

**Department of Neighbourhood Services**

Depute Chief Executive/Executive Director: Elizabeth Morton

Head of Housing: Christopher McAleavey FCIH

Direct Dial: 01563 554876 Fax: 01563) 554890

E-mail: [chris.mcaleavey@east-ayrshire.gov.uk](mailto:chris.mcaleavey@east-ayrshire.gov.uk)

APPENDIX 7



**East Ayrshire**  
COUNCIL

**Contact: Malcolm Rae**  
**Our Ref: MR**  
**Your Ref: JM**  
**Date: 11 July 2011**

**Head of Democratic Services**  
**Council Headquarters**  
**London Road**  
**Kilmarnock**  
**KA3 7BU**

Dear Sir,

**TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997**  
**APPLICATION REF. LRB 10/0922/PP – PROPOSED DEVELOPMENT OF TWO HOUSES AT**  
**LAND ADJACENT TO BARRMILL COTTAGE, MAXWOOD ROAD/CASTLEVIEW,**  
**GALSTON**

I acknowledge receipt of your correspondence dated 6 July 2011 in connection with the above and to your request for a written submission regarding the comment in the appointed Officer's report of handling that "the applicant cannot demonstrate an ability to have an appropriate access accommodating a refuse vehicle".

I can confirm that the proposed development's collection point for refuse/recycling containers would be on the kerbside directly outside the proposed properties at the top of Maxwood Road. The vehicles would collect from this point on the way into/or way back out from servicing Castleview Avenue.

Several large vehicles would be involved in servicing not only domestic refuse but various recycling collections with the largest being of 26 tonne Gross Vehicle Weight requiring a surface to adoptable standards.

I understand from colleagues in the Council's Roads Safety Division that the proposed layout shown in drawing 0805:06 would not achieve the turning capabilities required for refuse collection vehicles.

I trust this information is of assistance.

Yours sincerely,

**Malcolm Rae**  
**Cleansing Services Manager**

CLEANSING SERVICES  
WESTERN ROAD  
KILMARNOCK  
KA3 1LL  
TEL: 01563 554033  
FAX: 01563 555383

The current application 10/0922/PP was submitted with a plan indicating by way of a note that “the existing access road was to be brought up to adoptable standard to the satisfaction of the roads authority”.

However the Roads Authority were aware that to provide acceptable servicing arrangements, land would be required that was outwith the applicants control and the application was therefore deferred by Roads with the following comments –

***Conditions will be applied following submission by the applicant of an amended plan acceptable to the Roads Department in terms of access road improvements.***

***Ref. PA 06/1023/FL – Roads had concerns regarding the safe servicing of the plots close to the bend in Maxwood Road. By upgrading the private roads into and fronting the site, this can be achieved but the layout shown on drawing 0805:02 would not meet the requirements of this department. The access road would remain private but would require to be capable of accommodating a refuse vehicle accessing and exiting in forward gear with the road surfaced over its full length between both access points on Maxwood Road with suitable radii and kerbing. The applicant may require to purchase land from the Council for this road improvement.***

It was also considered that drawing 0805:06 would not achieve turning capabilities for refuse vehicles nor provided the level of detail required to ensure that telegraph poles were sufficiently re-located to allow the required footway, kerb radii and road widening (previously requested) to be addressed as they were outwith the plot red line site.

The Roads Division has no objections in principle to the proposal providing the developer submits details for approval of a road layout suitable to provide safe servicing of the site and has access to the land (or legal agreements in place) that would allow the work to be carried out.

I trust this information is of assistance.

Yours sincerely,

**John Bryson**  
**Head of Roads & Transportation**

## Rae, Malcolm

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**From:** Norval, Stuart  
**Sent:** 11 July 2011 09:45  
**To:** Rae, Malcolm  
**Subject:** RE: LOCAL REVIEW BODY  
**Attachments:** smn11047.docx

Hi Malcolm

Please find enclosed a copy of our response which gives you some of the background – basically back in 2006 Roads had concerns that if the two plots were built the servicing would probably be off Maxwood Road at the bad bend so felt that by upgrading the private road across the plot frontage, safer servicing of the two plots would be achieved (the bin lorry could drive in and out without needing to turn).

I reiterated this on my recent response as the developer had not taken account of this in his new 2010 submission.

Give me a call if you wish to discuss further.

Regards,

Stuart

### **Stuart Norval**

*Team Leader  
East Ayrshire Council Roads Department  
Traffic and Road Safety  
Johnnie Walker Bond  
15 Strand Street  
Kilmarnock  
KA1 1HU  
Tel 01563 503142  
Fax 01563 503167  
e-mail : stuart.norval@east-ayrshire.gov.uk*

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**From:** Rae, Malcolm  
**Sent:** 08 July 2011 15:35  
**To:** Norval, Stuart  
**Subject:** FW: LOCAL REVIEW BODY

Stuart,

I refer to the enclosed letter concerning development application 10/0922/PP at land adjacent to Barmill Cottage, Maxwood Road, Galston.

I understand you have previously supplied observations concerning the road layout and safety concerns regarding servicing for refuse collection. As you can see I have been asked to make a written submission on this point – I am not sure I am best placed to comment as this is essentially a road safety issue and would not want to risk contradicting any recommendations you have made.

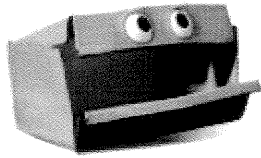
Could you provide some detail regarding the concerns you have

Give me a call if you wish to discuss in more detail

Regards

Malcolm

Malcolm Rae  
Cleaving Services Manager  
Neighbourhood Services  
Tel: 01563 554054  
Fax: 01563 554053  
e: [malcolm.rae@east-ayrshire.gov.uk](mailto:malcolm.rae@east-ayrshire.gov.uk)



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**From:** Rorison, Sandra  
**Sent:** 05 July 2011 11:52  
**To:** Rae, Malcolm  
**Subject:** LOCAL REVIEW BODY

Hi Malcolm,

As per your telephone conversation with Jennifer Morrison this morning, please find attached letter which was sent to you on 28 June 2011 for your attention.

Regards

Sandra Rorison  
Senior Clerical Assistant  
Democratic Services (Administration)

Tel: (01563) 576571  
Fax: (01563) 576245  
E-mail: [sandra.rorison@east-ayrshire.gov.uk](mailto:sandra.rorison@east-ayrshire.gov.uk)

## Department of Neighbourhood Services

Depute Chief Executive/Executive Director: Elizabeth Morton

Head of Roads and Transportation:

John Bryson BSc CEng MICE

Tel: (01563) 503160 Fax: (01563) 503178

**Contact: Stuart Norval**  
**Our Ref: T/3/6 SMN11047 290611J03**  
**Your Ref: JM/KS**  
**Date: 8 July 2011**

**Head of Democratic Services**  
**Council Headquarters**  
**London Road**  
**Kilmarnock**  
**KA3 7BU**

Dear Sir,

**TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997**  
**APPLICATION REF. LRB 10/0922/PP – PROPOSED DEVELOPMENT OF TWO HOUSES AT**  
**LAND ADJACENT TO BARRMILL COTTAGE, MAXWOOD ROAD/CASTLEVIEW,**  
**GALSTON**

I acknowledge receipt of your correspondence dated 28 June 2011 in connection with the above and to your request for a written submission regarding the proposed access to the properties in terms of the Roads Division's consultation response.

A previous planning application 06/1023/OL at this site was deferred by the Road Division as no acceptable means of access to the development site was indicated by the applicant which would allow safe servicing of the two plots to be undertaken. Servicing off the existing Maxwood Road was deemed unsafe due to the sharp bend and limited road width.

The Roads Division supplied a sketch plan with their response (copy attached) to allow the developer to amend their proposal to meet Roads requirements.  
No amended details were received.

When outline permission was granted in March 2007, conditions were attached that prior to any development commencing on site, *the further approval of the Planning Authority was required in relation to 1(d). Details of the access arrangements and 2. Prior to any work commencing on site, details of the vehicle and pedestrian accesses to the public road shall be submitted to and agreed in writing with the Planning Authority.*

The guidance notes also recommended that the applicant make early contact with the Roads Authority to discuss infrastructure implication.



THE JOHNNIE WALKER BOND  
15 STRAND STREET  
KILMARNOCK  
KA1 1HU  
TEL: 01563 503160  
FAX: 01563 503178

# East Ayrshire Council

## ROADS & TRANSPORTATION DIVISION

### Observations on Planning Application

Planning Application No.	10/0922/PP	Dated		Date Received	6/01/11
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Our Reference:	MS/27/SMN11003/060111H15	Contact:	S Norval	Tel No.	555558
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Applicant:	D Lindsay
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Location:	Land at Castlehill View/Maxwood Road, GALSTON
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Proposed Development:	Development of two dwellinghouses
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Drawing Nos:	0805:02
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<b>RECOMMENDATION</b>	Defer
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<b>CONDITIONS</b>
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Will be applied following submission by the applicant of an amended plan acceptable to the Roads Department in terms of access road improvements.

CONSTRUCTION CONSENT	Not Required
ROAD BOND	Not Required
ROAD OPENING PERMIT	Required

<b>Comments on / reasons for / explanation of conditions and recommendations</b>
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Ref. PA 06/1023/FL – Roads had concerns regarding the safe servicing of the plots close to the bend in Maxwood Road. By upgrading the private roads into and fronting the site, this can be achieved but the layout shown on drawing 0805:02 would not meet the requirements of this department. The access road would remain private but would require to be capable of accommodating a refuse vehicle accessing and exiting in forward gear with the road surfaced over its full length between both access points on Maxwood Road with suitable radii and kerbing. The applicant may require to purchase land from the Council for this road improvement.

Signed: \_\_\_\_\_ S M Norval

Date: 13/01/11 \_\_\_\_\_

*STUART NORVAL  
X 3142*

Response sent	
Tracker updated	
Register updated	
Task completed	

# Department of Finance and Corporate Support

Executive Director: Alexander McPhee ACMA

Head of Democratic Services: Bill Walkinshaw

Direct Dial: (01563) 576135 Fax: (01563) 576068

Email: [bill.walkinshaw@east-ayrshire.gov.uk](mailto:bill.walkinshaw@east-ayrshire.gov.uk)

If telephoning or calling please ask for:  
Jennifer Morrison, Direct Dial (01563) 576139  
e-mail: [jennifer.morrison@east-ayrshire.gov.uk](mailto:jennifer.morrison@east-ayrshire.gov.uk)

Head of Housing Services  
FAO: Malcolm Rae  
Cleansing Services Manager  
Western Road Depot  
Western Road  
Kilmarnock

06 July 2011

Dear Sir

**TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997  
TOWN AND COUNTRY PLANNING (SCHEMES OF DELEGATION AND LOCAL  
REVIEW PROCEDURE) (SCOTLAND) REGULATIONS 2008  
APPLICATION REF: LRB 10/0922/PP - PROPOSED DEVELOPMENT OF TWO  
HOUSES AT LAND ADJACENT TO BARMILL COTTAGE, MAXWOOD  
ROAD/CASTLEVIEW, GALSTON**

I refer to the above application for review which was submitted to a meeting of the Local Review Body on 20 June 2011.

I would advise you that the Local Review Body at the above meeting determined that they were unable to determine the review without further procedure at this time and agreed that they required to receive a written submission from the Head of Housing Services (Cleansing Section) regarding the comment in the appointed Officer's report of handling that "the applicant cannot demonstrate an ability to have an appropriate access accommodating a refuse vehicle".

Accordingly, I shall be glad if you would make arrangements to provide me with such a written submission no later than 14 days from the date of this letter. Thereafter, the applicant and the Head of Planning Economic Development will be given an opportunity to comment to your response. I would also ask that you should, at the same time as making your written submission to the Local Review Body, send a copy of the submission to the applicant's representative (Mr Michael S Evans, Planning Consultant, "Ty'Newydd", 11 Murchie Drive, Kings Meadow, Prestwick, KA9 2ND) and to the Head of Planning and Economic Development (The Johnnie Walker Bond, 15 Strand Street, Kilmarnock, KA1 1HU).

The Local Review Body also agreed thereafter to make an unaccompanied inspection of the application site, and that the review be continued to a future meeting following the receipt of written submissions and the site inspection.

I look forward to hearing from you within 14 days with your written submission.

Yours sincerely

Bill Walkinshaw  
Head of Democratic Services  
JM/KS

COUNCIL HEADQUARTERS  
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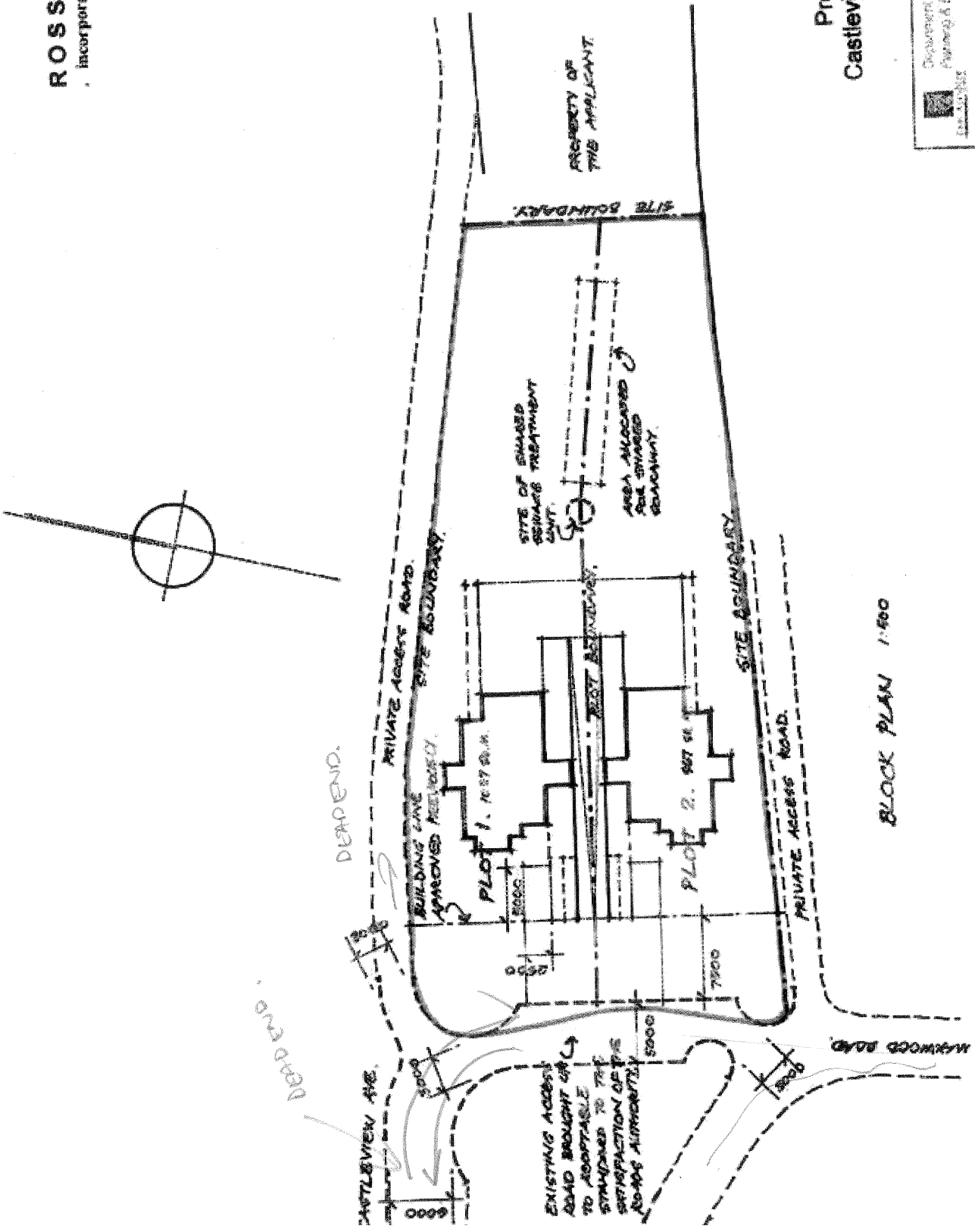
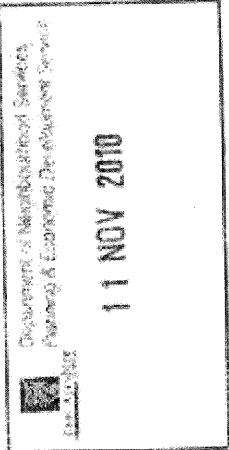
D Lindsay

**Proposed Development of Two Houses**  
**Castleview Avenue/Maxwood Road Galston**

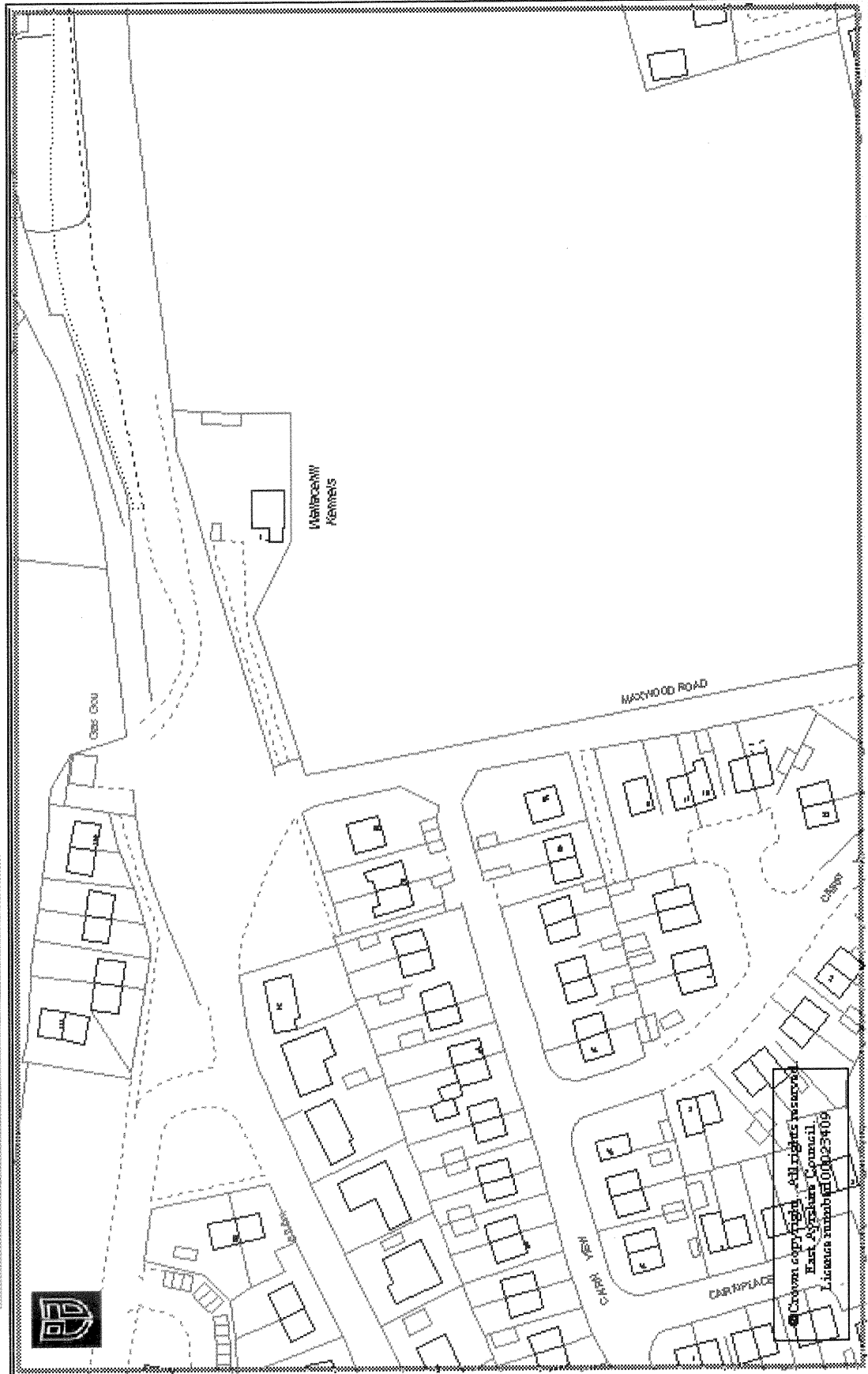
**Block Plan**  
 1:500

8 November 2010

**0805:02**



**BLOCK PLAN 1:500**



**:: Search Results ::**  
 Search again  
 The following match(es) were found.  
 1. CASTLEVIEW AVENUE

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