

EAST AYRSHIRE COUNCIL

SOUTHERN LOCAL PLANNING COMMITTEE – 24 APRIL 2009

**09/0075/OL RE-ROUTING OF GLAISNOCK WATER AND INFILLING OF
EXISTING WATERCOURSE ROUTE**

AT GREENHOLM ROAD, CUMNOCK

BY CUMNOCK REGENERATION (OFFICE) LTD

EXECUTIVE SUMMARY SHEET

1. DEVELOPMENT DESCRIPTION

1.1 Outline planning consent is sought for the re-routing of the meander in the Glaisnock Water and infilling of existing water course route. The application is in outline form however an indicative new alignment for the river and associated cross sections have been included in the submission. The re-routing starts upstream of the existing pedestrian footbridge that leads from Greenholm Road to Sommerfield. The realigned river turns to the west across Greenholm Road and widens out to where an indicatively proposed vehicular bridge leads to the car park indicated as serving a future upgraded shopping centre. From this point the river diversion is shown with some very minor meanders then joins with the existing river approx 20m downstream of the narrow pedestrian footbridge which leads to the existing car park.

2. RECOMMENDATION

2.1 It is recommended that this application for full planning consent be approved subject to the conditions listed on the attached sheet.

3. CONCLUSIONS

3.1 As indicated in Section 5 of the report the application is considered to be in accordance with the development plan. Therefore given the terms of Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 the application should be approved unless material considerations indicate otherwise. As indicated in Section 6 there are material considerations relevant to this application however it is considered that these are generally supportive of the application.

3.2 The proposal shows full compliance with the relevant policies set out within the Adopted East Ayrshire Local Plan in terms of the principle of the development. The information received during the consultation process indicates support for the proposal based on the information submitted at this outline stage. The representation points received can be adequately addressed and in large part refer to details that would require to be submitted as part of a detailed planning submission and it is therefore considered that the representations cannot be viewed as carrying sufficient weight to merit the refusal of the application.

3.3 The re-routing of this section of Glaisnock Water is a major engineering operation which is supported through the wider Cumnock Town Centre Masterplan in that it helps facilitate infrastructure requirements for a future redevelopment of the shopping centre. Although this proposal has the potential to disrupt the existing biodiversity of this section of the Glaisnock Water, a carefully engineered redevelopment allowing for gently sloping embankments, landscaping and planting schemes has the potential to improve on the existing levels of biodiversity and create a safe and pleasant environment for the general public to utilise and enjoy whilst assisting in Cumnock's regeneration.

8.4 In this instance, the material considerations are not such as to indicate that the proposal would be unacceptable and it is considered that this application should be approved.

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 Principal Planning Committee 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.

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BY CUMNOCK REGENERATION (OFFICE) LTD

Report by Head of Planning and Economic Development

1. PURPOSE OF REPORT

1.1 The purpose of this report is to present for determination an application for outline planning approval, to be considered by the Southern Local Planning Committee under the scheme of delegation as it represents a major application as part of the Cumnock Town Centre Regeneration Project.

2. APPLICATION DETAILS

2.1 **Site Description:** The application site is located within a central area of the settlement of Cumnock covering the meander of the Glaisnock Water and the area of ground within it. The site stretches from the bottom of Greenholm Road approximately 35m to the south of the pedestrian bridge which leads to Sommerfield supermarket. To the north the site boundary stretches along the northern bank of the Glaisnock Water to a point approximately 20m to the west of the smaller pedestrian footbridge leading to the shopping centre car park. The southern site boundary takes the form of a diagonal line cutting across Greenholm Road. The area contained within the central part of the application site is currently occupied by a traditional row of residential cottages and a large area of open space.

2.2 The application site boundary extends to some 1.29 hectares comprising of generally level open space with a traditional residential development within the centre of the site. The existing river is in a poor visual condition with areas of heavy planting and large litter deposits. The northern most banking shows signs of stabilisation works with gabion baskets installed to reduce banking erosion.

2.3 **Proposed Development:** Outline planning consent is sought for the re-routing of the meander in the Glaisnock Water and infilling of existing water course route. The application is in outline form however an indicative new alignment for the river and associated cross sections have been included in the submission. The re-routing starts upstream of the existing pedestrian footbridge that leads from Greenholm Road to Sommerfield. The realigned river turns to the west across Greenholm Road and widens out to where an indicatively proposed vehicular bridge leads to the car park indicated as serving a future upgraded shopping centre. From this point the river diversion is shown with some very minor meanders then joins with the existing river approx 20m downstream of the narrow pedestrian footbridge which leads to the existing car park.

3. CONSULTATIONS AND ISSUES RAISED

3.1 East Ayrshire Council's Environmental Health Division (Ground Contamination) has not formally objected to the principle of this proposal however advise that the following condition should be attached to any consent granted.

"If any unsuspected contamination is encountered during the proposed works, the Council should be informed immediately and remedial measures formulated to address the risk of exposure to key receptors".

Noted. The above comments can be attached as a planning condition to any consent granted.

3.2 East Ayrshire Council's Environmental Health Division have no objection in principle to the proposal and offer the following comments.

- (i) Noisy work on site during construction shall be restricted to 7am to 7pm Monday to Friday, 8am – 1pm on a Saturday, and no noisy work on a Sunday.
- (ii) Noise from the works during construction shall at no time cause the underlying background noise level LA90(1 hour) to rise by more than 3dB(A) measured at the nearest noise sensitive location.
- (iii) All waste arising from the works shall be disposed of to the satisfaction of the Waste Management Authority and otherwise than by burning.

Noted. The above comments can be attached as a planning condition to any consent granted.

3.3 East Ayrshire Council's Roads and Transportation Division have no objections to the proposal subject to the following conditions:

- (i) A site development traffic plan shall be submitted for approval prior to works commencing on site.

Noted. The above comments can be attached as a planning condition to any consent granted.

3.4 East Ayrshire Council's Roads and Transportation Division (Flooding) have no objection to the proposed development and offer the following comments.

Given the limited information supplied at this time, the Council's Flooding Section do not have any objection in principle to the application with respect to flood risk. Notwithstanding this, the following requires being noted/addressed at the full planning application stage:

- a) Existing ground levels are being raised for the bridge structure and ramps; what compensatory measures are being provided for loss flood storage?
- b) A flood inundation plan, both sides of the river, will be required detailing the 1 in 20, 50, 100 and 200 year flood events noting at various locations depths of inundation and existing/proposed ground levels, in particular in the vicinity of the residential cottages, supermarket/s, new office block (floor levels should also be shown) etc.
- c) Sensitivity analysis and effect will be required at the bridge structure in the event of a partial blockage.
- d) Details of the treatment and disposal of surface water will be required.

The above request for information may not be exhaustive as further questions may be asked once the full planning application has been received.

Noted. The above comments can be attached as planning conditions / advisory note on any consent granted.

3.5 Scottish Power have no objection in principle to the proposal however state that apparatus is within/adjacent to the site which may require alteration or protection depending on the extent of the development.

Noted. The above comments can be attached as a planning condition / advisory note on any consent granted.

3.6 Scottish Water have no objection to this proposal providing that any existing apparatus within the development area is fully protected.

Noted. The above comments can be attached as a planning condition / advisory note on any consent granted.

3.7 Scotland Gas Networks has no objection to the proposed development provided that no mechanical excavations take place above or within 0.5m of any

low pressure system, 2m of any medium pressure system and 3m of any intermediate pressure system.

Noted. The above comments can be attached as a planning condition / advisory note on any consent granted.

3.8 Scottish Environment Protection Agency has no objection to the proposed development on flood risk grounds and offers the following comments.

Technical Report

SEPA (via Flood Risk Hydrology) has previously commented on these applications and raised some concerns with regards to flood risk in terms of the design flows, sensitivity analysis, compensatory storage and watercourse diversion proposals.

1. Further information (Halcrow e-mail of the 08/04/09) was provided to SEPA which confirmed that the revised Qmed has been considered and a conservative design flow has been adopted.
2. Sensitivity analysis has also now been undertaken/provided on channel roughness which suggests that the model is relatively stable to changes in this parameter.
3. At this time it is acknowledged that the watercourse diversion 'design' is still outline in nature. As such the design has yet to be finalised and SEPA understands that discussions are on-going in relation to the CAR license required. Based on this it is recommended that full planning permission is conditional on provision of further information confirming that it complies with SPP7.

Summary of Technical Points

4. In summary SEPA has no objection to the proposed development on flood risk grounds, subject to the following planning conditions being imposed:
 - At the detailed planning stage further information to be provided on the watercourse diversion to ensure it complies with SPP7.

In the event that the planning authority proposes to grant planning permission contrary to this advice on flood risk the application must be notified to the Scottish Ministers as per the Notification of Applications Direction 2007.

Noted. The above comments can be attached as planning conditions to any consent granted. (It should be noted that the 2007 Direction has now been superseded and replaced by the Town and Country

Planning (Notification of Applications) (Scotland) Direction 2009; although the principle of notification, in the event the planning authority disregards SEPA consultation responses, remains.)

3.9 Scottish Natural Heritage originally raised concerns relating to the natural heritage interests on the site, notably the river Glaisnock Water, which was noted as potentially capable of holding otters and water voles. As otters are afforded European Protection status, SNH requested a survey of otters and water voles. This survey was undertaken and passed to SNH for further comments. SNH have now revised their response stating that although the survey found plenty of evidence of otter activity in the general area they found no evidence of actual otter residence in the immediate vicinity of the above site. The survey found no trace of water voles. SNH is content that the proposed development will have no significant or lasting impact on the local natural heritage interests and therefore has no objection to the proposal.

Noted.

3.10 Strathclyde Fire and Rescue confirm that following consideration of the plans they have no comment to make.

Noted.

3.11 Ayrshire Rivers Trust (ART) have objected to the proposal primarily due to lack of sufficient supporting information. The trust has noted a range of issues that would need to be considered; these are detailed below:

- Environmental Impact Assessment.
- Method Statements
- Design of proposed diversion
- Qualifications and experience of diversion design and implementation team
- Fish monitoring pre and post works
- Fish rescue from existing channel
- Potential impact on fish passage with new channel
- Invasive weed control within existing and new channel
- The provision of offset mitigation elsewhere in the catchments to mitigate the loss of existing habitat within the meander.

The issues noted above would be addressed at the detailed planning application stage. As this outline application is simply establishing the principle of the proposal, the above level of detail is not required at this time.

3.12 Cumnock Community Council has no objection to the proposal.

Noted.

4. REPRESENTATIONS

4.1 Neighbour notification was undertaken by the applicants and the application was advertised in the local press. One formal letter of objection was received in addition to the objection received from the Ayrshire Rivers Trust.

4.2 Cumnock and District Angling Association have objected in principle to the proposed plan specifically with regard to a perceived lack of information supporting the application – for instance, there is no mention of moving fish from the area to be reclaimed.

The lack of information associated with this application as noted in the response above in section 3.11 is due to the nature of the outline proposals. The outline application seeks to establish the principle of the proposed development with further more specific details being required as part of the assessment of a detailed planning application which would be required before any development works could commence on site. The issues raised in the above representation could be addressed as part of the detailed planning submission.

5. ASSESSMENT AGAINST DEVELOPMENT PLAN

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

Ayrshire Joint Structure Plan

5.2 Policy COMM 1 (Regeneration) states that the three Ayrshire Councils shall,

A) give priority to proposals that regenerate existing communities including the Coalfield Communities Initiative Area and Kilmarnock Town Centre.

The proposal forms part of the Cumnock Town Centre Regeneration scheme and therefore would, in principle, accord with Policy COMM 1.

5.3 Policy ENV 8 (Flooding) states that,

A) In accordance with the policy in SPP 7, development proposals which would be at significant risk of flooding or which would increase the probability of flooding elsewhere will not be permitted. Local Plans will apply the policy in the light of SEPA's flood risk maps. There will be a presumption against land raising except in exceptional circumstances and in situations where this would not increase the risk of flooding within the area.

B) The three Ayrshire Councils shall take into account the need to preserve, enhance and create water storage areas, such as flood meadows, to reduce the risk of flooding in built up areas.

The Council's Flooding Section and SEPA have confirmed the principle of the proposed river diversion is acceptable provided that the detailed planning submission shows full compliance with the principles and requirements set out in Scottish Planning Policy 7 – Planning and Flooding.

East Ayrshire Local Plan

5.4 Recommendation REC 2 recommends that developers, when formulating their development proposals, consult all appropriate utility companies and statutory undertakers.

To accord with Recommendation REC 2 the Council are satisfied, following the above consultation exercise, that the proposal does not adversely affect the apparatus of any utility companies and statutory undertakers.

5.5 Policy T2 states that the Council will seek to ensure that the travel demands of all significant new development proposals can be met by the provision of an integrated and safe transport infrastructure. In particular, developers should ensure that their proposals:

(ii) incorporate, where necessary, clearly signposted and well lit footpaths and cycle routes between the development and existing or proposed local community and other facilities, transport interchange points and nodes etc;

(iii) incorporate all necessary measures to minimise pedestrian and vehicular conflict.

It should be noted that the indicative outline proposal for diversion of the Glaisnock Water would involve severance of both the existing respective footpath and public right of way from Glaisnock Shopping Centre car park to Greenholm Road, and Townhead Street to Coila

Place, Cumnock. However, the outline proposal shows a potential bridging of the above diversion to ensure continued access to areas south of Glaisnock Water. It is therefore considered that, in principle, the proposal would accord with Policy T2 through providing the opportunity of retaining the above pedestrian movements in this part of Cumnock town centre. This would ensure that the current local separation of pedestrian and vehicular movements in this part of Cumnock is continued and can contribute to the overall transport element of the regeneration of the town centre. It is considered that the proposal would not affect the office and car park being promoted at Greenholm Road/ Glaisnock Street through planning application 09/0076/FL because any permanent structures/ servicing would be south of the potential river diversion. However, the proposal would significantly change the locus of the above two existing routes and, were the proposal to be adopted, it would require the promotion and approval of Stopping Up and/or Diversion Orders in respect of the above public footpath and right of way, and in relation to that part of Greenholm Road affected by the proposed diversion.

In conclusion, the development is considered to be; on the whole, in accordance with the policies of the Ayrshire Joint Structure Plan and the Adopted East Ayrshire Local Plan. In addition on 17 December 2008 a Cabinet decision was taken to approve the Cumnock Town Centre Masterplan which was subsequently adopted on 04 March 2009 as supplementary planning guidance, which provides a framework for the regeneration of the town centre. Following the Cabinet approval, the Masterplan should be treated as a material consideration and due weight should be given to it in the determination of the current application.

6. ASSESSMENT AGAINST MATERIAL CONSIDERATIONS

6.1 The principal material considerations relevant to the determination of this application are the Alterations to the East Ayrshire Local Plan (Finalised Version with Modifications), consultation responses received which are addressed in Section 3 of the report, the letters of objection, impact upon the amenity of the area and the Cumnock Town Centre Masterplan.

6.2 For clarity , whilst development proposals will continue to be assessed first and primarily against the adopted local plan, the Council has now given authority for an appropriate and proportionate degree of weight to be given to the Alteration to the East Ayrshire Local Plan in the determination of planning applications in the following manner.

Alteration to the East Ayrshire Local Plan (Finalised Version with Modifications)

6.3 Recommendation REC2 recommends that developers, when formulating their development proposals, consult all appropriate utility companies and statutory undertakers.

The Council can ensure through the use of advisory notes that if the proposal adversely affects the apparatus of any utility companies and statutory undertakers, feasible alternative arrangements can be made to accommodate their requirements in this respect.

Policy T 3 states that the Council will require developers, in formulating their development proposals, to ensure that their proposals meet all of the requisite standards of the Council as roads authority. Developments which do not meet these standards will not be considered acceptable and will not receive Council support. In addition, developers should ensure that their proposed developments:

- (i) are capable of being served by regular and frequent public transport services;
- (ii) incorporate, where necessary and practicable, clearly signposted and well lit footpaths and cycle routes between the development and existing or proposed local community and other facilities, transport interchange points and nodes etc;
- (iii) incorporate all necessary measures to minimise pedestrian and vehicular conflict;
- (iv) incorporate appropriate traffic calming measures where considered necessary; and
- (v) incorporate adequate disabled parking and parking for bicycles as considered appropriate.

The proposals do not impact negatively on these criteria but it would be appropriate during the construction phase to ensure that there remains pedestrian access across the Glaisnock Water.

The Council will require residential developers whose developments are likely to generate substantial numbers of journeys to make financial contributions towards:

- helping meet the identified transport requirements and needs of users of the developments concerned and the wider community within which the proposed development is to be located; or
- the development of new community transport initiatives.

Developer contributions will be required by means of a Section 75 Agreement between the applicant and the Planning authority as set out in the Council's Supplementary Planning Guidance regarding these matters.

This aspect of the policy is not applicable in these circumstances as this is not a residential development.

It should be noted that the indicative outline proposal for diversion of the Glaisnock Water would involve severance of both the existing respective footpath and public right of way from Glaisnock Shopping Centre car park to Greenholm Road, and Townhead Street to Coila Place, Cumnock but that the outline proposal shows a potential bridging of the above diversion to ensure continued access to areas south of Glaisnock Water. It is therefore considered that, in principle, the proposal would accord with Policy T3 through providing the opportunity of retaining the above pedestrian movements in this part of Cumnock town centre. This would ensure that the current local separation of pedestrian and vehicular movements in this part of Cumnock is continued and can contribute to the overall transport element of the regeneration of the town centre. It is considered that the proposal would not affect the office and car park being promoted at Greenholm Road/ Glaisnock Street through planning application 09/0076/ FL because any permanent structures/ servicing would be south of the potential river diversion. However, the proposal would significantly change the locus of the above two existing routes and, were the proposal to be adopted, it would require the promotion and approval of Stopping Up and/or Diversion Orders in respect of the above public footpath and right of way, and in relation to that part of Greenholm Road affected by the proposed diversion.

It would be appropriate during the construction phase to ensure that there remains pedestrian access across the Glaisnock Water.

Consultation Responses

6.4 The consultation responses are detailed in the report and have been carefully considered. The submissions do not raise any issues of sufficient weight to warrant refusal of this application. Any issues raised by consultees can be addressed by conditions should Members choose to grant consent.

Objections

6.5 The single letter of representation received has been addressed under Section 4 of this report. None of the issues raised are considered to warrant refusal of this application.

Impact on Amenity

6.6 The development proposes a dramatic change to the landscape characteristics of this area of Cumnock, however when considered in a holistic manner, the re-routing of this section of the Glaisnock water is required as part of the wider regeneration Masterplan for Cumnock. Although there is a significant change to the amenity of the area arising from the re-routing, the proposal has the potential to improve peoples' interaction with the watercourse as at present the river and banks do not uniformly promote a sense of safe access. The proposed re-routing therefore has the potential to allow for the Glaisnock Water to become a focal point rather than a hidden feature within Cumnock as well as a positive attribute to Cumnock's regeneration.

Cumnock Town Centre Masterplan

6.7 The purpose of the Masterplan is to provide a development framework for the regeneration of Cumnock Town Centre. To meet the key objectives for the regeneration of Cumnock Town Centre, the masterplan will provide the following:

- Provision of a new supermarket
- Modernise and extend Glaisnock shopping centre
- Development of town centre offices for EAC and other agencies to deliver services locally
- Improve town centre access, traffic flows, parking and pedestrian movements
- Enhance the public realm and appearance of the town centre.

The main objective of the Cumnock Town Centre Masterplan is to provide social and economic regeneration while making public realm and environmental improvements to a Brownfield site within the Town Centre. The Masterplan and Environmental Report were adopted by East Ayrshire Council as Supplementary Planning Guidance on 4th March 2009.

The proposal shows compliance with the Cumnock Town Centre Masterplan and the required mitigation as set out in the accompanying SEA Environmental Report shall be included where appropriate by means of conditions attached to any consent granted.

7. FINANCIAL AND LEGAL IMPLICATIONS

7.1 The Council has a financial interest in the application site in that the proposal has been submitted by its joint venture partners, Cumnock Regeneration (Office) Ltd. The Council also has an ownership interest in part of the site.

7.2 The Council has a legal interest in the development through its joint venture partnership and its ownership part of the site.

7.3 The application will not require to be referred to the Scottish Ministers in terms of the Town and Country Planning (Notification of Applications) (Scotland) Direction 2009.

8. CONCLUSIONS

8.1 As indicated in Section 5 of the report the application is considered to be in accordance with the development plan. Therefore given the terms of Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 the application should be approved unless material considerations indicate otherwise. As indicated in Section 6 there are material considerations relevant to this application. These include the Alteration to the East Ayrshire Local Plan (Finalised version with Modifications). Two objections have been received from the statutory consultation and neighbour notification process.

8.2 The proposal shows full compliance with the relevant policies set out within the Adopted East Ayrshire Local Plan in terms of the principle of the development. The information received during the consultation process indicates support for the proposal based on the information submitted at this outline stage. The representation points received can be adequately addressed and in large part refer to details that would require to be submitted as part of a detailed planning submission and it is therefore considered that the representations cannot be viewed as carrying sufficient weight to merit the refusal of the application.

8.3 The re-routing of this section of Glaisnock Water is a major engineering operation which is supported through the wider Cumnock Town Centre Masterplan in that it helps facilitate infrastructure requirements for a future redevelopment of the shopping centre. Although this proposal has the potential to disrupt the existing biodiversity of this section of the Glaisnock Water, a carefully engineered redevelopment allowing for gently sloping embankments, landscaping and planting schemes has the potential to improve on the existing levels of biodiversity and create a safe and pleasant environment for the general public to utilise and enjoy whilst assisting in Cumnock's regeneration.

8.4 In this instance, the material considerations are not such as to indicate that the proposal would be unacceptable and it is considered that this application should be approved.

9. RECOMMENDATION

9.1 It is recommended that this application for outline planning consent be approved subject to the conditions listed 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 Principal Planning Committee as this would not constitute a significant breach of policy.

Alan Neish
Head of Planning and Economic Development

15 April 2009
RG/
FV/DVM
Amended 29 April 2009

LIST OF BACKGROUND PAPERS

1. Application Forms/Plans.
2. Statutory Letters/Certificates.
3. Consultations.
4. Letter of Objection.
5. Approved Ayrshire Joint Structure Plan.
6. Adopted East Ayrshire Local Plan.

Anyone wishing to inspect the above papers please contact Robin Ghosh Planning Officer, on 01563 555483.

Implementation Officer: Dave Morris

EAST AYRSHIRE COUNCIL

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

Application No: 09/0075/OL

Site of Proposal: Greenholm Road, Cumnock

Nature of Proposal: Re-routing of Glaisnock Water and Infilling of Existing Watercourse route

Name & Address of Applicant: Cumnock Regeneration (Office) Ltd

DPOs Reference:

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

1. Before any development commences on the site, the further approval of the Planning Authority shall be obtained in respect of the under mentioned matters hereby reserved:
 - (a) The precise alignment of the re-routed river;
 - (b) Finished site levels;
 - (c) The width, depth, design and external appearance of the re-routed river course; including materials to be utilised in the formation of the river channel and embankment gradients to be attained.
 - (d) Details of ongoing access to the new river banks as formed for members of the public and statutory undertakers;
 - (e) Full details of the manner of infilling of the existing river course including proposed fill materials and final finishes.
 - (f) The landscaping of the area contained within the site boundary upon completion of the river diversion works;
 - (g) The provisions to be made, upon completion of the river diversion, for the maintenance of the area contained within the site boundary pending any future development;
 - (h) Full details of any bridges, boundary walls or fences to be erected;

- (i) Finished site levels/floor levels.
- (j) Details of the compensatory measures proposed for loss of flood storage;
- (k) A flood inundation plan, both sides of the river, shall be submitted detailing the 1 in 20, 50, 100 and 200 year flood events noting at various locations depths of inundation and existing/proposed ground levels, in particular in the vicinity of the residential cottages, supermarket/s, new office block (floor levels should also be shown) etc.
- (l) A detailed sensitivity analysis and effect at the bridge structure in the event of a partial blockage shall be submitted.
- (m) Compliance with the provisions set out in Scottish Planning Policy 7 – Planning and Flooding.

REASON The approval is in outline only.

2. Prior to the commencement of any development on site, full details of the following matters shall be submitted to and approved by the planning authority and thereafter implemented as approved.

- (a) Measures to remove and control any future spread of invasive weeds such as Japanese Knotweed;
- (b) Measures to allow for the continuing passage of fish along the Glaisnock Water during the river diversion works including the rescue / relocation of fish impacted by the closure of the existing river channel;
- (c) The arrangements for the monitoring of fish activity and passage through the Glaisnock Water during the period of river diversion
- (d) The provision of offset mitigation elsewhere in the catchment area to mitigate any loss of existing habitat within the river meander.

REASON To ensure that the development proceeds having due regard to the ongoing functioning of the Glaisnock Water.

3. Prior to the commencement of any development works, a site development traffic plan shall be submitted to and approved by the Planning Authority in consultation with the Roads and Transportation Division and thereafter implemented as approved.

REASON In the interests of road and pedestrian safety.

4. If any unsuspected contamination is encountered during the proposed works, the Council should be informed immediately and remedial measures formulated to address the risk of exposure to key receptors.

REASON To ensure potential risks arising from previous site uses have been fully assessed.

5. Construction works and any associated deliveries on site shall not be carried out prior to 0700 hours and after 1900 hours on Monday to Friday, prior to 0800 hours and after 1300 hours on a Saturday and not at any time on Sundays.

REASON To prevent noise disturbance during the construction period extending into hours during which other sources of noise have subsided in the interest of residential amenity.

6. Details of the measures to be taken during the development / diversion works to allow for continuing pedestrian access across the Glaisnock Water; having regard to existing crossing points and pedestrian routes; shall be submitted to and approved by the Planning Authority prior to the commencement of development and implemented thereafter as approved.

REASON To ensure the continuation of existing pedestrian access across the Glaisnock Water.

Notes to Applicant:

1. Scottish Power have noted the presence of apparatus within the application site and advise that prior to development works commencing on site contact should be made directly with Scottish Power. Scottish Power can be contacted on 0141 567 4155.

2. Scotland Gas Networks advise that no mechanical excavations take place above or within 0.5m of the low pressure system, 2m of the medium pressure system and 3m of the intermediate pressure system. Scotland Gas Networks can be contacted on 0141 418 4093.

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