

EAST AYRSHIRE COUNCIL

CENTRAL LOCAL PLANNING COMMITTEE

**MINUTES OF MEETING HELD ON FRIDAY 9 MARCH 2001 AT 1000 HOURS IN
THE MEETING ROOM, COUNCIL HEADQUARTERS, LONDON ROAD,
KILMARNOCK**

PRESENT: Councillors Drew McIntyre, Brian Reeves, Daniel Coffey, Douglas Reid, Lilian MacLean, John Weir, Iain Linton and John Knapp.

ATTENDING: Julie Armstrong, Principal Administrative Officer; Neil Bell, Senior Engineer (Roads and Transportation); Pamela Clifford, Senior Planning Officer; Karen McLeod, Solicitor; Fiona Finlay, Planning Officer; Stuart Nelson, Administrative Officer; and Christine Baillie, Trainee Administrative Officer.

APOLOGIES: Councillors Willie Coffey, Alex Walsh, Alan Campbell and Jane Darnbrough.

CHAIR: Councillor Drew McIntyre, Chair.

CONSIDERATION OF PLANNING APPLICATIONS

1.1 APPLICATION NOS 00/0773/FL AND 00/0774/LB: THE CLYDE BUILDING GROUP PLC: FORMER KILMARNOCK ACADEMY TECHNICAL BUILDING, ELMBANK AVENUE, KILMARNOCK

There was submitted an executive summary sheet and report dated 1 March 2001 (both circulated) by the Head of Planning and Building Control on a full planning application and an application for listed building consent for proposed conversion to flats, formation of car park to rear, demolition of former swimming pool building and associated alterations at the former Kilmarnock Academy Technical Building, Elmbank Avenue, Kilmarnock.

It was noted that Members of the Committee had attended a site visit in respect of the application prior to the meeting.

The Senior Planning Officer reported that no letters of objection had been received in respect of this application; summarised the planning considerations in respect of the application; and gave the recommendation of the Head of Planning and Building Control (i) in respect of application no 00/0774/LB: Approval, subject to the notification of Historic Scotland under the Listed Buildings and Buildings in Conservation Areas (Scotland) Regulations 1997 and subject to the following conditions, viz:- (1) The development to which this permission relates must be begun within five years from the date of this permission; (2) The proposed development shall be carried out in accordance with the application form received on 23 November 2000 and the location plan ref: 50/10 Rev B; block layout plan ref: 50/11 Rev B proposed lower ground floor plan ref: 50/7; proposed ground floor plan ref: 50/08 Rev A; proposed first floor plan ref: 50/09 Rev A; proposed sectional elevations to rear ref: 50/18 Rev A; proposed elevations to west and north ref: 50/17 Rev A; proposed elevations to Elmbank Drive ref: 50/15 Rev A; (all the above received 16 February 2001) and the alternative layout to Flat 29 (drawing no 20) and the fence and bin store details (drawing no 50/19) both of which were received 23 January 2001; (3) No demolition works relative to the red brick former swimming pool building

shaded orange on the approved plan shall be undertaken within the application site until the Head of Planning and Building Control has had sight of and has confirmed in writing that he is satisfied that a contract has been placed for the conversion of the former Academy Technical Building in accordance with Planning Permission ref: 00/0773/FL; (4) The developer shall notify the Royal Commission on the Ancient and Historical Monuments of Scotland (RCAHMS) of their intention to carry out the demolition work hereby approved and shall thereafter allow RCAHMS a period of up to three months to record the building during which time, demolition may not be undertaken unless the RCAHMS has indicated in writing that its record has been completed; (5) Prior to the commencement of any works on site, the developer shall submit three copies of a report confirming the Schedule of Repairs required to the external fabric of the former Academy Technical Building for the approval of the Head of Planning and Building Control in consultation with Historic Scotland. Any repairs work approved shall be undertaken in complete accordance with the approved Schedule of Repairs and shall not be carried out until the Head of Planning and Building Control has confirmed his written acceptance of the Schedule of Repairs; (6) Prior to the commencement of any works on site, the developer shall submit three copies of a report confirming the method of protection to be used as indicated on the approved plans to protect the original features (i.e. dado tiling, wainscot timber panelling, floors and staircases and balustrades) of the "common link corridors". Thereafter for the full period of construction works, the agreed methods of protection shall be retained on site at all times to the satisfaction of the Head of Planning and Building Control. Such measures of protection shall include details confirming the method of storage of the existing inner/outer doors; (7) Prior to any work commencing on site, the developer shall provide details, for the written approval of the Head of Planning and Building Control in consultation with Historic Scotland, of the design of the proposed inner and outer entrance doors and shall provide details of the doors to be reclaimed from the former swimming pool entrance. Such details shall also include a scheme for any security entry/exit system for the building and following approval of same, the security entry scheme shall be implemented as approved and all inner and outer entrance doors installed as agreed with the Head of Planning and Building Control; and (8) Prior to the commencement of works on site, full details of the existing and proposed windows including specifications for the thickness of horizontal glazing bars, the method of opening and hinge-points, shall be submitted to and approved by the Head of Planning and Building Control in consultation with Historic Scotland. In this regard, the submitted details of the proposed windows shall also include the provision of a sample window to be installed on site confirming the agreed method of opening; Condition (1) being imposed to comply with Section 16 of the Planning (Listed Building and Conservation Areas) (Scotland) Act 1997; Condition (2) in order to ensure that development is carried out in accordance with the approved details; Condition (3) in order that the swimming pool building is not demolished as a separate entirety to the works to convert the former Academy Technical Building; Condition (4) in order to ensure compliance with the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997; Condition (5) in order to ensure that any repair work to the external fabric of the listed building is undertaken in a sympathetic manner to respect the age and character of the building and conservation area and in a manner which will not result in damage to the building's external fabric; Condition (6) in order to ensure that the original features of the listed building are fully protected for the period of construction and are not damaged during construction works; Condition (7) in order to ensure that the

entrance doors to the former Academy Technical Building are appropriate in terms of design, finish and materials to the age and character of the listed building and to ensure that any security entry system will not damage the external fabric of the building; and Condition (8) in order to ensure that the design, finish and method of opening of all proposed windows are appropriate to the age and character of the listed building and are in keeping with the proportions of the existing windows scheduled for replacement; and (ii) in respect of application no 00/0773/FL: Approval, subject to the Decision Notice not being issued until the Listed Building application has been cleared by Historic Scotland and subject to the following conditions, viz:-

- (1) The development to which this permission relates must be begun within five years from the date of this permission;
- (2) The proposed development shall be carried out in accordance with the application form received on 23 November 2000 and the location plan ref: 50/10 Rev B; block layout plan ref: 50/11 Rev B proposed lower ground floor plan ref: 50/7; proposed ground floor plan ref: 50/08 Rev A; proposed first floor plan ref: 50/09 Rev A; proposed sectional elevations to rear ref: 50/18 Rev A; proposed elevations to west and north ref: 50/17 Rev A; proposed elevations to Elmbank Drive ref: 50/15 Rev A; (all the above received 16 February 2001) and the alternative layout to Flat 29 (drawing no 20) and the fence and bin store details (drawing no 50/19) both of which were received 23 January 2001;
- (3) Notwithstanding the approved block plan, the location of the bin stores within the application site is not approved. Prior to any works commencing on site, the developer shall submit two copies of an alternative location of the bin store to be agreed in writing by the Head of Planning and Building Control in consultation with the Waste Management Division of Community Services;
- (4) Prior to the commencement of any works on site, the developer shall submit three copies of a report confirming the Schedule of Repairs required to the external fabric of the former Academy Technical Building for the approval of the Head of Planning and Building Control in consultation with Historic Scotland. Any repairs work approved shall be undertaken in complete accordance with the approved Schedule of Repairs and shall not be carried out until the Head of Planning and Building Control has confirmed his written acceptance of the Schedule of Repairs;
- (5) Prior to the commencement of any works on site, the developer shall submit three copies of a report confirming the method of protection to be used as indicated on the approved plans to protect the original features (i.e. dado tiling, wainscot timber panelling, floors and staircases and balustrades) of the "common link corridors". Thereafter for the full period of construction works, the agreed methods of protection shall be retained on site at all times to the satisfaction of the Head of Planning and Building Control. Such measures of protection shall include details confirming the method of storage of the existing inner/outer doors;
- (6) All of the car parking spaces shown on the block plan approved under the terms of Condition No (2), shall be formed to the satisfaction of the Head of Planning and Building Control, prior to the occupation of any of the flatted dwellinghouses;
- (7) Prior to any work commencing on site, the developer shall provide details, for the written approval of the Head of Planning and Building Control in consultation with Historic Scotland, of the design of the proposed inner and outer entrance doors and shall provide details of the doors to be reclaimed from the former swimming pool building. Such details shall also include a scheme for any security entry/exit system for the building and following approval of same, the security entry scheme shall be implemented as approved and all inner and outer entrance doors installed as agreed with the Head of Planning and Building Control;
- (8) Prior to the commencement of works on site, all details of the existing and proposed windows

including specifications for the thickness of horizontal glazing bars, the method of opening and hinge-points, shall be submitted to and approved by the Head of Planning and Building Control in consultation with Historic Scotland. In this regard, the submitted details of the proposed windows shall also include the provision of a sample window to be installed on site confirming the agreed method of opening; (9) Prior to any work commencing on site, a scheme of proposed landscaping shall be submitted to the Head of Planning and Building Control for his written approval and shall include:- (a) an indication of all existing trees plus details of those to be retained and measures for their protection in the course of development; (b) details and specification of all trees, shrubs, grass mix etc to be planted; (c) details of any top-soiling or other treatment to the ground; (d) sections and other necessary details of any mounding, earthworks and hard landscaping; (e) details for the proposed future maintenance of these works; and (f) and details of the timing of implementation and completion of the landscaping scheme; and (10) the landscape scheme approved under the terms and conditions above shall be undertaken in accordance with the approved details to the satisfaction of the Head of Planning and Building Control; Condition (1) being imposed to comply with Section 58 of the Town and Country Planning (Scotland) Act 1997; Condition (2) in order to ensure that development is carried out in accordance with the approved details; Condition (3) in order to ensure that the bin stores within the application site are located so as to be accessible to the Council's refuse vehicles for the uplifting of refuse; Condition (4) in order to ensure that any repair work to the external fabric of the listed building is undertaken in a sympathetic manner to respect the age and character of the building and conservation area and in a manner which will not result in damage to the building's external fabric; Condition (5) in order to ensure that the original features of the listed building are fully protected for the period of construction and are not damaged during construction works; Condition (6) to ensure that the required car parking facilities exist within the site in order to discourage residents car parking on the public road; Condition (7) in order to ensure that the entrance doors to the former Academy Technical Building are appropriate in terms of design, finish and materials to the age and character of the listed building and to ensure that any security entry system will not damage the external fabric of the building; Condition (8) in order to ensure that the design, finish and method of opening of all proposed windows are appropriate to the age and character of the listed building and are in keeping with the proportions of the existing windows scheduled for replacement; and Conditions (9) and (10) to ensure that the landscaping complements proposed planting and maintains the landscape quality of the area.

It was agreed:-

- (i) to approve application no 00/0774/LB subject (a) to the notification of Historic Scotland under the Listed Buildings and Buildings in Conservation Areas (Scotland) Regulations 1997; (b) to the conditions and for the reasons detailed above; and (c) to the following additional conditions for the reasons detailed, viz:- (9) Notwithstanding the approved plans, the commemorative marble plaque located on the wall at the ground floor of the main entrance staircase recording the construction of the Academy Technical Building, shall be retained in situ and shall not be removed unless with the prior written permission of the Head of Planning and Building Control. The details requiring submission under the terms of Condition (6) above, shall include the method of protection of the plaque for the entire period of construction works; and (10)

Notwithstanding the approved plans, the three windows shaded yellow on the drawing ref 50/09 Rev A (Proposed First Floor Plan) shall be glazed in opaque glass to the satisfaction of the Head of Planning and Building Control. Prior to the installation of the opaque glass, a sample of the opaque glass and the method of opening of these three windows shall be submitted to and agreed in writing with the Head of Planning and Building Control. Thereafter the windows shall be installed and maintained as approved; Condition (9) to ensure the retention of the commemorative plaque which records the construction of the listed building; and Condition (10) in the interests of privacy to the users of the Kilmarnock Academy gymnasium and changing facilities; and

- (ii) to approve application no 00/0773/FL subject (a) to the conditions and for the reasons detailed above and to the following additional conditions for the reasons detailed, viz:- (11) Notwithstanding the approved plans, the commemorative marble plaque located on the wall at the ground floor of the main entrance staircase recording the construction of the Academy Technical Building, shall be retained in situ and shall not be removed unless with the prior written permission of the Head of Planning and Building Control. The details requiring submission under the terms of Condition (5) above, shall include the method of protection of the plaque for the entire period of construction works; (12) Notwithstanding the approved plans, the three windows shaded yellow on the drawing ref 50/09 Rev A (Proposed First Floor Plan) shall be glazed in opaque glass to the satisfaction of the Head of Planning and Building Control. Prior to the installation of the opaque glass, a sample of the opaque glass and the method of opening of these three windows shall be submitted to and agreed in writing with the Head of Planning and Building Control. Thereafter the windows shall be installed and maintained as approved; and (13) Prior to any works on site, a scheme for emergency vehicle access to Kilmarnock Academy (which shall include provision for emergency vehicle access during construction works) shall be submitted for the written approval of the Head of Planning and Building Control. The agreed scheme shall be brought into operation for the full period of construction works and thereafter prior to the occupation of any flatted dwellinghouse within the application site; Condition (11) to ensure the retention of the commemorative plaque which records the construction of the listed building; Condition (12) In the interests of privacy to the users of the Kilmarnock Academy gymnasium and changing facilities; and Condition (13) in order to ensure that Kilmarnock Academy can be adequately served in the event of an emergency, in the interests of public safety; and (b) to the Decision Notice not being issued until the listed building application has been cleared by Historic Scotland.

1.2 APPLICATION NO 00/0794/FL: KLIN CONTRACTS LIMITED: CRAIGEND MILL, TOWNHOLM, KILMARNOCK

There was submitted an executive summary sheet and report dated 28 February 2001 (both circulated) by the Head of Planning and Building Control on a full planning application for the proposed demolition of an existing derelict mill and the construction of 30 flats in a three storey development at Craigend Mill, Townholm, Kilmarnock.

It was noted that Members of the Committee had attended a site visit in respect of this application prior to the meeting.

The Senior Planning Officer reported that no letters of objection had been received in respect of this application; summarised the planning considerations in respect of the application; and gave the recommendation of the Head of Planning and Building Control: Approval, subject to the following conditions, viz:- (1) The development to which this permission relates must be begun within five years from the date of this permission; (2) The proposed development shall be carried out in accordance with the application form and plans submitted on 28 November 2000 as revised by the amended "site plan" (101/02 Rev B) received by the Planning Authority on 21 February 2001 and in accordance with the "east and west facing elevations" plan received on 21 February 2001; (3) A landscaping scheme including the treatment of the boundary of the site and all open space and amenity landscaping areas shall be submitted to and approved by the Planning Authority prior to commencement of any development, and shall be implemented not later than the next appropriate planting season after the development has been carried out. The scheme shall include details of the proposed bin stores and the provisions to be made for the maintenance of soft or hard landscaped areas, and shall be maintained thereafter in accordance with these details; (4) The details to be submitted further to Condition (3) above, shall allow for the retention of as many of the existing trees as is possible, and shall additionally confirm landscaping proposals for the entirety of the site including the land within the red line application boundary at the north of the site; (5) 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 trees agreed as being retained further to Condition (4) above. The fencing shall enclose either:- (a) the area described by the limit of the spread of the branches of the tree; or (b) a radius of 5 metres from the trunk of the tree, whichever is the 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 thereby enclosed; (6) The details to be submitted further to Condition (3) above shall include substantial landscaping in the amenity of the 4 bin stores; (7) No materials other than top soil shall be brought into the site for the purposes of infilling or upraising ground levels without the prior written consent of the Planning Authority; (8) The details to be submitted further to Condition (3) above shall confirm the retention, infill and repair where necessary of the existing boundary walls as shown on the site plan as proposed; (9) Notwithstanding the plans hereby approved, details/samples of the external materials to be used in the construction of the flats shall be submitted to and approved by the Planning Authority prior to the commencement of development; (10) No demolition or construction work, site clearance or preparation works shall take place before 0700 hours and 1700 hours on Mondays to Saturdays nor at any time on Sundays; (11) Notwithstanding the submitted details, and prior to the commencement of development on site, there shall be submitted to and approved by the Planning Authority revised details confirming the following:- (a) a surface treatment to the footpath adjacent to the Kilmarnock Water in the north of the site being different from that of the footpath proposed between the flats and the car park. (Only the latter footpath will be considered for adoption); (b) the widening of the footpaths, immediately adjacent and parallel to parking bays numbers 5, 6 and 13, sufficient to allow passage of wheely bins; and (c) the design and materials of the proposed rumble strip adjacent to Strawberrybank Road; (12) The applicant shall investigate the extent to which the long term usage of the site has resulted in residual

site contamination and prior to the commencement of development, confirm what remedial measures he intends to pursue in that regard, including if necessary the removal from site of any hazardous material by a suitably qualified contractor; (13) The development hereby approved shall be undertaken without detriment to neighbouring residential properties by virtue of noise, dust or general disturbance; (14) There shall be no commencement of the development hereby approved on site until such time as a full and professionally prepared flood risk assessment has been submitted and agreed by the Head of Planning and Building Control, the contents of which shall confirm the following:- (a) that the development hereby approved shall not be adversely affected by any 1:200 year flood event; and (b) that the development hereby approved shall not result in any adverse flooding effects off-site in any event of a 1:200 years flood event; and (15) Details of measures to be implemented during the demolition of the mill building to prevent material being deposited in the adjacent river shall be submitted to and approved by the Head of Planning and Building Control, prior to the commencement of the development on site; Condition (1) being imposed to comply with Section 58 of the Town and Country Planning (Scotland) Act 1997; Condition (2) to ensure that the development is carried out in accordance with the approved details; Conditions (3) and (4) to ensure that public open space areas are laid out in a proper manner in the interests of residential amenity; Condition (5) to ensure the retention of the maximum numbers of trees on the site and their protection from damage in the interests of visual amenity; Condition (6) in order to screen the bin stores in the interests of visual amenity; Condition (7) in order to control the development of the site and the materials used in any making up of ground levels; Condition (8) to ensure that the details of the proposed boundary features are agreed prior to the commencement of development; Condition (9) in the interest of visual amenity; Condition (10) in the interest of residential amenity; Condition (11) in the interest of road safety and to delineate those areas to be considered for adoption purposes by the Roads Division from those not to be so considered; Condition (12) in the interests of residential amenity and public safety; Condition (13) in the interest of residential amenity and to prevent such established amenity being adversely affected; Condition (14) to ensure that no development works are undertaken which will either be adversely affected by flooding or will adversely affect land off-site by reason of flooding; and Condition (15) in order to prevent pollution and flooding of the adjacent watercourse.

It was agreed to approve the application subject to the conditions and for the reasons detailed.

The meeting terminated at 1029 hours.