

EAST AYRSHIRE COUNCIL

NORTHERN LOCAL PLANNING COMMITTEE: 5 MARCH 2010

**06/0806/FL: ERECTION OF 183 HOUSES AND FLATS, AND ASSOCIATED
WORKS AT IRVINE ROAD, KILMARNOCK, KA1 2RT
BY CLANSMAN HOMES LTD**

EXECUTIVE SUMMARY SHEET

1. DEVELOPMENT DESCRIPTION

1.1 The proposal involves the following main elements;

- Remediation of the contamination on site;
- A mix of houses and flats comprising some 183 units, (originally submitted as 174 units), materials to be render and facing brick, similar to those in the vicinity at the Moorfield residential development;
- Parking places within the overall curtilage of the development;
- Private garden space, and public open space; and
- A Sustainable Urban Drainage Scheme.

The scheme was altered since its original submission to accommodate the proximity to the high and medium pressure gas pipelines in relation to the Health and Safety Executive advice.

2. RECOMMENDATION

2.1 It is recommended that the application should be approved subject to the conditions listed on the attached sheet. The issue of the decision notice should be withheld until the applicant has provided the Developer Contribution as referred to in Section 7 of this report, consistent with Policy TLR5 of the adopted plan and Policy RES29 of the Alteration to the East Ayrshire Local Plan.

3. CONCLUSIONS

3.1 As indicated in the report the application is considered to be in accordance with the provisions of the adopted Local Plan, with the exception of the Business and Industry designation of the northern part of the site. It is considered that the removal of this designation within the Alteration to the Local Plan is a significant

material consideration supporting residential use on this part of the application site.

3.2 As per Section 6 of the report there are material considerations relevant to the application including objections received, however it is considered that these can either be addressed by planning conditions or are of insufficient weight to merit refusal of the application.

3.3 In summary, should Members approve residential use on this site, this will remediate the existing heavy contamination and will overall redevelop a largely brownfield site to a positive use, thereby easing any pressure to release Greenfield sites for development. The high pressure gas pipelines adjacent will ensure a green buffer is still provided to soften the built form edge of this site and ultimately, the western edge of the settlement boundary of Kilmarnock. A landscaping plan should be submitted to ensure that the boundary treatments are acceptable in terms of outlook into and out from the site. Close links to the surrounding road network should minimise the need for short term vehicle trips, given the relatively good proximity of the site to Kilmarnock town centre.

CONTRARY DECISION NOTE

Should the Committee agree that the application be refused contrary to the recommendation of the Head of Planning & Economic Development on the basis of the principle of residential development at this location, then the application will require to be referred to the full Council as that would be a significant departure from Council 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.

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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 full planning application which is to be considered by Northern Local Planning Committee under the scheme of delegation, as it represents a major development of more than 50 housing units.

2. APPLICATION DETAILS

2.1 **Site Description:** The application site comprises a brownfield site on the western edge of Kilmarnock at Irvine Road, accessed close to Dalespark Roundabout. To the north east is a small industrial estate, to the east is Annandale Golf Course, to the south is Moorfield residential estate, and to the east is the stretch of road B7064 from Moorfield roundabout to Dalespark roundabout.

2.2 The site was previously Annandale Colliery, Annandale Works, and latterly, Annandale Brickworks and is heavily contaminated with the invasive plant Japanese Knotweed present onsite. The northern part of the site as it approaches Irvine Road has been previously associated with illegal flytipping and large blocks of concrete have since been placed at the Irvine Road entrance to deter dumping. The site covers some 6 hectares (15 acres) and there are two gas mains (high and medium pressure) running adjacent to the site between the western edge of the site and the road leading from Moorfield to Dalespark Roundabouts.

2.3 **Proposed Development:** The proposal involves the following main elements;

- Remediation of the contamination on site;
- A mix of houses and flats comprising some 183 units, (originally submitted as 174 units), materials to be render and facing brick, similar to those in the vicinity at the Moorfield residential development;

- Parking places within the overall curtilage of the development;
- Private garden space, and public open space; and
- A Sustainable Urban Drainage Scheme.

The scheme was altered since its original submission to accommodate the proximity to the high and medium pressure gas pipelines in relation to the Health and Safety Executive advice.

3. CONSULTATIONS AND ISSUES RAISED

3.1 East Ayrshire Council's Roads and Transportation Division. No objections to the development which cannot be addressed through the Road Construction Consent (RCC) or by the imposition of planning conditions, prior to the commencement of any works on site.

Any outstanding Roads issues can be addressed by conditions should Members decide to grant consent, or will be covered at RCC stage. The layout is satisfactory to the Roads Division and incorporates sufficient parking provision.

3.2 East Ayrshire Council's Environmental Health Division (Contaminated Land) A Site Investigation Report/Risk Assessment was carried out by the applicants to determine the suitability of the site for development. Noting the former uses of the site, the Contaminated Land section has no objection to this proposal, with the proviso that conditions are attached to any consent to ensure the remedial actions are undertaken as stated. The works will include a plan to eradicate the invasive plants on site.

The contamination treatment to take place can be addressed by conditions should Members decide to grant consent.

3.3 East Ayrshire Council's Environmental Health Division. No objections but it is noted that part of the site is in close proximity to the existing commercial and industrial uses on the north eastern boundary. Whilst these uses have not generated any significant complaints, this may be because there is not a great volume of housing in the immediate vicinity. It is therefore possible that new householders to the area may subsequently complain about being sited close to industrial uses. However, the industrial units have been established in this location for a number of years.

Any prospective house buyers would be aware on purchasing that there are existing industrial uses nearby. Structural landscaped planting is also proposed along the site boundary with the industrial premises.

3.4 Scottish Water has stated that it has no objection.

An advisory note to contact Scottish Water can be added, should Members decide to grant consent.

3.5 Scottish Environment Protection Agency (SEPA) has no objections.

A condition relating to surface water discharge is included in the recommendation, should Members decide to grant consent.

3.6 West of Scotland Archaeology Service have no objections to the proposal but note that the area has undeveloped Greenfield areas within the site which have the potential to contain significant unrecorded archaeological material.

This issue can be covered with an appropriate condition should Members choose to grant consent.

3.7 Scotland Gas Networks has advised of the two High Pressure Gas pipelines in the vicinity, and noted that the Health and Safety Executive are able to vary the stand-off distances which should be adhered to, to ensure any new buildings are constructed at a safe distance.

This can be addressed by an advisory note, however, the applicant has also been in discussions with the Health and Safety Executive to ensure any design adheres to their guidelines in relation to proximity to the gas pipelines. This has led to a number of design changes to the proposal, as the Health and Safety Executive advised at a later date of a 48 metres stand-off distance between any new housing units and the pipelines. It is however, acceptable for this area to be given over to garden ground or open space which is what the scheme allows for.

3.8 Scottish Power has stated that it has no objections, advising that the applicant contacts them for further information on apparatus in the vicinity.

This can be addressed by advisory note.

3.9 Grange/Howard Community Council objected to the application at the outset on the basis that part of the site was designated for Business and Industry use contrary to the Local Plan.

The adopted local plan does not reflect that the new Moorfield Estate has increased the availability of land for Business and Industry uses and, therefore, many of the smaller Business and Industry opportunity sites in the current Local Plan are no longer required.

The Alteration to the Local Plan takes this into account by removing the Business and Industry opportunity designation from this part of the site. This is in line with the most up to date Business and Industrial land supply allocation for Kilmarnock. Grange/Howard Community Council, and the remaining objector were re-consulted on the revised layout.

4. REPRESENTATIONS

4.1 There have been 2 letters of objection, one from Grange/Howard Community Council, discussed above at Section 3.9, and one from a company within the neighbouring industrial estate:

4.2 The development is inappropriate as it is beside an industrial estate, and the long term viability of the engineering and scrap companies would be threatened by the proposal.

The proposed development in itself is not detrimental to surrounding uses because it is very unlikely that housing as a use would impact detrimentally on an industrial area. It is possible that surrounding industrial uses may adversely impact the new housing if built. However, it would be obvious to prospective house owners that industrial uses adjacent to the site were in existence prior to the housing being constructed and that, in itself, this is no ground for complaints on amenity issues and is instead one of the restrictions that often comes with developing brownfield land. Structural landscaped planting is also proposed along the site boundary with the industrial premises.

5. ASSESSMENT AGAINST DEVELOPMENT PLAN

5.1 Ayrshire Joint Structure Plan (AJSP)

The proposal does not raise any issues of a strategic nature.

East Ayrshire Local Plan

5.2 Policy IND4 reserves, encourages and supports the development of those sites forming the effective business and industrial land supply, as identified on the Local Plan maps, for business, industrial and storage and distribution uses.

As noted, above, the northernmost part of this site is identified as Business and Industry opportunity site 157B in the East Ayrshire Local Plan. Residential use of this site is therefore contrary to the provisions of policy IND 4. The remainder of the site is not

designated for any particular land use but was formerly in use as brickworks and therefore requires to be assessed against policy IND8 below.

5.3 Policy IND8 states that proposals for alternative uses of land or premises currently or formerly used for industrial purposes shall be considered acceptable subject to a set of three criteria being met, as follows:

- (i) the proposed use not being detrimental to surrounding established uses;

The proposed use in itself is not detrimental to surrounding uses, However, it is possible that surrounding industrial uses could be viewed as impacting on the new housing if built, as discussed above.

- (ii) the proposal meeting with the requirement of all other relevant Local Plan policies; and

The proposal does not meet with the current provisions of Policy IND4 in respect of that area of the site that has the Business and Industry opportunity designation.

- (iii) the existence of alternative industrial or business land or premises with potential for future employment use within the settlement concerned.

There is an adequate supply of business/industrial land within Kilmarnock, therefore there is no issue of a shortage or availability of alternative land.

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

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

Whilst residential development in itself would not impact detrimentally on the surrounding natural and built environment, the proposed new housing area would be adjacent to the established industrial estate to the north east, as discussed above.

- (ii) transportation and infrastructure implications;

There are no outstanding issues which are not capable of being resolved by the imposition of conditions on any grant of consent, should Members decide to approve the application.

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

There are no housing areas immediately adjacent to the site, to compare the application site with however, densities are similar to that of the Moorfield residential estate.

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

The proposal largely accords with the Division's Design Guidance, and has a range of design elements which add interest to the house and flat types.

5.5 Policy RES19 requires all housing developers to provide areas of recreational and amenity open space in their developments to the indicative basic standards set out in Schedule 3 of the Local Plan. The policy states also that the precise type, size, location and design of the open space required is dependent on the extent of existing open space provision in the vicinity and the recreational and amenity needs of the wider area.

The development has been redesigned to take account of the stand-off distance from the high pressure gas pipelines adjacent to the western boundary of the site, which effectively provides a green buffer zone adjacent to the site. The site itself is irregular in shape however the area at the western edge of the site provides a central public open space which is also suitably located away from the existing industrial buildings to ensure that a pleasant area is developed for play and recreation purposes. A SUDS pond will also form part of the open space located away from the designated play park and some individual houses benefit from increased garden sizes in this part of the site.

Whilst the public open space i.e. is less than the required standards, this is not of a significant amount and is acceptable noting that Annanhill Park is located nearby and the applicant has agreed to make a contribution under the Council's developer contribution procedures.

5.6 Policy RES22 requires all developers to observe the minimum standards for the provision of private open space detailed in Schedule 4 of the Local Plan.

The units all meet the Council's minimum private open space standards. The proposal is therefore acceptable in terms of Policy RES 22.

5.7 In summary, the proposal accords with the policies of the development plan, with the exception of the northern part of the site which is designated for a Business and Industry opportunity in the current East Ayrshire Local Plan. There

are however, material considerations to assess in relation to this tract of land which are considered in Section 6 of the report.

6. ASSESSMENT AGAINST MATERIAL CONSIDERATIONS

6.1 The principal material considerations relevant to the determination of the application are the consultation responses, the representations received, and the impact on the amenity of the area, the relevant planning history and the Finalised Draft, with Modifications, of the East Ayrshire Local Plan (2009).

Alteration to the East Ayrshire Local Plan: Finalised Draft with Modifications

6.2 Policy RES3 states that within settlement boundaries, the Council will positively encourage the sympathetic residential development of gap, infill or other redevelopment sites not specifically safeguarded or identified for particular development purposes on the Local Plan maps.

This is very similar to adopted Local Plan Policy RES 4, discussed at Section 5 above. However in the Alteration, the Business and Industry opportunity designation is removed and there are no land use designations on this application site. This reflects the most up to date position in terms of Local Plan designation for the site. As no objections have been received opposing the removal of this designation, the Alteration can be accorded primary weight in the assessment of this application.

6.3 Policy RES 23 requires all housing developers to provide areas of recreational and amenity open space as an integral part of their development proposals, similar to that of current Policy RES 19, discussed in Section 5, above.

The proposal accords with this Policy.

6.4 Policy RES 26 ensures developers for new housing developments will be required to observe the minimum private open space criteria and standards detailed in Schedule 5 of the Local Plan.

The proposal meets with the Council's minimum private open space standards.

6.5 Policy RES 29 requires all potential developers of residential sites comprising four or more houses to make an appropriate financial and/or non-financial contribution towards the provision of any new or expanded facilities etc.

The applicant has agreed to make a contribution to the Sports, Leisure and Recreation Fund as detailed in Sections 5 and 7 of this report.

Consultation Responses

6.6 The consultation responses are summarised in Section 3 of this report and they do not suggest that this application should be refused.

Representations

6.7 The representations are summarised in Section 4 of this report and they do not suggest that this application should be refused.

Impact on the Amenity of the Area

6.8 It is not considered that the development will have a detrimental impact in terms of the surrounding area. Should Members decide to approve the application; the site will be substantially improved from its current condition. The layout does not raise any issues of over-development. The perimeter flats will look onto the parkland setting of Annandale Golf Course and will benefit from an open outlook. The development ranges from flats to 3 bedroom and 4 bedroom houses and will allow for a good community mix of housing-types. In addition, conditions regarding suitable provision for landscaping and boundary treatments and for waste storage in line with the Council's Area Waste and Implementation Plan, would be appropriate should Members decide to grant consent.

Planning history

6.9 There is no adverse planning history for the site.

7. FINANCIAL AND LEGAL IMPLICATIONS

7.1 The applicant has agreed to make a contribution to the Sports, Leisure and Recreation Fund in terms of Policy TLR 5 or through the provisions of Policy RES 29 in the Alteration to the East Ayrshire Local Plan. The applicant has indicated a wish to make this contribution prior to the release of any decision notice, should Members decide to grant consent.

8. CONCLUSIONS

8.1 As indicated in the report the application is considered to be in accordance with the provisions of the adopted Local Plan, with the exception of the Business and Industry designation of the northern part of the site. It is considered that the

removal of this designation within the Alteration to the Local Plan is a significant material consideration supporting residential use on this part of the application site.

8.2 As per Section 6 of the report there are material considerations relevant to the application including objections received, however it is considered that these can either be addressed by planning conditions or are of insufficient weight to merit refusal of the application.

8.3 In summary, should Members approve residential use on this site, this will remediate the existing heavy contamination and will overall redevelop a largely brownfield site to a positive use, thereby easing any pressure to release Greenfield sites for development. The high pressure gas pipelines adjacent will ensure a green buffer is still provided to soften the built form edge of this site and ultimately, the western edge of the settlement boundary of Kilmarnock. A landscaping plan should be submitted to ensure that the boundary treatments are acceptable in terms of outlook into and out from the site. Close links to the surrounding road network should minimise the need for short term vehicle trips, given the relatively good proximity of the site to Kilmarnock town centre.

9. RECOMMENDATION

9.1 It is recommended that the application should be approved subject to the conditions listed on the attached sheet. The issue of the decision notice should be withheld until the applicant has provided the Developer Contribution as referred to in Section 7 of this report, consistent with Policy TLR5 of the adopted plan and Policy RES29 of the Alteration to the East Ayrshire Local Plan.

CONTRARY DECISION NOTE

Should the Committee agree that the application be refused contrary to the recommendation of the Head of Planning & Economic Development on the basis of the principle of residential development at this location, then the application will require to be referred to the full Council as that would be a significant departure from Council policy.

Alan Neish
Head of Planning & Economic Development

24 November 2009
(MF/KW)
FV/DVM

LIST OF BACKGROUND PAPERS

1. Application Form and Plans.
2. Letters of Representation.
3. Consultation responses.
4. Adopted East Ayrshire Local Plan (2003).
5. Alteration to the East Ayrshire Local Plan, Finalised Draft with Modifications.

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

Implementation Officer: Dave Morris

East Ayrshire Council

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

Application No: 06/0806/FL

Location	IRVINE ROAD KILMARNOCK Ayrshire KA1 2RT
Nature of Proposal:	Residential Development Erection Of 183No. Houses And Flats
Name and Address of Applicant:	Clansman Homes Ltd TAY HOUSE 9-11 ACADEMY STREET AYR KA7 1HS
Name and Address of Agent	Drew Deans Design Ltd 11 DRYBURGH WALK MOODIESBURN GLASGOW G69 0HH

Officer's Ref: Marion Fergusson
01563 576769

The above Full Application should be approved subject to the following conditions:-

1. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 or any order revoking and re-enacting that Order, permitted development classes of Schedule 1 Part 1, Part 3, Part 4, Part 5 and Part 7 of the said Order are hereby removed in relation to the application site.

REASON To enable the Planning Authority to retain control over future development on the site in the interests of residential amenity, having regard to the proximity to the High and Medium pressure gas mains adjacent and to the remediation of the land.

2. Details of a programme of archaeological works, in accordance with a written scheme of investigation, shall be submitted to and approved in writing by the Planning Authority and the West of Scotland Archaeology Service, prior to the commencement of development on site and implemented as approved 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 development site is undertaken in accordance with the aforementioned programme of works.

REASON: To safeguard any archaeological remains on site and to ensure the correct level of mitigation fieldwork is undertaken and reported on.

3 Prior to any site development or works commencing on site, the developer shall submit a remediation strategy or plan detailing all the remedial actions which are to be undertaken at the site in order to mitigate the risk of exposure to contaminants identified in the report to key receptors (this shall include a suitable Giant Hogweed and Japanese Knotweed management plan).

REASON: To confirm that any remedial works have been carried out in accordance with the remediation plan.

4. On completion of the remedial works required under Condition 3 of this consent, a verification/validation report should be supplied, documenting all remedial actions which were undertaken at the site, including copies of the consignment notes for any material removed from the site to landfill and validation test results for soils which are to be imported/reused on site.

REASON: To confirm that any remedial works have been carried out in accordance with the remediation plan.

5. A revised Drainage Assessment shall be submitted to and approved in writing by the Planning Authority, prior to the commencement of development on site and implemented as approved thereafter.

REASON To satisfactorily assess the drainage impacts effects of the development.

6. Notwithstanding the submitted plans, details and samples of all external materials to be used in the construction of the dwellings shall be submitted to and approved in writing by the Planning Authority prior to the commencement of development on site and implemented as approved thereafter.

REASON In the interests of visual amenity.

7. Notwithstanding the submitted plans, details of the design and construction of all boundary features, fences and walls to be erected on the site shall be submitted to and approved in writing by the Planning Authority before any development commences on the site and shall be implemented as approved thereafter.

REASON To ensure that urban design and landscape considerations are taken into account so that the physical development creates attractive and usable public space, maximises the visual impact of the gateway into the site, achieves a high quality and consistent boundary treatment within and at the edges of the development, clearly defines public and private space and allows the Planning Authority to control the design and construction of such features in the interests of visual amenity.

8. Details of the proposed waste storage arrangements, consistent with the Council's Area Waste and Implementation Plan, shall be submitted to and approved by the Planning Authority in writing prior to the commencement of development on site and shall thereafter be implemented prior to the occupation of any dwelling houses to which they relate.

REASON To ensure adequate and appropriate bin storage facilities.

9. Notwithstanding the approved plans, design details of the proposed equipped play area and facilities (including a timetable for their implementations and subsequent maintenance) shall be submitted to and approved by the Planning Authority in writing prior to the commencement of development on site.

REASON To ensure adequate play facilities are provided.

10. Notwithstanding the approved plans, design details of the proposed bin storage facilities shall be submitted to and approved by the Planning Authority in writing prior to the commencement of development on site and shall thereafter be implemented prior to the occupation of any dwelling houses to which they relate.

REASON To ensure visual quality in the design of the bin storage facilities.

11. Before any works start on site, a scheme of landscaping indicating the siting, numbers, species and heights (at time of planting) of all trees, shrubs and hedges to be planted, and the precise timing and phasing of the landscaping works shall be submitted to and approved in writing by this Planning Authority. The scheme as approved shall be implemented within the agreed timescale.

REASON To ensure that key urban design and landscape considerations are taken into account so that the landscaping and tree / shrub planting creates attractive and usable public space, maximises the visual impact of the site and achieves a high quality and consistent boundary treatment within and at the

edges of the development; in the interests of visual amenity and to ensure a satisfactory standard of local environmental quality.

12. Details of a maintenance agreement for the areas of open space and landscaping shall be submitted to and approved by the Planning Authority in writing prior to the occupation of the first house and implemented as approved thereafter.

REASON To ensure the future maintenance of all open space and landscaping.

13. All planting carried out on site shall be maintained by the developer in accordance with good horticultural practice for a period of 5 years from the date of planting. Within that period any plants which are dead, damaged, missing, and diseased or fail to establish shall be replaced annually.

REASON In the interests of visual amenity and effective landscape management and to ensure that adequate measures are put in place to protect the landscaping and planting in the long term.

14. The section of footway within the limits of the public road, on the south side of the B7081 between Dalespark Roundabout and the Munro Avenue junction, shall be upgraded to ensure a continuous footway link of 2 metres.

REASON In the interests of pedestrian safety.

15. Details of bus stops and associated furniture (including a timetable for their implementations) to be provided to serve the site shall be submitted to and approved by the Planning Authority in writing prior to the occupation of the first house and implemented as approved thereafter.

REASON To ensure the site can be properly served by public transport.

16. Notwithstanding the approved drawings, should the future Traffic Regulation Order to extend the 30 mph limit to include the site access be unsuccessful, the driveway position of Plot 1 will require [i] a road hump prior to the position of the driveway, and [ii] to take access from the shared surface road adjacent to the T-junction onto Irvine Road. Prior to any work commencing on Plot 1, details of the access shall be submitted to and approved in writing by the Planning Authority and shall be fully implemented thereafter prior to the occupation of the dwellinghouse on this plot.

REASON In the interest of road safety.

17. A phasing plan for the completion of all roads and footpaths to final wearing surface, street lighting and street signs within the application site shall be submitted to and approved in writing by the Planning Authority prior to the commencement of development on site. The approved phasing plan shall thereafter be adhered to at all times.

REASON In the interests of residential amenity and road safety.

18. During the period of construction works the developer of the site shall ensure that adequate and continuing measures are taken such that Irvine Road adjoining the site is maintained free from mud and other material carried from the site by construction and any other vehicles.

REASON In the interests of public and road safety.

19. No materials other than topsoil shall be brought into the site for the purposes of infilling or upraising ground levels without the prior written consent of the Planning Authority.

REASON In order to control the development of the site and materials used in the making up of ground levels.

20. Any waste arising from the construction works shall be disposed of to the satisfaction of the Waste Management Authority and other than by means of burning on site.

REASON In the interests of residential amenity.

21. No activity associated with construction of the development hereby approved, shall take place at the site outwith the hours of 8.00 am and 6.00pm pm Monday to Friday and 8.00 am and 1.00 pm on a Saturday. No noisy construction activities shall take place at any time on a Sunday.

REASON In the interests of nearby residential amenity.

22. The construction traffic management plan as submitted shall be adhered to at all times throughout the period of preparation and construction on-site.

REASON In the interests of residential amenity and road safety.

23. Surface water from the site is to be treated in accordance with the principles of the Sustainable Urban Drainage Systems (SUDS) Manual published by CIRIA in March 2007.

REASON: To ensure the site is drained in an acceptably sustainable manner and the drainage infrastructure is properly maintained.

24. Prior to the commencement of development on site, final details of the design (including boundary treatment) planting and maintenance of the proposed Sustainable Urban Drainage System following installation shall be submitted to and approved in writing by the Planning Authority. The Sustainable Urban Drainage System shall have been formed with all necessary consents in place, prior to the occupation of any residential units. The SUDS arrangement shall thereafter be maintained in accordance with the approved details.

REASON To ensure adequate drainage is provided.

25. All future occupants of the proposed dwellings shall be made fully aware of the location of the play area as approved under Condition 9, details of the play equipment, on-site drainage, including the SUDS detention basin, and maintenance arrangements for these items prior to the purchase of any of the residential units. Details of how future occupants of the proposed residential units are to be informed of these approved items shall be submitted to and approved in writing by the Planning Authority prior to the occupation of the first house.

REASON To ensure residents are fully aware of the location of these items in the interest of residential amenity.

26. The play area shall be fully completed prior to the construction of more than 50% of the residential units within the site and shall be subsequently maintained in accordance with the approved details.

REASON To ensure a satisfactory play area is timeously achieved and in the interests of residential amenity.

27. A phasing plan for the completion of all roads and footpaths to final wearing surface, street lighting and street signs within the application site shall be submitted to and approved by the Planning Authority prior to the commencement of development on site. The approved phasing plan shall thereafter be adhered to at all times.

REASON In the interests of residential amenity and road safety.

28. Prior to any development works commencing on site, details of finished floor levels of the proposed dwellings shall be submitted to and approved by the Planning Authority in writing prior to the commencement of development on site. Floor levels shall thereafter be formed in accordance with the approved details.

REASON To allow the planning Authority to consider this aspect in detail in the interests of residential amenity.

NOTES:-

1. The applicant shall make early contact with East Ayrshire Council Roads and Transportation Division prior to the commencement of development on site to ascertain if any permits for road/footway works are required. Furthermore, the applicant is advised to contact the Roads and Transportation Division with respect to promoting a Traffic Regulation Order to extend the 30 mph limit on the B7081. East Ayrshire Council Roads and Transportation Division can be contacted on 01563 576310.
2. The applicant shall make early contact with Scottish Water on 0845 601 8855. The applicant should ensure that prior to development commencing on site, they have secured agreement from Scottish Water regarding the suitability of all proposed drainage connections and the suitability of the existing infrastructure to accommodate such connection.
3. With regard to construction, pollution prevention, and the transport and storage of waste materials, the development of the site must be carried out with due regard to the relevant Regulations and SEPA's guidelines.
4. The applicant is advised to contact Scotland Gas Networks with regards to their apparatus in the vicinity, on 0141 418 4093.
5. The applicant is advised to contact Scottish Power with regards to their apparatus in the vicinity, on 0141 567 4155.
6. The remediation plan and verification/validation report should be formulated in line with CLR 11 Model Procedures for the Management of Land Contamination and with reference to Summary Guidance and Checklists for the Development of Potentially Contaminated land which is available to download at: <http://www.eastayrshire.gov.uk/devser/planandbuild/dpguidance.asp>
7. The applicants is advised that due to the contamination on site, prospective purchasers should be made aware that any future applications to extend any household may require a Site Investigation to be carried out, due to the contamination/remediation measures on site.