with the existing columns re-located and new railings within the site. New electronic gates will be installed of wrought iron design and construction. The roadway and footpath will be re-laid in granite sets to match the streetscape works on Bank Street.
- The installation of a kitchen extract duct rising from the basement internally to roof level with a vent on the rear elevation.

2. RECOMMENDATION

2.1 It is recommended that the Planning Application No. 03/0974/FL be approved subject to the conditions indicated on the attached sheet.

2.2 It is recommended that the Listed Building No. 03/0901/LB should 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 enclosed sheet.

3. CONCLUSIONS

3.1 As is indicated at Section 5 of the report, the applications are considered to be in accordance with the Development Plan. Therefore, given the terms of Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997, the applications should be approved unless material considerations indicate otherwise.

3.2 As is indicated at Section 6 of the report, there are material considerations relevant to these applications and these are generally supportive of the proposed development. The change of use is proposed within an established mixed use area within the designated town centre. It will not adversely affect neighbouring uses and whilst there are some residential properties to the northern boundary the beer garden and play area are to the southern corner and the rear yard is surrounded by traditional high boundary walls. None of the statutory consultees have raised any adverse comments and the applicant has sought to comply with their requirements without adversely affecting the Listed Building or Outstanding Conservation Area. The representation received has been considered and the points raised do not warrant the refusal of these proposals. All alterations are appropriate to the surrounding area and listed building and will not adversely affect the character or historic integrity.

CONTRARY DECISION NOTE

Should the Committee agree that the applications be refused contrary to the recommendations of the Head of Planning and Building Control then the applications would not require to be referred to the Development Services Committee as this would not be a significant breach of policy.

Alan Neish
Head of Planning and Building Control

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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CENTRAL LOCAL PLANNING COMMITTEE: 06 FEBRUARY 2004

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Report by Head of Planning and Building Control

1. PURPOSE OF REPORT

1.1 The purpose of this report is to present for determination a full planning application and an application for Listed Building consent which are to be considered by the Local Planning Committee under the scheme of delegation because they are subject to objections.

2. APPLICATION DETAILS

2.1 **Site Description:** The application site relates to the detached two storey former Bank of Scotland building which is a 'B' Listed Building located at the heart of the John Finnie Street and Bank Street Outstanding Conservation Area. The site lies within Kilmarnock's designated town centre and is presently unoccupied having been vacated by the Bank of Scotland in 2003. The site comprises the building and car park to rear. It is bound to the north by a sandstone building with commercial units on the ground floor and flats above, to the south by commercial buildings, to the east by the Kilmarnock Water and to the west by commercial units within Bank Street and Bank Place.

2.2 **Proposed Development:** Full Planning Permission and Listed Building Consent are sought to undertake the following development:

- Change the use of the building to a restaurant and public house.
- Erection of a white painted timber glazed conservatory attached to the building within the rear car park area. The conservatory will have a Monopitch roof and a glazing arrangement which respects that of the existing building.

- The formation of a beer garden and children's outdoor play area to the southern site boundary enclosed by cast iron low level railings.
- 10 car parking spaces delineated within the existing car park at the eastern boundary. A bin storage area will be formed to the north eastern corner and enclosed by 2 metre fencing. A service bay on the northern boundary will be formed to accommodate deliveries.
- The restaurant and public house will be formed on the ground floor with toilets, kitchens and cellar area within the basement. Upper floors will comprise office accommodation for the applicant.
- The building will be re-painted and existing windows overhauled. The autoteller will be removed along with the access steps and a new sash and case window installed painted to match existing windows.
- Internal alterations will be undertaken primarily on the ground floor. The existing storm doors and vestibule, internal cornicing, arches and columns will be retained. An internal access will be formed on the rear elevation to enter/exit the conservatory and dining area.
- A new vehicular access is being formed with the existing columns re-located and new railings within the site. New electronic gates will be installed of wrought iron design and construction. The roadway and footpath will be re-laid in granite sets to match the streetscape works on Bank Street.
- The installation of a kitchen extract duct rising from the basement internally to roof level with a vent on the rear elevation.

2.3 The applicant has also written in support of this application advising that the first of 6 'Budda's' was opened in Glasgow in 1998 with three now in Glasgow and one each in Paisley, Clydebank and Helensburgh. All six are on sensitive sites within either listed buildings, conservation areas or mixed residential/retail areas. An expansion programme will hopefully see five more premises opened in 2004.

2.4 The applicant advises that the company is well experienced and operates a strict door policy with badged stewards at core hours and good relationships with the Police. Standard licensing hours are operated and the company believe themselves to be at the higher end of the market. They do not market cut-price alcohol and target the 25 plus age group offering a full range of food and drinks.

2.5 The company advise they actively avoid loud music and design their interest to create a warm, comfortable arrangement with the emphasis of food and families and local office trade.

3. CONSULTATIONS AND ISSUES RAISED

3.1 East Ayrshire Council Roads and Transportation Division, Transco, the Coal Authority and Bonnyton Community Council have no adverse comments to make regarding the proposed development.

Noted.

3.2 Scottish Water have recommended that the applicant considers the implementation of a Sustainable Urban Drainage System within the proposed drainage design.

A condition and notes can be attached to any grant of planning consent to meet the requirements of Scottish Water regarding sustainable urban drainage system.

3.3 East Ayrshire Council Environmental Health and Waste Management Division do not object to the applications although comment on the following:-

- Whilst the surrounding area is largely commercial there are some upper floor flatted properties to the north and there should be suitable noise controls (eg amplified music) in respect of the beer garden.
- Any ventilation extraction system from the kitchens should be designed and installed so as not to be a nuisance to adjacent properties.
- There must be suitable accommodation for waste/recycling bins.

Noted. Appropriate conditions could be attached to any grant of planning consent concerning the approval of a ventilation system and waste/recycling provision. The site is located within the town centre which is a mixed use area of primarily commercial operations. The outdoor components of this proposal are located in the area of the site further from the residential properties. It is not considered appropriate to impose a condition relative to noise due to the location of the development within the town centre. It would be for Environmental Health to take action under their appropriate legislation if there was complaint relative to noise amounting to a nuisance.

3.4 Strathclyde Police have not objected in their consultation although they have advised that the entrance stair to the front of the building creates a blind spot which cannot be seen by the CCTV camera already in place in Bank Street. With regard to the safety of the public and staff alike, consideration should be given to installing a CCTV system which covers this area. The rear parking area should be lit to a sufficient standard to deter thefts from vehicles and make the

area a safer environment for patrons and staff and consideration should be given to installing CCTV to cover this area.

Noted. The applicant has informally discussed the installation of a CCTV camera although it does not at present form part of this proposal. If consent is granted conditions could be attached requiring the installation of a CCTV system, its area of coverage monitoring regime and requiring details of the illumination of the car park.

3.5 West of Scotland Archaeology Service do not object but note the area of extension and advise that it would be wise to attach an archaeological condition. This is because the site is located within the defined area of archaeological investigations. College Wynd excavations found significant post-medieval structures and surfaces and it is possible that ground works could disturb unknown buried archaeological features and deposits.

It is recommended that an appropriate condition be attached to the grant of planning consent to meet the requirements of West of Scotland Archaeology Service as has been used at other recent sites.

3.6 The Scottish Civic Trust makes the following comments:-

- There are some discrepancies in the drawings namely the internal stairs from ground floor to the basement.
- It would be preferred that the existing rails be used to allow existing windows at the rear of the ground floor to be altered to doors onto the conservatory thus avoiding the slapping proposed for access between these with windows which would avoid the removal of less listed fabric and future reversibility.
- Concern is expressed at the removal of the vestibule screen and original door.
- The use of upper and attic floors is queried and their re-use would be advantageous from maintenance purposes.

The following alterations have been made to meet the requirements of the Scottish Civic Trust:

- ***The plans have now been corrected;***
- ***The plans have not been amended to convert a window to a door in order to preserve these architectural features. It is considered preferable to form a new entrance which whilst less 'reversible'***

would not adversely affect the symmetry of the existing fenestration arrangement.

- **The existing vestibule and doors are to be retained as detailed on the amended plans.**
- **The upper and attic floors are to be used for office accommodation by the applicant.**

3.7 The Architectural Heritage Society for Scotland (AHSS) note the vacant building and the retention of cornices and facings, etc. It is considered that the conservatory appears to have an over-extended roof slope as drawn.

Noted. It is considered that this scheme represents a quality development which will retain and enhance many original features of the property.

3.8 Historic Scotland advise that they have no objections although they make the following points:-

- The number of glazing bars on the conservatory should be reduced to limit its visual impact.
- Details should be provided of the new window to replace the autoteller.

The conservatory plans have been amended to reduce the number of glazing bars and an acceptable elevation has been provided of the new window.

4. REPRESENTATIONS

One letter of representation has been received on behalf of 15 parties objecting to the proposal. The points raised are as follows:-

4.1 The site is not suitable for the proposed development due to the proposed reduction in car parking by half, the expected increase in traffic, potential problems with deliveries and general layout. The site is also in an area of residential property.

The site lies within the designated town centre as defined in the Adopted East Ayrshire Local Plan. It is in a mixed use area which is predominantly commercial although with some residential properties. The site is considered suitable for the proposed development. The Roads Division are content with the proposals and the applicant has sought to address all requirements regarding

car parking and servicing. Whilst there are some residential properties to the north these are within an established commercial area with a variety of established uses. These residential properties cannot reasonably expect the same levels of amenity as would be experienced in a purely residential area.

4.2 The building is Grade D listed and the objectors feel that the alterations proposed will not be sympathetic to the general character of the building and its surrounding area.

The building is actually Grade B listed and the current listings do not include a 'D' category. Refer to Section 6.4 of this report regarding an assessment of the development against Memorandum of Guidance on Listed Buildings and Conservation Areas.

4.3 There will be an increase in noise, smell and fumes from traffic to and from the proposed development and increased volumes lead to questions of safety. There will be smells from cooking facilities and increased rubbish.

The Roads and Transportation Division have no objections to the development with the proposals for access, parking and servicing being acceptable. No concerns have been raised relative to traffic safety from traffic volumes and the Environmental Health Division have not objected relative to ventilation of the cooking facilities or in respect of the disposal of waste. The proposal is located in the town centre where there is a mix of commercial uses.

4.4 It is considered desirable to retain the existing planning use.

Each application is assessed on its own merit and the proposed development is considered acceptable in terms of the Adopted East Ayrshire Local Plan.

4.5 Concern is expressed at increased volumes of traffic entering and leaving the premises in the form of deliveries and customers and whether they may have appropriate access and car parking facilities.

As detailed in Section 3.1 of this report the applicant has satisfactorily addressed the concerns of the Council's Roads and Transportation Division and they have no objection to the proposed development.

4.6 The Adopted East Ayrshire Local Plan commits the Council to securing a quality enhancement for living and working and the objectors are concerned that the proposed development will adversely affect those living and working in the area. In terms of Policy TR10 the objectors are concerned that there will be

insufficient car parking and the effects of this on residents and those working if there is a spill over to the surrounding streets. Also in terms of Policy RTC 15, there will be a detrimental effect on the amenity of the adjacent properties by reason of noise, litter, odour or any other disturbance. The objectors also consider through the East Ayrshire Local Plan, the Council has a requirement to safeguard historic properties and the environment from inappropriate development. The objectors consider the building to be worthy of protection and enhancement given its listed status.

Section 5 of this report assesses the proposal against the Adopted East Ayrshire Local Plan. It is not considered that the proposed development will have a detrimental effect on the Listed Building or the town centre area. Residents living in the town centre experience a lower level of amenity due to the mixture of commercial uses in close proximity. The proposed development will safeguard the future of this Listed Building by bringing a new use in to a vacant building. The development is much in keeping with the Listed Building. There is no Policy TR 10 in the East Ayrshire Local Plan and it is assumed that the objector is referring to Policy TLR 10 which requires all applications for commercial leisure development to be assessed against the relevant policies contained in the Retailing and Town Centre Section of the Local Plan. This is undertaken in Section 5 of the report. The remaining part of the policy deals with rural leisure and recreation which is not relevant to the present proposal.

5. ASSESSMENT AGAINST DEVELOPMENT PLAN

5.1 Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 require that applications be determined in accordance with the development plan unless material considerations indicate otherwise. For the purposes of these applications, the development plan comprises the Approved Ayrshire Joint Structure Plan and the Adopted East Ayrshire Local Plan (2003).

East Ayrshire Local Plan

5.2 Policies RTC 2, RTC 11, RTC 15, ENV 2, ENV 4 and ENV 7 are all relevant in the consideration of this application. Policy RTC 2 states that certain types of development as detailed in Schedule 5 of the Local Plan will be appropriate. These uses are considered acceptable within town centres in principle.

Public houses and restaurants are in principle acceptable uses as detailed in the local plan schedule and therefore the proposal is considered to comply with Policy RTC 2.

5.3 RTC 15 states that the development of public houses will be acceptable uses within town centres provided the proposal:-

- a) meets with the Council's design and layout policies;
- b) meets the requirements of the Roads Authority;
- c) do not have a detrimental effect on the amenity of adjacent properties by virtue of noise, litter, odour or other disturbance;
- d) is compatible with surrounding land uses.

The proposal has been considered in accordance with the Council's Design Guidance in paragraph 5.5 below. The proposed development meets the requirements of the Roads Division. The site is located in an area of mixed retail and commercial uses and it is not considered that a pub/restaurant would have a detrimental effect on neighbouring properties. There are some residential properties nearby although these are located furthest from the location of the beer garden and play area and these residential properties are located in a mixed commercial area where a lower level of amenity is often experienced.

5.4 Policy RTC 11 encourages and supports the re-use of vacant properties formerly used by a Schedule 5 use and also supports the re-use of these properties for appropriate similar Schedule 5 uses.

The application site comprises a former bank which has been vacant for some months. The change of use to public house and restaurant is acceptable under the terms of this Policy.

5.5 Policies ENV 2, ENV 4 and 7 seek to ensure that all development within or affecting the setting of a Conservation Area or the appearance/setting of a Listed Building is sympathetic to the area or building, in terms of layout, size, scale, design, siting, materials and colour of finish. It is also stated that the Council will encourage the retention and re-use of listed buildings. The policies state that proposals should contribute positively to the character or appearance of the area and have due regard to architectural and historic qualities of the area or building. Policy ENV 7 states that all developers are expected to comply fully with the Council's Design Guidance in order to ensure high standards of design for new development.

The proposal has been assessed against these policies and the Council's Design Guidance. It is considered that the development takes due cognisance of the Outstanding Conservation Area and the building's listed status. The applicant is seeking to undertake a

sensitive development which retains many traditional features of the property and will re-develop the site in a sympathetic manner through an appropriate design of the extension and external finish. The applicant also proposes car park and footpath finishes that will be in-keeping with the Bank Street surfaces in order to ensure the character of the surrounding area is not compromised.

6. ASSESSMENT AGAINST OTHER MATERIAL CONSIDERATIONS

6.1 The principal other material considerations relevant in the determination of the applications are the consultation responses, letter of objection detailed in Sections 3 and 4 of the report and Historic Scotland's Memorandum of Guidance on Listed Buildings and Conservation Areas.

Consultation Responses and Representations Received

6.2 The consultation responses have been highlighted in Section 3 of this report. No negative issues have been raised which would warrant refusal of the application. The applicant has sought to comply fully with the provisions of the Roads and Transportation Division and in a manner which does not adversely affect the character of the Listed Building or Outstanding Conservation Area.

6.3 The letter of representation has been addressed in Section 4 of this report and it is considered that none of the issues raised warrant the refusal of this application.

Memorandum of Guidance

6.4 Historic Scotland's Guidance stipulates that new uses for old buildings may be the key to their continued survival. Special care must be taken to ensure that the building can reasonably fulfil the new use without undesirable destruction or sub-division of internal work or additions/extensions. The Guidance further states that in the course of alterations or extensions, the architectural integrity of the building should be preserved or if previously lost, restored. No unnecessary damage should be caused to the building's historic fabric.

These applications have been the subject of pre-application discussion when the applicant was advised that all works would have to preserve existing historic features. The applicant has sought to achieve this by retaining the internal proportions and internal features such as cornicing, doors and windows. All external works will enhance the building and Outstanding Conservation Area

and this extends to the car park works which continue the successful streetscape finishes previously implemented by the Council.

7. FINANCIAL AND LEGAL IMPLICATIONS

7.1 There are no financial or legal implications for the Council in the determination of these applications.

8. CONCLUSIONS

8.1 As is indicated at Section 5 of the report, the applications are considered to be in accordance with the Development Plan. Therefore, given the terms of Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997, the applications should be approved unless material considerations indicate otherwise.

8.2 As is indicated at Section 6 of the report, there are material considerations relevant to these applications and these are generally supportive of the proposed development. The change of use is proposed within an established mixed use area within the designated town centre. It will not adversely affect neighbouring uses and whilst there are some residential properties to the northern boundary the beer garden and play area are to the southern corner and the rear yard is surrounded by traditional high boundary walls. None of the statutory consultees have raised any adverse comments and the applicant has sought to comply with their requirements without adversely affecting the Listed Building or Outstanding Conservation Area. The representation received has been considered and the points raised do not warrant the refusal of these proposals. All alterations are appropriate to the surrounding area and listed building and will not adversely affect the character or historic integrity.

9. RECOMMENDATION

9.1 It is recommended that the Planning Application No. 03/0974/FL be approved subject to the conditions indicated on the attached sheet.

9.2 It is recommended that the Listed Building No. 03/0901/LB should 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 enclosed sheet.

CONTRARY DECISION NOTE

Should the Committee agree that the applications be refused contrary to the recommendations of the Head of Planning and Building Control then the applications would not require to be referred to the Development Services Committee as this would not be a significant breach of policy.

Alan Neish
Head of Planning and Building Control

28 January 2004
(FMF/MMM)

FV/DVM

LIST OF BACKGROUND PAPERS

1. Application Form and Plans.
2. Statutory Certificates/Notices.
3. Statutory Consultations.
4. Letter of Objection.
5. Approved Ayrshire Joint Structure Plan.
6. Adopted East Ayrshire Local Plan with Modifications.
7. Memorandum of Guidance on Listed Buildings and Conservation Areas.

Anyone wishing to inspect the above papers please contact Fiona Finlay on 01563 576768.

Implementation Officer: Dave Morris

EAST AYRSHIRE COUNCIL

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

03/0901/LB

Site of Proposal:	46 Bank Street KILMARNOCK
Nature of Proposal:	Proposed Extension and Internal Alterations
Name & Address of Applicant:	Budda Properties Ltd 16 Algie Street GLASGOW G41 3DJ
Name & Address of Agent:	QD Design 10 Craigie Road KILMARNOCK KA1 4EA

DPOs Reference: FMF/MMM

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

1. The proposed development shall be carried out in accordance with the application form received on 13 October 2003 and amended plans received on 19 December 2003.

REASON To ensure that development is carried out in accordance with the approved details.

2. Prior to any work commencing on site, the applicant shall submit the following details and samples and receive the written approval of the Planning Authority. No work shall commence on site until the Planning Authority has approved all details in writing and all work shall be implemented on site as approved prior to the use being brought into operation:

- a) Details and samples of external colours of the building, conservatory and all external windows and doors;

- b) Details and samples of all external surfaces and finishes of the car park and access including footways;
- c) A design, colour detail and samples of the access gates and railings including the specification for the electronic opening/closing mechanism;
- d) Details, specification and colour of finish of the ventilation system for the kitchen.

REASON In the interests of the visual and general amenity of the surrounding area and in order to protect the character of the Listed Building and Outstanding Conservation Area.

3. Prior to any work commencing on site, details of a CCTV system shall be submitted to and approved in writing by the Planning Authority which shall ensure coverage of the front entrance stair and car park/service area and shall include:

- position of the cameras on the building/within the site;
- details of the design and appearance of the cameras, brackets and poles;
- details of area of coverage and line of sight of the cameras;
- details of the programme for monitoring the CCTV system once operational

The CCTV system shall be implemented and operated thereafter prior to the use being brought into operation as approved.

REASON In the interests of public and staff safety.

Notes:

1. Notwithstanding the provisions of the Town and Country Planning (Control of Advertisements)(Scotland) Regulations 1984, no permission is granted for the display of any advertisements and no fascia signs, adverts or projecting signs shall be erected on the premises without prior Advertisement and Listed Building consent from the Planning Authority.

EAST AYRSHIRE COUNCIL

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

03/0974/FL

Site of Proposal:	46 Bank Street KILMARNOCK
Nature of Proposal:	Proposed Change of Use of Bank to Restaurant and Public House, Erection of Conservatory and Formation of Beer Garden
Name & Address of Applicant:	Budda Properties Ltd 16 Algie Street GLASGOW G41 3DJ
Name & Address of Agent:	QD Design 10 Craigie Road KILMARNOCK KA1 4EA

DPOs Reference: FMF/MMM

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

1. The proposed development shall be carried out in accordance with the application form received on 13 October 2003 and amended plans received on 19 December 2003.

REASON To ensure that development is carried out in accordance with the approved details.

2. Prior to any work commencing on site, the applicant shall submit the following details and samples and receive the written approval of the Planning Authority. No work shall commence on site until the Planning Authority has approved all details in writing and all work shall be completed on site as approved prior to the use being brought into operation:

- a) Details and samples of external colours of the building, conservatory and all external windows and doors;

- b) Details and samples of all external surfaces and finishes of the car park and access including footways;
- c) A design, colour detail and samples of the access gates and railings including the specification for the electronic opening/closing mechanism;
- d) Details, specification and colour of finish of the ventilation system for the kitchen.

REASON In the interests of the visual and general amenity of the surrounding area and in order to protect the character of the Listed Building and Outstanding Conservation Area.

3. Notwithstanding the submitted plans the bin store details (location, design and collection arrangements) are not hereby approved. Two copies of the bin stores' details shall be submitted for the written approval of the Planning Authority prior to work commencing on site and shall thereafter be implemented as approved.

REASON In order to ensure that adequate refuse storage and collection arrangements exist.

4. Notwithstanding the submitted plans, details of the play equipment to be erected within the children's play area shall be submitted to and approved by the Planning Authority prior to the commencement of development on site and implemented as approved.

REASON To retain control over the development of the site in the interests of the amenity of the area.

5. Before any work commences on site, details of a Sustainable Urban Drainage System and its maintenance following installation shall be submitted to and approved in writing by the Planning Authority. The Sustainable Urban Drainage System shall thereafter be formed and maintained on site in accordance with the approved details prior to the opening of the approved use.

REASON To ensure that adequate drainage is provided.

6. Prior to any work commencing on site, details of a CCTV system shall be submitted to and approved in writing by the Planning Authority which shall ensure coverage of the front entrance stair and car park/service area and shall include:

- position of the cameras on the building/within the site;
- details of the design and appearance of the cameras, brackets and poles;

- details of area of coverage and line of sight of the cameras;
- details of the programme for monitoring the CCTV system once operational.

The CCTV system shall be implemented and operated thereafter prior to the use being brought into operation as approved.

REASON In the interests of public and staff safety.

7. Prior to any work commencing on site details of a car park security lighting scheme shall be submitted to and approved in writing by the Planning Authority and shall thereafter be implemented as approved.

REASON In the interests of public and staff safety.

8. No development shall take place within the application site as outlined in red on the approved site plan until the developer has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted by the applicant, agreed by the West of Scotland Archaeology Service and approved by the Planning Authority. Thereafter the developer shall ensure that the programme of archaeological works is fully implemented and that all recording and recovery of archaeological resources within the application site is undertaken to the satisfaction of the Planning Authority in agreement with the West of Scotland Archaeology Service.

REASON In order to preserve archaeological remains that could be present within the application site.

NOTES:

1. Notwithstanding the provisions of the Town and Country Planning (Control of Advertisements)(Scotland) Regulations 1984, no permission is granted for the display of any advertisements and no fascia signs, adverts or projecting signs shall be erected on the premises without the prior written consent of the Planning Authority.
2. The applicant must make early contact with the Council's Roads and Transportation Division in order to obtain a Road Opening Permit.
3. The car park/service area lighting shall take account of neighbouring residential properties and shall ensure that there is no light spillage onto these properties.

4. The developer shall make early contact with Scottish Water and the Scottish Environment Protection Agency 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.
5. 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.

**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.**