

EAST AYRSHIRE COUNCIL

NORTHERN LOCAL PLANNING COMMITTEE: 12 MAY 2010

**09/0541/PPP: PROPOSED NEIGHBOURHOOD CENTRE COMPRISING
COMMUNITY FACILITIES (CRECHE, LIBRARY AND MEDICAL CENTRE),
RETAIL UNITS, PUB/RESTAURANT AND ASSOCIATED ACCESS AND
ROADS
AT: SOUTHCRAIG DRIVE, SOUTHCRAIGS, KILMARNOCK
BY HALLAM LAND MANAGEMENT**

Report by Head of Planning and Economic Development

EXECUTIVE SUMMARY SHEET

1. DEVELOPMENT DESCRIPTION

1.1 This proposal is for planning permission in principle, and therefore no detailed plans indicating layout and design have been provided which would form part of any consent issued. Any floorspace figures identified are also provided on an indicative basis only. The application seeks to establish the principle for a range of community and smaller scale facilities for the current Southcraigs estate, comprising:

- a community hall;
- library;
- medical centre/crèche;
- retail units;
- a public house/restaurant; and
- associated roads infrastructure.

1.2 A Masterplan Design Statement has been submitted by the applicants. Whilst this document is also indicative, it provides some illustration of how the applicant foresees the site developing when any further details are submitted. The basic design comprises a link road running north to south through the site, within the middle zone, a central 'village' greenspace with community hall behind. Other uses are interspersed throughout the site, with landscaped areas at the edges providing buffer zones of planting and recreational ground. The site will be served by a Sustainable Urban Drainage Scheme (SUDs) and external materials would be subject to further detailed approval under a future application. The erection of a hotel has been deleted from the proposals now accordingly amended.

1.3 Footpath links through to the existing housing estate have been indicated but individual routes have not been finalised in either location or design. A landscape buffer to the existing watercourse will ensure that an area of public open space will be evident on the approach to the development, which seeks to form a sense of place and identity to the development.

1.4 The applicant submits that the site is well served by surrounding transportation links, in particular the nearby A77/M77 to Glasgow and Ayr. However, it is anticipated that the majority of the trips generated by the proposal will be internal to the Southcraigs estate.

2. RECOMMENDATION

2.1 It is recommended that the planning application should be approved subject to the conditions indicated on the attached sheet.

3. CONCLUSIONS

3.1 In principle, the development of a neighbourhood centre to serve the day to day needs of local residents is considered to be acceptable in terms of planning policy. There was an outstanding objection to the site's designation within the Alteration to the Local Plan, however, this objection has recently been removed and it is considered therefore that greater weight should now be given to the Alteration to the Local Plan in the determination of this particular planning application.

3.2 Given the terms of Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 the application should be approved unless material considerations indicate otherwise. As indicated in Section 5 of this report, the application is not in accordance with the adopted development plan, but the Alteration to the Local Plan now carries more weight in the assessment of this application as the most up to date planning policy position.

3.3 There are other material considerations relevant to the application as indicated in Section 6 of the report and the consultation responses are supportive of the proposal. The objectors' concerns relate to the principle of the local retail and neighbourhood facilities and the perceived increases in traffic, noise, anti-social behaviour, as well as the environmental effects that may arise from the construction of new build facilities on a greenfield site. It is, however, not considered these concerns carry sufficient weight to refuse this application. The development will provide community facilities within this residential area which can be reached by the surrounding estate via sustainable travel and overall, the proposal will bring a wide range of economic and social benefits to the surrounding area.

CONTRARY DECISION NOTE

Should the Committee agree that the application be refused contrary to the recommendation of the Head of Planning and Economic Development, the application would not require to be referred to the full Council as this would not constitute a significant breach of policy.

Alan Neish
Head of Planning and Economic Development

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.

EAST AYRSHIRE COUNCIL

NORTHERN LOCAL PLANNING COMMITTEE: 12 MAY 2010

**09/0541/PPP: PROPOSED NEIGHBOURHOOD CENTRE COMPRISING
COMMUNITY FACILITIES (CRECHE, LIBRARY AND MEDICAL CENTRE),
RETAIL UNITS, PUB/RESTAURANT AND ASSOCIATED ACCESS AND
ROADS
AT: SOUTH CRAIG DRIVE, SOUTH CRAIGS, KILMARNOCK
BY HALLAM LAND MANAGEMENT**

Report by Head of Planning and Economic Development

1. PURPOSE OF REPORT

1.1 The purpose of this report is to present for determination a planning application seeking planning permission in principle, which is to be considered by the Northern Local Planning Committee under the Scheme of Delegation as the application is subject to more than 10 objections.

2. APPLICATION DETAILS

2.1 **Site Description:** The application site extends to 2.24 hectares and is situated to the north of the residential estate of Southcraigs, accessed from Southcraigs Drive. The site sits within the land of Northcraigs Farm, between two areas of housing. Access to the development is proposed from an existing roundabout on Southcraigs Drive. Site levels indicate the ground slopes gently south towards a watercourse near to the existing roundabout. The site is open farmland at present.

2.2 **Proposed Development:** This proposal is for planning permission in principle, and therefore no detailed plans indicating layout and design have been provided which would form part of any consent issued. Any floorspace figures identified are also provided on an indicative basis only. The application seeks to establish the principle for a range of community and smaller scale facilities for the current Southcraigs estate, comprising:

- a community hall;
- library;
- medical centre/crèche;
- retail units;
- a public house/restaurant; and
- associated roads infrastructure.

2.3 A Masterplan Design Statement has been submitted by the applicants. Whilst this document is also indicative, it provides some illustration of how the applicant foresees the site developing when any further details are submitted. The basic design comprises a link road running north to south through the site, within the middle zone, a central 'village' greenspace with community hall behind. Other uses are interspersed throughout the site, with landscaped areas at the edges providing buffer zones of planting and recreational ground. The site will be served by a Sustainable Urban Drainage Scheme (SUDs) and external materials would be subject to further detailed approval under a future application. The erection of a hotel has been deleted from the proposals now accordingly amended.

2.4 Footpath links through to the existing housing estate have been indicated but individual routes have not been finalised in either location or design. A landscape buffer to the existing watercourse will ensure that an area of public open space will be evident on the approach to the development, which seeks to form a sense of place and identity to the development.

2.5 The applicant submits that the site is well served by surrounding transportation links, in particular the nearby A77/M77 to Glasgow and Ayr. However, it is anticipated that the majority of the trips generated by the proposal will be internal to the Southcraigs estate.

3. CONSULTATIONS AND ISSUES RAISED

3.1 There is no Southcraigs Community Council with which to consult on this application.

Noted.

3.2 East Ayrshire Council Roads and Transportation Service have no objections following the submission of an assessment of additional traffic movements that this development will incur. This shows that most traffic using the proposed facilities will not be from any significant distance. The Assessment also shows that the proposed development will be accessible by sustainable transport modes. The Roads Service have also provided further comment concerning internal roads, access and parking.

Noted. The Roads Service's comments on individual access and parking etc. can be addressed within any further application seeking consent for the site layout and design, should Members choose to grant consent.

3.3 East Ayrshire Council Roads and Transportation (Flooding) Service has no objections but has noted that the site would require a Drainage Impact Assessment and Sustainable Urban Drainage Scheme.

These requirements can be addressed by conditions.

3.4 East Ayrshire Council Environmental Health and Licensing Service has no objections in principle but has suggested standard conditions on issues of waste, noise, drainage, and ground contamination.

These matters would be considered within any further application to address the details of design and layout etc. should Members choose to grant planning permission in principle.

3.5 East Ayrshire Access Panel have noted that the application details are indicative only and note that there should be parking provision for drivers with disabilities close to the shops and services to allow ease of access. The Access Panel have advised they would like to meet with the applicants when further details are submitted.

Noted. If Members choose to grant consent, an advisory note can recommend early discussion with the Access Panel. This Service would also consult with the Access Panel upon receipt of any further application(s) for the details of the proposed neighbourhood centre.

3.6 Strathclyde Police Service (Secured by Design Architectural Liaison) have considered the proposal and have no issues with the location but suggest that within the submission of further details of the development, they can assist in designing out any potential weaknesses in terms of site layout, boundaries, general security, and crime pattern analysis.

Noted. If Members choose to grant consent, an advisory note can recommend early discussion with the Architectural Liaison Officer.

3.7 West of Scotland Archaeology Service have no objections but note that the area is on previously undeveloped land and there is potential for archaeological remains in the vicinity of the application site. Therefore a pre-commencement condition to allow site investigation to take place is necessary to establish if there is any archaeological material of merit within the application site.

This issue can be adequately addressed by a planning condition should Members choose to grant consent.

3.8 Scottish Environment Protection Agency object in principle to the proposal unless certain conditions are attached to any consent covering disposal of foul

water to the public sewer; and the submission of a surface water drainage strategy for the proposed development. In terms of flood risk, SEPA have noted that although the site appears to lie outwith the 1:200 Indicative River and Coastal Flood Map (Scotland), the site is adjacent to some smaller watercourses, so may still be at risk from flooding.

The issues regarding foul and surface water can be covered by conditions should Members choose to grant consent, to meet SEPA's requirements. In addition, the Council's Flooding Section has commented on the application and their response is detailed in Section 3.3 of this report.

3.9 Scottish Power Networks and Scotland Gas Networks have no objections.

Advisory notes to recommend the applicant's early contact with Scottish Power and Scotland Gas Networks can be attached to any consent.

3.10 Scottish Water have not responded to their consultation.

An advisory note to recommend the applicant's early contact with Scotland Gas Networks can be attached to any consent.

3.11 East Ayrshire Council's Executive Director of Educational and Social Services have no concerns regarding this development in relation to schools as there is sufficient capacity within the local catchment area schools (Mount Carmel and Onthank Primaries).

Noted.

4. REPRESENTATIONS

4.1 Forty eight letters of objection and a petition of 93 signatures have been received. These objections raise the following concerns:

4.2 The proposal is contrary to the policies of the adopted local plan.

This issue is discussed in more detail at Sections 5 and 6 of this report. Originally, a hotel use was included in the proposal however the applicant chose to omit this during the course of this application. Whilst the application site is outwith the current Local Plan settlement boundary, it is located within the settlement boundary of the Alteration to the Plan and the site is also designated as Development Opportunity Site 362M, for a neighbourhood centre serving the local day to day convenience retail, community and educational needs of the local Southcraigs population.

4.3 There is a pending planning application for an extension to the Western Road shopping area.

Each planning application requires to be assessed on its individual merits and this is a proposal to serve the local needs of the surrounding area.

4.4 The existing retail facilities at Western Road are sufficient and there is no need for the development at this location. Any requirement for new retailing and other facilities should be directed to the town centre.

The shops and food outlets at Western Road are some 700 metres from the entrance roundabout to Southcraigs, and approximately a 10-15 minute walk. It is anticipated that the proposed community facilities and shops would serve both the existing Southcraigs development and site 319H to the north of Southcraigs, which is allocated for future housing in the Alteration to the Local Plan. Furthermore the application site has been identified in the Alteration for a neighbourhood centre as detailed in Section 6 of this report.

Whilst the policies of the Local Plan direct a certain size of retailing to the town centres, there is provision to accommodate smaller facilities within local centres such as proposed under Policy RTC 7 as detailed in Section 5 of this report. This policy supports retail development out of town centres where there is an identified site within the Local Plan for local services. In addition, if the proposal is for local retailing for the day to day convenience of local residents, new local shopping provision will be particularly supported by the Council.

4.5 There is no need for licensed premises in a residential area.

'Need' is not a material planning consideration. Notwithstanding this, any licensed premises proposed would require to be of such a scale as to conform with relevant Local Plan policies.

4.6 There may be an impact on the natural environment from the proposal, in terms of effects on flora/fauna, flooding, and pollution, and the nearby reservoir.

If Members choose to grant consent, additional analysis of the proposal will be carried out under any the further applications for the details of the proposed development. The views of consultees such as West of Scotland Archaeology Service, Scottish Environment Protection Agency and the Council's Flood engineers have however been sought in terms of the principle of the development to inform

the environmental effects of the proposal. None of the responses have indicated any issues which are not capable of resolution. Further consultations will be carried out at the detailed application stage to ensure that the detailed submission accords with the advice given by these technical consultees.

It is noted that Northcraig Reservoir is some 250 metres from the application site and the current proposal is not expected to impact on the reservoir.

4.7 No details have been provided on parking, design, layout, etc.

As discussed, above, this application seeks planning permission in principle, and if granted, these details would be provided under the terms of a further application for approval under matters specified in conditions.

4.8 The proposal will lead to an increase in traffic and this will have an impact in terms of more people accessing the area, with associated road safety concerns.

The submitted Transport Assessment anticipates that most of the traffic will be internal to the Southcraigs area and will serve the existing Southcraigs community. The Council's Roads and Transportation Service accept that most of the traffic should be local in nature and are satisfied with the terms of the Transport Assessment as detailed in Section 3.2 of this report.

4.9 The proposal will lead to an increase in anti-social behaviour, in terms of loitering around shops and also noise from people using the Public House.

It is accepted there will be an increase in noise and activity around all the proposed uses, and some of this will occur at different times of the day. The detailed design will take into account where such uses are sited in relation to any adjacent housing in order to minimise any such effects. In addition, Strathclyde Police have advised they will assist in "designing -out" anti-social issues.

5. ASSESSMENT AGAINST DEVELOPMENT PLAN

5.1 There are no specific relevant policies within the Ayrshire Joint Structure Plan (2007) and the application is therefore assessed against the Adopted East Ayrshire Local Plan (2003)(EALP).

5.2 Within the EALP, the application site is outwith the settlement boundary of Kilmarnock. Policy SD2 directs all new development to land within the settlement

boundary and therefore, Policy SD3 is relevant for proposals relating to land outwith settlement boundaries. This policy states that development will be acceptable only where the development meets 1 of 5 criterion, 2 of which are relevant to this application:

- (ii) The development can be fully justified in terms of site specific locational need;

The proposed neighbourhood centre should meet the day to day needs of the existing Southcraigs residential area and future residential development at North West Kilmarnock. The site is considered the most appropriate place in which to provide these facilities.

- (iii) The development can be fully justified in terms of social and economic benefit to the community.

The proposed neighbourhood centre will provide new community facilities including a library, medical centre and crèche to existing residents and will therefore provide significant social benefits to the area.

Whilst the application is contrary to Policy SD2 it is considered that the application can be justified under Policy SD3 noting that the proposed development complies with the 2 criteria detailed above.

5.3 Through Policy CS1 of the Adopted Local Plan, the Council will, subject to the necessary finance being available, respond positively to changing needs and demands for community and educational facilities throughout East Ayrshire. Wherever possible, existing facilities will be retained and improved and support and encouragement will be given to all other community facility and public service organisations to maintain and improve the services they provide.

The proposal comprises a number of community uses, including a crèche, library and medical centre. It is considered that these facilities will help meet a growing demand for community services in this area and the proposed development is supported through this Policy.

5.4 Policy RTC7 states that retail development proposals in out-of-town centre locations will be supported in 6 circumstances, 1 of which is relevant to this application as follows:

- (ii) the proposal is for a local shop or shops, not exceeding a total of 200 sq m gross floor area required to meet the day to day convenience needs to local residents. New local and top-up shopping provision in existing neighbourhood or local shopping centres will be particularly supported by the Council and preference will be given to the re-use of existing vacant retail premises rather than new build developments;

The application is for planning permission in principle. The application forms indicate that the development will include 235 square metres gross of new retail floorspace; the plans suggest 500 sq metres of floorspace. The applicant has subsequently confirmed that the latter figure is correct. Whilst both figures exceed the 200 square metres policy threshold, it is considered that as the proposal is part of a wider new neighbourhood centre to provide for existing and possibly future households, a retail provision moderately in excess of that stated in RTC 7 would be appropriate.

5.5 Through Policy RTC15, development proposals for public houses and hot food takeaways will be considered acceptable uses within town centres and may be considered appropriate in other locations, where the proposals:

- (i) meet with the Council's design and layout policies;

As the application is for planning permission in principle, the design and layout of the scheme cannot fully be assessed. If Members grant consent for this application, any public house proposal will be assessed against this criterion when the details for design and layout are considered.

- (iii) do not have a detrimental effect on the amenity of adjacent properties by reason of noise, litter, odour or any other disturbance;

The neighbourhood centre as proposed seeks consent to include a hot food takeaway and a public house/restaurant. These are generally appropriate uses for the centre and will provide an additional facility for people in the local area. The detail of the further application for the design and layout should ensure that the units are appropriately sited and designed to minimise any impact on residential properties.

- (iv) are compatible with surrounding land uses;

The proposed hot food takeaway and public house will be generally compatible with the other proposed uses within the neighbourhood

centre. Their acceptability in relation to adjacent residential properties will be largely determined by their location and design; details of which would require to be part of any subsequent detailed application to approve matters specified in conditions.

ASSESSMENT AGAINST MATERIAL CONSIDERATIONS

6.1 The principal material considerations relevant to the determination of this application are the East Ayrshire Local Plan Finalised Version with Modifications, the consultation responses, the representations received and the planning history of the site.

East Ayrshire Local Plan (Finalised Version) with Modifications

6.2 Proposal 'Kilmarnock 13' states the Council will encourage and support the development of site 362M at Southcraig Drive as a neighbourhood centre serving the local day to day convenience retail, community and educational needs of the local Southcraigs population and the needs of residents of the proposed new adjacent housing site 319H.

The current application is proposed on land comprising site 362M. The proposed uses will primarily serve the day to day needs of existing and future local residents, and are in accordance with the site designation in this local plan. In terms of educational need as detailed in this site's designation, the Council's Educational and Social Services Executive Director has confirmed that he has no concerns with this proposal noting the availability of school places within the local catchment area.

6.3 Policy CS1 is also relevant and equates to Policy CS1 in the adopted plan as discussed in section 5.3 of this report.

The proposed development complies with this policy noting that it comprises a number of community uses, including a crèche, library and medical centre. It is considered that these facilities will help meet a growing demand for community services in this area and the proposed development is therefore supported through this Policy.

6.4 Policy RTC9 equates to Policy RTC7 in the adopted local plan as discussed at Section 5.4 of this report. Policy RTC15 also compares to Policy RTC15 of the adopted local plan as detailed in Section 5.5 of this report.

As detailed in Section 5 of this report, the application is appropriate in terms of these policies noting that it seeks to provide uses that would be suitable within a neighbourhood centre.

The proposed development is considered to be compliant with these policies for the reasons detailed in Section 5 of this report. Greater weight can be attached to the Finalised Local Plan with Modifications noting that the objection to the designation of this site as a Development Opportunity Site for a neighbourhood centre has been removed through the local plan process. Members are advised that less weight should therefore be attached to the policies in the Adopted East Ayrshire Local Plan as detailed in section 5 of this report.

Consultation Responses

6.5 The consultation responses have been addressed in Section 3 of the report and are not considered to raise any issues that would warrant the refusal of this application. Any issues that have been received can be addressed by appropriately worded conditions and/or advisory notes should members choose to grant consent.

Representations Received

6.6 Turning to the objections received, the most significant issue is that the objectors disagree with the principle of the proposed neighbourhood centre at this site.

The points of objection have been detailed and responded to in Section 4. A number of the concerns relate to more specific considerations which will be addressed at the application stage for the submission of further details, should planning permission in principle be approved. On balance, however, none of the concerns raised are considered to warrant refusal of this application, as most concerns can be covered under the detailed planning application or by planning conditions on any grant of consent.

Planning History

6.7 Planning Application 02/0585/OL for the Proposed Business Use (Class 4) Development and Residential Development with Associated Roads and Footpaths on land at Northcraig Farm. This application site covers a wider area than the area of land for the proposed neighbourhood centre, but includes the current application site. The application is still under consideration but will not, at the applicant's request, be determined until the Alteration to the East Ayrshire

Local Plan has been adopted. This is because this site is subject to objections in terms of its designation in the new local plan.

7. FINANCIAL AND LEGAL IMPLICATIONS

7.1 There are no financial implications for the Council in the determination of the planning application.

7.2 In terms of legal implications, there is no requirement to refer the application to Scottish Government, under the Town and Country Planning (Notification of Applications) (Scotland) Direction 2009, if Members choose to grant consent.

8. CONCLUSIONS

8.1 In principle, the development of a neighbourhood centre to serve the day to day needs of local residents is considered to be acceptable in terms of planning policy. There was an outstanding objection to the site's designation within the Alteration to the Local Plan, however, this objection has recently been removed and it is considered therefore that greater weight should now be given to the Alteration to the Local Plan in the determination of this particular planning application.

8.2 Given the terms of Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 the application should be approved unless material considerations indicate otherwise. As indicated in Section 5 of this report, the application is not in accordance with the adopted development plan, but the Alteration to the Local Plan now carries more weight in the assessment of this application as the most up to date planning policy position.

8.3 There are other material considerations relevant to the application as indicated in Section 6 of the report and the consultation responses are supportive of the proposal. The objectors' concerns relate to the principle of the local retail and neighbourhood facilities and the perceived increases in traffic, noise, anti-social behaviour, as well as the environmental effects that may arise from the construction of new build facilities on a greenfield site. It is, however, not considered these concerns carry sufficient weight to refuse this application. The development will provide community facilities within this residential area which can be reached by the surrounding estate via sustainable travel and overall, the proposal will bring a wide range of economic and social benefits to the surrounding area.

9. RECOMMENDATION

9.1 It is recommended that the planning application should be approved subject to the conditions indicated 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 and Economic Development, the application would not require to be referred to the full Council as this would not constitute a significant breach of policy.

Alan Neish
Head of Planning & Economic Development

05 May 2010
MF/RH
FV/DVM

List of Background Papers

1. Application form, indicative plans and Masterplan;
2. Public Advertisements;
3. Statutory Consultations;
4. Representations received
5. Adopted East Ayrshire Local Plan;
8. East Ayrshire Alteration to the Local Plan (Finalised Version) with Modifications

East Ayrshire Council

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

Application No: 09/0541/PPP

Anyone wishing to inspect the above papers should contact Marion Fergusson, Senior Planning Officer on 01563 576769.

Implementation Officer: Dave Morris

Location	Proposed North West Kilmarnock Neighbourhood Centre Southcraig Drive Southcraigs
Nature of Proposal:	Proposed neighbourhood centre comprising community facilities (crèche, library and medical centre), retail units, pub/restaurant and associated access and roads
Name and Address of Applicant:	Hallam Land Management C/o Agent
Name and Address of Agent	Scott Mackay Po Box 12 145 Kilmarnock Road Glasgow G41 3JA

Officer's Ref: Marion Fergusson
01563 576769

The above application for Planning Permission in Principle should be Approved subject to the following Conditions:-

1. Notwithstanding the submitted floorspace figures as detailed on the application and the Masterplan; these documents are indicative only and do not form part of this consent.

Reason: The details as submitted are for indicative purposes only.

2. Before any development commences on the site, the further approval of the Planning Authority shall be obtained in respect of the matters specified in the conditions below.

- (a) the overall site layout of the commercial uses and community uses and their curtilages;
- (b) the size, height, design, floorspace and external appearance of all of the proposed buildings;
- (c) the means of drainage and sewage disposal including the provision of a SUDS system;
- (d) details of the access arrangements, both vehicular and pedestrian;
- (e) the provision for car parking within the site;
- (f) the floorspace allocated for each use, or part thereof;
- (g) the boundary walls or features to be erected;
- (h) existing and proposed site levels and finished floor levels; and
- (l) the provision for open space and the associated maintenance arrangements for same.

Reason: The application is for planning permission in principle only at this stage.

3. Notwithstanding the provisions of Condition 2(e) above, parking details within the site shall be provided in accordance with East Ayrshire Council Roads Development Guide and shall be submitted to and approved in writing by the Planning Authority as part of the application for approval of matters specified in conditions herein.

Reason: In the interests of road safety.

4. Further to the provisions of condition 2(c), above, a Drainage Impact Assessment shall be submitted to and approved in writing by the Planning Authority as part of the application for approval of matters specified in conditions herein.

Reason: To allow the Planning Authority to consider these aspects in detail.

5. No development shall take place within the development site 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 to and approved in writing by the Planning Authority. Thereafter the developer shall ensure that the programme of archaeological works is fully implemented and all recording and recovery of archaeological resources within the development site is undertaken to the satisfaction of the Planning Authority in agreement with the West of Scotland Archaeological Service.

Reason: To ensure any archaeological remains within the development site are protected adequately.

6. Further to the provisions of condition 2(c), above, the foul drainage from the site shall be discharged to the public sewerage system.

Reason: In order that the foul drainage is adequately planned and serviced in line with EU Urban Waste Water Treatment Directive.

7. Further to the provisions of condition 2(c), above, a strategy indicating the proposed surface water drainage system for the site shall be submitted to and approved in writing by the Planning Authority as part of the application for approval of matters specified in conditions herein. The strategy shall outline proposals for the proper treatment and discharge of all surface water drainage at this site in accordance with the SUDS Manual [C697] published by CIRIA in March 2007.

Reason: To allow the Planning Authority to consider these aspects in detail.

Additional Advisory Notes

1. The developer should make early contact with Scottish Water and the Scottish Environment Protection Agency regarding drainage of the site and to confirm the 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.

It is advised that the SUDS Scheme should be capable of attenuating the 1:200 year rainfall event with its discharge limited to 4.5 ltr/sec/hectare for the whole site, with the route that any flood waters would take to the attenuation basin/SUDS established to determine if any properties on its route are at risk from flooding from these waters. Further suitable cut-off drainage should be designed to collect any waters discharging onto the site from the land above and similarly to prevent any discharge onto neighbouring land, with this water being attenuated also.

The drainage strategy should outline the strategic proposals for end-of-line and communal/shared SUDS systems and road drainage.

2. Any proposed discharges of surface water at this site must comply with the terms of the Water Environment (Controlled Activities) (Scotland) Regulations 2005, as amended.

3. The applicant should note the East Ayrshire Access Panel is willing to advise on detailed matters in terms of accessibility at the detailed planning stage and can be contacted via Susan Fulton of East Ayrshire Council's Planning and Economic Development Service at 6 Croft Street, Kilmarnock KA1 1JB.
4. The applicant should note that Strathclyde Police [Secured by Design] will advise on detailed matters re crime prevention and design at the detailed planning stage and early discussion is recommended with the Architectural Liaison Officer at Kilmarnock Police Station, St Marnock Street, Kilmarnock.
5. The applicant is advised that Road Construction Consent is required prior to the commencement of any development. Early contact is recommended with the Council's Roads Division at Greenholm Street, Kilmarnock.
6. The applicant is advised to contact Scottish Power and Scottish Gas Networks in relation to their apparatus in the area.
7. The applicant is advised that more sensitive uses such as the crèche and doctors surgery should be protected up to the 1:1000 year flood event.
8. If any unsuspected contamination is encountered during the proposed works, the Council should be informed immediately and provided with details of any required remedial measures formulated to address the risk of exposure to key receptors. The Council shall also be provided with confirmation of completion of works through the submission of a report detailing the remedial actions undertaken.