

EAST AYRSHIRE COUNCIL

CENTRAL LOCAL PLANNING COMMITTEE: 19 AUGUST 2005

**05/0746/RM: CONSTRUCT 85 NO. HOUSES AND ASSOCIATED
LANDSCAPING AND LINEAR PARK WITH AMENITY FACILITIES AND
BUFFER LANDSCAPE ZONES
SITE C - LAND EAST OF MOORFIELD ROUNDABOUT,
CROSSHOUSE ROAD, MOORFIELD, KILMARNOCK, KA1 2RS
BY BELLWAY HOMES (SCOTLAND) LTD**

EXECUTIVE SUMMARY SHEET

1. DEVELOPMENT DESCRIPTION

1.1 Reserved Matters permission is sought for the erection of 85 dwellinghouses and details of the linear park and landscaping. The development comprises the following components:-

- 18 semi-detached houses of 2 storey in height of 3 bedroom accommodation with integral garages.
- 11 detached houses of 2 storey in height of 3-bedroom accommodation with integral garages.
- 45 detached houses of 2 storey in height of 4-bedroom accommodation with either integral or attached garages.
- 11 detached houses of 2 and 2½ storey in height of 5-bedroom accommodation with either integral or attached garages.
- Materials of the dwellings comprise flat grey roof tile, the use of brown and buff split stone, buff facing brick and white render.
- The dwellings are sited in 3 cul-de-sacs, one cul-de-sac is at the entrance and overlooks the SUDs pond and landscaping area. The remaining houses are sited along a loop road within the centre of the site.
- Boundary treatment includes the use of stone walling and timber fencing.

1.2 The landscaping details comprise the following elements:-

- A landscaped/open space area to the rear of Plots 37 to 48 which will be accessed by a public footpath linking it to the existing roadway. The area immediately adjacent to the rear of Plots 37 to 48 will be a woodland mix and the remaining area comprising of hedging, grass, trees and shrubs.
- A woodland mix proposed along the rear curtilage of Plots 1 to 10 and the side boundary of Plot 11.
- Trees and shrubs in the front gardens to create tree lined streets and cluster of trees on key corners.
- A 5 metre landscaped buffer along the eastern boundary with Annandale Guest House of trees and hedgerow mix.

The linear park will comprise the following elements:-

- The top half will comprise a full sized grass football pitch with changing facilities. The proposed building is 155.8 square metres in area and comprises changing facilities, showers and toilets for both teams and a room for the referee. The materials of the building comprises of facing brick with a tiled roof. A car parking area of 37 spaces is also proposed.
- The existing public road will become a footway/cycleway through the centre of the linear park with a new surface and lighting.
- Three play areas are proposed for toddlers, junior and teen area. A multi-activity unit, two play springs and play dish are proposed in the toddler area; two swings, low rotator and multi-activity unit in the junior area and teen zone shelter with climbing wall in the teen area.
- The remaining area of the linear park will be landscaped with trees, retention of the existing hedgerows and infilling of it, shrubs and grass to provide an informal recreational area.

2. RECOMMENDATION

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

3. CONCLUSIONS

3.1 As indicated in Section 5 of the report the application is 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.

3.2 As indicated in Section 6 of the report there are relevant material considerations. The concerns of objector are noted however they are not considered to be of sufficient weight to justify a recommendation of refusal. The concerns either are not material or can be addressed by attaching conditions to the grant of planning consent. The proposed development meets the terms of the outline planning permission, the associated Legal Agreement and Policies RES 19 and 21 and ENV 7 of the Adopted EALP.

3.3 The proposed development will add to the amenity of the area, by providing a range of modern housing of different sizes to meet housing demand. The provision of strategic public open space, play areas and a football pitch will provide recreational facilities for the overall area. The structural landscaping will complement and enhance the residential development.

CONTRARY DECISION NOTE

Should the Committee agree that the application be refused contrary to the recommendation of the Head of Planning, Development and Building Standards it will not require to be referred to the Development Services Committee as there would be no significant breach of Council policy.

Alan Neish
Head of Planning, Development and Building Standards

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, Development and Building Standards

1. PURPOSE OF REPORT

1.1 The purpose of this report is to present for determination a reserved matters application which is to be considered by the Local Planning Committee under the scheme of delegation as it is subject to objection.

2. APPLICATION DETAILS

2.1 **Site Description:** The application site comprises a total area of 88 hectares, with Site C comprising an area of 49 hectares. The application site comprises the linear park to the north of the distributor road and Site C located to the south of the distributor road. Outline planning permission was granted on 01 August 2003 for residential development. The outline site was split into 4 main areas - Site A, B1, B2 and C and includes details of a linear park, distributor road, SUDs ponds and landscaping.

The site is agricultural land and is bounded to the north by agricultural land and industrial premises to the south by Mount House, a grade 'B' listed building and agricultural land, to the west by Annandale Guest House, Brewers Fayre and Travel Lodge and B7064 and to the east by Site B1, B2 and further housing site, beyond that Annanhill Golf Course.

2.2 **Proposed Development:** Reserved Matters permission is sought for the erection of 85 dwellinghouses and details of the linear park and landscaping. The development comprises the following components:-

- 18 semi-detached houses of 2 storey in height of 3 bedroom accommodation with integral garages.

- 11 detached houses of 2 storey in height of 3-bedroom accommodation with integral garages.
- 45 detached houses of 2 storey in height of 4-bedroom accommodation with either integral or attached garages.
- 11 detached houses of 2 and 2½ storey in height of 5-bedroom accommodation with either integral or attached garages.
- Materials of the dwellings comprise flat grey roof tile, the use of brown and buff split stone, buff facing brick and white render.
- The dwellings are sited in 3 cul-de-sacs, one cul-de-sac is at the entrance and overlooks the SUDs pond and landscaping area. The remaining houses are sited along a loop road within the centre of the site.
- Boundary treatment includes the use of stone walling and timber fencing.

2.3 The landscaping details comprise the following elements:-

- A landscaped/open space area to the rear of Plots 37 to 48 which will be accessed by a public footpath linking it to the existing roadway. The area immediately adjacent to the rear of Plots 37 to 48 will be a woodland mix and the remaining area comprising of hedging, grass, trees and shrubs.
- A woodland mix proposed along the rear curtilage of Plots 1 to 10 and the side boundary of Plot 11.
- Trees and shrubs in the front gardens to create tree lined streets and cluster of trees on key corners.
- A 5 metre landscaped buffer along the eastern boundary with Annandale Guest House of trees and hedgerow mix.

The linear park will comprise the following elements:-

- The top half will comprise a full sized grass football pitch with changing facilities. The proposed building is 155.8 square metres in area and comprises changing facilities, showers and toilets for both teams and a room for the referee. The materials of the building comprises of facing brick with a tiled roof. A car parking area of 37 spaces is also proposed.

- The existing public road will become a footway/cycleway through the centre of the linear park with a new surface and lighting.
- Three play areas are proposed for toddlers, junior and teen area. A multi-activity unit, two play springs and play dish are proposed in the toddler area; two swings, low rotator and multi-activity unit in the junior area and teen zone shelter with climbing wall in the teen area.
- The remaining area of the linear park will be landscaped with trees, retention of the existing hedgerows and infilling of it, shrubs and grass to provide an informal recreational area.

3. CONSULTATIONS AND ISSUES RAISED

3.1 East Ayrshire Council's Roads and Transportation Division have no objections subject to the following issues being addressed:-

- The cycleway/footpath through the linear park is to be to adoptable standard with a minimum width of 3 metres with 1 metre grass verge on both sides is required. The track is to terminate at the football changing facilities by the erection of bollards to prevent access by other than emergency vehicles. Link footpaths from the adjacent housing development to the cycle track will also have to be to adoptable standard. Details of the surfacing of the cycle track/footpaths should be submitted for approval.
- Vehicle access to the football pitch and changing facilities will be through Annandale industrial site. The existing road will require to be improved to adoptable standard from the site boundary to the junction with the cycle track/footpath.
- There may be changes to the proposed layout as a result of the need to address the 1 in 200 year rainfall event. Road levels and house levels may change from the submitted plans. It is recommended that all dwellings have floor levels and driveway higher than the adjacent road to prevent local flooding of the dwelling.
- An emergency access should be provided as the residential development exceeds 50 units. The emergency access should be extended to the boundary with the adjoining property where it will connect into the road network for that development site. As there are currently no proposals to develop this adjoining site, it will be necessary to restrict the number of units that can be built to 50 units.
- The landscape proposals for the residential development should be amended to prevent planting of trees within 5 metres of the carriageway especially

within front gardens of the dwellings. The landscaping adjacent to the distributor road will require to be amended as the positioning of trees would conflict with the drainage.

The comments of the Roads Division with regard to levels, the footway/cycle path, access to the football pitch and the emergency access can be addressed by attaching conditions to any grant of planning permission. It is considered that the use of particular tree species and the use of root barriers could address the concerns of the Roads Division with regard to tree planting in the front garden. The landscaping proposals of the distributor road are covered by a separate planning permission.

3.2 Scotland Gas Networks have no objections and have advised that Crosshouse to River Irvine pipeline has a diameter of 273 mm and a building proximity distance of 16 metres and Eaglesham to Kilmarnock pipeline has a diameter of 457 mm and a building proximity distance of 28 metres.

The developer was aware of the presence of the two pipelines in the outline planning stage and both pipelines and their respective exclusion zones have been taken into account in the respective layout and framework plan for the overall development site approved by the outline planning consent.

3.3 Health and Safety Executive does not advise on safety grounds against the granting of planning permission subject to any amenity/recreational facilities associated with the linear park remaining at least 15 metres away from Crosshouse/Kilmarnock pipeline.

The requirements of the Health and Safety Executive with regard to the siting of the amenity recreational facilities have been met. .

3.4 Scottish Water, SEPA, Grange/Howard Community Council and Crosshouse Community Council have not responded to their consultation letter at the time of writing this report.

Noted.

3.5 East Ayrshire Council's Environmental Health and Waste Management have no objections subject to noisy work on the site being restricted to 7:00 am to 7:00 pm Monday to Friday, 8:00 am to 1:00 pm on a Saturday and no noisy work on a Sunday. Noise from the site should not result in the background noise level LA90 increasing by more than 3d B(A) over a one hour measurement period measured at the nearest noise-sensitive dwelling. Any work undertaken outwith these periods should not give rise to an increase in the underlying background level LA90 1 hour at the nearest noise-sensitive dwellings.

The requirements of Environment Health with regard to hours of construction and noise levels can be addressed by attaching conditions to any grant of planning consent. It is considered that the hours of construction should be restricted to after 08:00 hours and before 17:00 hours Monday to Friday, after 08:00 hours to 13:00 hours on a Saturday, and no work on a Sunday which are standard hours of construction applied in other development sites in East Ayrshire .

3.6 East Ayrshire Council's Outdoor Amenities have commented on the proposed play equipment on the site, but have not commented on the landscaping proposals.

They would recommend that toddler cradle swings are provided and the springers are either animals or bikes where the children sit astride on the equipment for safety. They would recommend a teenage sports wall for the teen area which should have a goal area with basketball hoop. The play areas should be floodlit on a timer to allow use during the darker months of the year. A shelter could be erected at the other end of the teen area.

The requirements of Outdoor Amenities can be addressed with regard to the play equipment and by attaching conditions to any grant of planning consent. The landscaping proposals, the football pitch and play areas, changing facilities will be the subject of the future approval of Outdoor Amenities.

4. REPRESENTATIONS

4.1 There is one objector to the proposed development and their grounds of objection are as follows.

4.2 The boundary line around their property is not sufficient or consistent.

The application site boundary at Annandale Guest House is the same application boundary approved by outline permission.

4.3 The inclusion of a footpath adjacent to their property is too close for security and would allow residents a quick route to the Cotton Mill (pub). They would get drunks crawling home throwing rubbish onto their property.

The proposed footpath will provide a link to the existing public road. It is not envisaged that it will lead to anti-social behaviour as it will be lit and overlooked by adjacent houses.

4.4 The submitted plans show a dotted line through their property. What is the purpose? If the Council and Gas Board are reinforcing this pipe to protect and accept heavy and constant traffic running over the same route they would like the same reinforcement and protection around the length of their property. This being mainly for safety but it reduces greatly the value of their property. They presume that the protection afforded to the pipe will be in accordance with the Health and Safety Executive. They have informed him that this is a rural gas pipe installed circa 1963 and for absolute safety a new pipe of different thickness should be installed. According to the Health and Safety Executive any concrete type protection of this rural gas pipe (should it fracture) would endanger any one such as the oil tanker delivering oil to their property.

The applicant is presently undertaking work to the gas pipe to allow the new distributor road to cross it. No work is required to the objector's land.

4.5 The ground level from their property to the estate will cause erosion to their ground over time.

The proposed rear boundary to Annandale Guest House will have a 5 metre buffer zone planted with shrubs between it and the side curtilage of proposed dwellinghouses.

4.6 No provision has been made for their water supply currently burst in many places and lying on top of the ground especially with winter approaching.

The water supply of the objector has been burst in the past, however the applicant has indicated that it was restored in the same morning.

4.7 There is no mention of their sewerage outlet.

The sewerage outlet for Annandale Guest House will be upgraded with the present proposals.

4.8 There is no mention of a wall to screen them from the estate. When the travel lodge was commissioned tree screening was designated the entire length of their property. They were also be screened from the new road when it was built by 4 trees. They would like to be screened from the new estate.

The distributor road has full planning permission and the landscaping of the area surrounding the distributor road is a condition of that consent and therefore will be discharged under that permission. Annandale Guest House will be screened to the rear along the eastern boundary by 5 metre landscaped buffer zone. Annandale Guest House is sited at a high level than the residential

site and therefore this will help to reduce the impact of the proposed development.

4.9 The new road from Moorfield roundabout to their road is completed before work on the estate is commenced.

The distributor road was granted full planning permission on 25 October 2002 .and therefore the developer is presently implementing this planning permission.

4.10 The objector has been in court and has been promised work will not commence before 7:30 am and finish by 6:30 pm daily, they wish this to be adhered to. The road to be cleared daily and not blocked to allow entry and exit to their property. The postman allowed access daily.

A condition can be attached to any grant of planning consent restricting the hours of construction and site preparation works to after 08:00 hours and before 17:00 hours Monday to Friday and 08:00 hours to 1:00 pm on a Saturday and at no times on a Sunday. The outline planning permission for the residential development site included a condition that vehicular access to Annandale Guest House should be maintained at all times during site preparation and construction works. This condition is still relevant and would meet the objectors concerns regarding unrestricted access to their property at all times.

4.11 The ground level is totally changed over the site with the road and area to the rear of Mount House now 6 feet lower than the site. This is guaranteed to flood the road and area adjacent. It may also flood adjacent Annanhill Golf Course.

The levels of the south-eastern part of the site have been changed. The applicant has addressed the change in level between the site boundary and the adjacent wooded area, by a terrace structure in order to minimise its impact on the mature trees and be acceptable visually.

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.

Ayrshire Joint Structure Plan (AJSP)

5.2 The proposed development does not raise any issues of a strategic nature.

East Ayrshire Local Plan

5.3 The principle of residential development on this site has been established with the approval of the outline planning consent no. 03/0313/OL and therefore it is not necessary to assess the principle of this residential development application against the policies of the EALP.

5.4 Policy RES 19 requires all housing developers to provide areas of recreational and amenity open space as an integral part of their development proposals and to make provision for the future maintenance of these areas. Developers will be expected to pay due regard to the indicative basic standards set out in Schedule 3 of the Local Plan in preparing their proposal.

The approval of the overall framework plan for the development at the outline permission stage, determined the location of the strategic open space. This present application provides precise details of the type and design of the open space areas and plant species, the location and type of play equipment and details of the football pitch and changing facilities. This is detailed fully in Section 2.3 of the report and it is considered to meet the terms of the overall framework plan approved by the outline permission and Policy RES 19 of the EALP.

5.5 Policy RES 22 requires the minimum private open space criteria and standards to be met of 100 square metres per dwellinghouse.

A design brief which forms part of the legal agreement associated with the outline permission and covering this site, requires that all 4-5 bedroom houses have a minimum of 150 square metres of rear garden ground which is above the standards required by Policy RES 22. 82% of all 4/5 bedroom dwellinghouses met this requirement and therefore it is considered that the development complies with the above policy and the design brief.

5.6 Policy ENV 7 expects all developers to fully comply with the Council's Design Guidance document. The Design Guidance requires that all development is based on good design practice and incorporates sensitive design features in keeping with good design principles. A sense of place should be created using distinctive housing designs, good use of the natural features of the development site and the formation of new attractive open space and public amenity features through sensitive landscaping and parking. Housing layouts

shall include a variety of house types of differing sizes suitable for a wide range of households. The height and position of houses must not have an oppressive, overshadowing or visually intrusive impact on neighbouring properties.

The applicant has submitted a design statement which states that the development proposals for the site are a direct response to the design brief which forms part of the legal agreement for the site to create a high quality residential development with a distinctive pleasant environment and homes to be proud of. The approach to the site is via the new central spine road along the edge of the landscaped SUDs pond. The opposite bank of the pond is faced by 4/5 bedroom houses. Plots at the entrance face the road and create a welcoming gateway feature to the development. An internal loop road with cul-de-sacs off provides access to the dwellinghouses. These are to be traffic calmed and follow the rectilinear nature of the site.

Streetscape is enhanced through the use of landscaped pockets located at corners. These help to soften the effect of gable fencing facing onto the street. Plots in these locations have gable windows providing a pleasant, safe and 'self-supervising' environment. All roads are tree lined forming pleasant, welcoming avenues. There is a mixture of detached and semi detached 3/4/5 bedroom houses in accordance with the brief. The majority of 4/5 bedroom detached houses are positioned 4 metres gable to gable and have large (150 m²) rear gardens. Elevational treatment is traditional in nature with high quality materials used to enhance this character ie quality re-constituted stone and facing brick, white render and grey roof tiles. A mix of buff and brown re-constituted stone and associated facing brick provides variety and assists to create a pleasant, distinctive residential development of real quality.

A new footpath is also proposed linking the development to the north-west of the site. The proposed siting of the dwellinghouses do not have a detrimental impact on the adjacent Annandale Guest House as it sits at a higher level than the application site and there is a 5 metre landscape buffer between the Guest House and the curtilage of the closest dwellinghouse.

It is considered that the proposed development meets the terms of the design brief for the site and Policy ENV 7 of EALP.

6. ASSESSMENT AGAINST MATERIAL CONSIDERATIONS

6.1 The principal material considerations relevant to the determination of the application are the consultation replies and representation received detailed in Sections 3 and 4 of the report and the sites planning history.

Consultations and Representations Received

6.2 The consultations and representations received have been fully addressed in Sections 3 and 4 of the report. It is not considered that these highlight issues or are of such weight as to merit refusal of the application, rather where there are concerns these have been satisfactorily addressed in the submission or can be dealt with by condition.

Planning History

6.3 03/0313/OL: Residential Development and Improved Joint Access - Land East of Moorfield Roundabout, Crosshouse Road, Kilmarnock. This outline application was approved on 01 August 2003 and included approval of a framework plan which divided the application site into 4 main sites. The present application under consideration involves Site C located to the south-east of the distributor road. The framework plan also identified the location and extent of public open space, the provision of two attenuation ponds, structural landscaping and the location of the main internal spine road.

6.4 A Section 75 Legal Agreement is associated with the above outline planning consent and the application site. The Legal Agreement affects this application specifically with regard to the provision, phasing and implementation of the strategic open space, strategic play area, football pitch with changing facilities and structural planting and the implementation of the design brief.

6.5 04/0848/FL: Construction of Internal Spine Road including Temporary Buffers and Installation of Foul and Surface Water Infrastructure approved on 25 October 2004. This permission gave full approval for the internal spine road and SUDs pond. The landscaping of the spine road and SUDs ponds are controlled through this permission.

6.6 05/0431/RM: Proposed Construction of Spine Access Road together with SUDs Pond and Associated Landscaping, Linear Park with Amenity Facilities, Buffer Landscape Zones, Site C with 88 no. Houses. This application was withdrawn by the same applicant following discussion with this Division.

7. FINANCIAL AND LEGAL IMPLICATIONS

7.1 There are no financial or legal implications for the Council in the determination of this application.

8. CONCLUSIONS

8.1 As indicated in Section 5 of the report the application is 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.

8.2 As indicated in Section 6 of the report there are relevant material considerations. The concerns of objector are noted however they are not considered to be of sufficient weight to justify a recommendation of refusal. The concerns either are not material or can be addressed by attaching conditions to the grant of planning consent. The proposed development meets the terms of the outline planning permission, the associated Legal Agreement and Policies RES 19 and 21 and ENV 7 of the Adopted EALP.

8.3 The proposed development will add to the amenity of the area, by providing a range of modern housing of different sizes to meet housing demand. The provision of strategic public open space, play areas and a football pitch will provide recreational facilities for the overall area. The structural landscaping will complement and enhance the residential development.

9. RECOMMENDATION

9.1 It is recommended that the 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, Development and Building Standards it will not require to be referred to the Development Services Committee as there would be no significant breach of Council policy.

Alan Neish
Head of Planning, Development and Building Standards

10 August 2005
(PC/MMM)

LIST OF BACKGROUND PAPERS

1. Application Form and Plans.
2. Statutory Notices/Certificates.
3. Consultation Responses.
4. Letter of Objection.
5. Approved Ayrshire Joint Structure Plan.
6. Adopted East Ayrshire Local Plan.
7. Planning Application Nos: 03/0313/OL
 04/0848/FL
 05/0431/RM.

Anyone wishing to inspect the above papers please contact Pamela Clifford on 01563 576798.

Implementation Officer: Dave Morris

05/0746/RM

EAST AYRSHIRE COUNCIL

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

05/0746/RM

Site of Proposal:	Land East of Moorfield Roundabout Crosshouse Road Moorfield KILMARNOCK KA1 2RS
Nature of Proposal:	Construct 85 No. houses and Associated Landscaping and Linear Park with Amenity Facilities and Buffer Landscape Zones - Site C
Name & Address of Applicant:	Bellway Homes Scotland Ltd Bothwell House Caird Street HAMILTON ML3 0QA
Name & Address of Agent:	Holmes Partnership 89 Minerva Street GLASGOW G3 8LE

DPOs Reference: PC/MMM

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

1. The proposed development shall be carried out in accordance with the application form and the following submitted plans and documents - Drawing No. Gall 01-05; Ann 01-04; Arr 01-03; West 01-03; Moray 01-02; Islay 01-03; Len 01-03; Har 01-04; Elg 01-05; KK/STD 108; 205027/106 P2; 1947 AL(O) 101G, 104E; 114A, 120; 52.69 10-15 Rev A, 52.69.16-23 Rev B; PPS/Q/4959/01, PP5/Q/4952/01; PPS/Q/4960/01; 205027-501 P1, 205027-105 P1, 205027 - 101 P10, 205027-108 P3, the specification for Natural Grass Pitches, the Design Statement Perspectives of the Development and the letter from the Planning Authority, dated 11 August 2005.

REASON To ensure that development is carried out in accordance with the approved details.

2. Notwithstanding the submitted plans, details and samples of all external materials to be used in the construction of football changing facilities, the road/footway/driveway surfaces shall be submitted to and approved by the Planning Authority in writing prior to the commencement of development on site and shall be implemented thereafter as approved.

REASON In the interests of visual amenity.

3. Notwithstanding the approved plans the toddler play area shall include 2 cradle toddler swings and the springers shall be either animals or bikes. The teen area shall include a teenage sports wall with a goal area and basketball loop and a teen shelter. Details of this play equipment shall be submitted to and approved by the Planning Authority prior to the commencement of development on site and shall be implemented thereafter as approved.

REASON To provide acceptable recreational facilities for all age groups in the residential area.

4. Notwithstanding the approved plans, the three play areas shall be floodlit on a timer, details of the floodlighting and the operation of the timer shall be submitted to and approved by the Planning Authority prior to the commencement of development on site and shall be implemented prior to the use of the play areas.

REASON To allow use of the play areas during the darker months of the year.

5. All future occupants of the proposed dwellings shall be made fully aware of the location of the play areas, details of the play equipment, football pitch and changing facilities, landscaped area and maintenance arrangements for these items prior to the purchase of any dwellinghouse. Details of how future occupants of the proposed dwellings are to be informed of these approved items shall be submitted to and approved by the Planning Authority prior to the commencement of development on site and shall be implemented thereafter as approved.

REASON To ensure potential residents are fully aware of the location and type of the play equipment, landscaping, football pitches and maintenance arrangements in the interests of residential amenity.

6. During the period of construction works, the developer of the site shall ensure that adequate and continuing measures are taken such that roads and footpaths adjoining the site are 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.

7. The proposed linear park including play areas and football pitch and changing facilities shall be erected for use prior to the occupation of the 46th dwellinghouse.

REASON To provide recreational facilities for the residential development.

8. The proposed landscaping of the linear park and along the western, eastern and southern boundaries of Site C including the completion of footpaths shall be completed in the first available planting season after the occupation of the 46th dwellinghouse. Any trees or shrubs removed without the consent of the Planning Authority or seriously damaged at any time thereafter shall be replaced by trees or shrubs of similar size or species as may be agreed in writing with the Planning Authority.

REASON To ensure that adequate provision of public open space is provided to adequate standard.

9. Notwithstanding the approved plans, details of the maintenance arrangements for the linear park, play areas, football pitch and changing facilities and all landscaping shall be submitted to and approved by the Planning Authority prior to the commencement of development on site and shall be implemented thereafter as approved.

REASON To ensure adequate maintenance in the interests of residential and visual amenity.

10. Notwithstanding the approved plans, a phasing plan for the development of the residential units and completion of all roads, footpaths to final wearing surface and street signs, street lights within the reserved matters application site shall be submitted to and approved by the Planning Authority in writing 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 road safety and residential amenity.

11. Notwithstanding the approved plans, details of all street lights and street signs shall be submitted to and approved by the Planning Authority prior to the commencement of development on site and shall be implemented according to the phasing plan approved under Condition 10 above.

REASON In the interests of visual and residential amenity and road safety.

12. Notwithstanding the approved plans, details of the proposed bin storage facilities for 3 bins shall be submitted to and approved by the Planning Authority in writing prior to the commencement of development on site and shall be implemented prior to the occupation of any dwellinghouse.

REASON To ensure adequate bin storage facilities in relation to the 3-bin re-cycling programme.

13. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(Scotland) Order 1992 or any order revoking and re-enacting that Order, Classes 1, 3, 4, 5 and 7 of Schedule 1 of 1992 Order are not hereby permitted in terms of the rear curtilage of Plots 37 to 48.

REASON The proposed gardens are within the HSE exclusion zone for the Eaglesham - Kilmarnock gas pipeline.

14. Any changes in the finished floor levels, road levels, proposed ground levels approved under Condition 1 shall be notified and approved by the Planning Authority prior to their implementation.

REASON In order to ensure that the proposed levels are implemented in accordance with the approved details.

15. 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.

16. No external construction work, site clearance or preparation works shall take place before 08:00 hours and after 17:00 hours on Monday to Friday before 08:00 hours and after 13:00 hours on Saturday, nor at any time on Sunday.

REASON In the interests of residential amenity.

17. Notwithstanding the approved plans the proposed footpath/cycleway through the linear park shall be a minimum width of 3 metres with 1 metre grass verge on both sides and shall be to an adoptable standard with lighting. Details of the lighting and surface treatment of the proposed footpath/cycleway shall be submitted to and approved by the Planning Authority prior to the commencement of development on site and shall be implemented prior to the occupation of the 46th dwellinghouse.

REASON To facilitate safety access through the linear park in the interests of pedestrian safety and in the interests of residential and visual amenity.

18. Notwithstanding the approved plans, the proposed cycleway/footway shall be terminated at the football changing facilities by the erection of bollards to prevent access by other than emergency vehicles. Details of the exact location and design of the bollards shall be submitted to and approved by the Planning Authority and shall be implemented prior to the use of the cycleway/footway.

REASON To prevent access by motor vehicles on to the cycleway/footway in the interests of pedestrian safety.

19. Notwithstanding the approved plans, the vehicle access to the football pitch and changing facilities shall be through adjacent Annandale Industrial Area at all times. The existing road shall be brought up to an adoptable standard between the application site boundary to the proposed bollards and for a distance of 5 metres into the car park area for the changing facilities. Details of the exact area of road to be upgraded and details of its treatment shall be submitted to and approved by the Planning Authority prior to the commencement of development on site and shall be implemented prior to the use of the changing facilities and car park.

REASON In the interests of road safety.

20. Notwithstanding the approved plans, an emergency access shall be provided to the north of Plot 48 which shall be linked to the public road. Details of this emergency access shall be submitted to and approved by the Planning Authority prior to the commencement of development on site and shall be implemented prior to the occupation of the 50th dwellinghouse. This access shall be considered temporary until the adjacent development site has been developed and the emergency access adjacent to Plots 11 and 12 has been linked into the adjacent development.

REASON In the interests of road and public safety.

21. Notwithstanding the terms of Condition No. 1 the landscaping details within the linear park and along the western, eastern and southern boundaries of the site and within the housing area; the specification of the football pitch and details of the changing facilities are hereby not approved, details of the above landscaping the specification of the football pitch and details of the changing facilities shall be submitted to and approved by the Planning Authority prior to the commencement of development on site and shall be implemented prior to the occupation of 46th dwellinghouse.

REASON To ensure high quality landscaping and facilities in the interests of visual and residential amenity.

22. Noise from the site shall not result in the background noise level LA90 increasing by more than 3dB(A) over a one hour measurement period measured at the nearest noise-sensitive dwelling.

REASON In the interests of the residential amenity of adjacent properties.

23. The proposed footpath link to the distributor road adjacent to Plot 85 shall be complete for use prior to the occupation of Plots 80 to 85. Details of its route and surface treatment shall be submitted to and approved by the Planning Authority prior to the commencement of development on site.

REASON To allow full access for residents of the development in the interests of visual and residential amenity.

24. Notwithstanding the submitted plans details of the design and construction of all fences and walls to be erected on the site shall be submitted to and approved by the Planning Authority before any development commences on the site.

REASON To allow the Planning Authority to control the design and construction of such features in the interests of visual amenity.

25. Notwithstanding the approved plans, all amenity/recreational facilities associated with the linear park shall be at least 15 metres away from the Crosshouse/Kilmarnock gas pipeline.

REASON In the interests of public safety.

26. Notwithstanding the approved plans, final details of the treatment of the rear boundary of Plots 11 to 21 and the side boundary of Plot 11 adjacent to the wooded area and adjacent site shall be submitted to and approved by the Planning Authority prior to the commencement of development on site. These details shall include measures to reduce the difference in levels between the rear gardens of the housing plots and the adjacent area. Details shall be provided of the design and exact location of the timber crib and fencing, landscaping details and measures to reduce the degree of underbuilding of the proposed houses. The approved measures shall be implemented prior to the occupation of the houses to which they relate.

REASON To minimise the changing levels between the south-eastern boundary of the application site and the adjacent area in the interests of residential and visual amenity.

27. Notwithstanding the approved plans, the landscaping details submitted for the SUDS ponds, the distributor road, Site A and the boundary with Annanhill Golf Course are not hereby approved.

REASON These landscaping details are covered by a separate planning permission or will be submitted as part of the details for the development of that respective site.

28. Notwithstanding the approved plans, the centre area of the roundel shall be landscaped. Details of the landscaping of this area shall be submitted to and approved by the Planning Authority prior to the commencement of development on site and shall be implemented in the first available planting season after the application of the final wearing surface.

REASON In the interests of visual and residential amenity.

NOTE:- It is strongly recommended that the developer advises all potential house purchasers that there is the presence of main gas pipeline within the site and there is an identified Exclusion Zone where no development can take place within this area.

**DUE TO ORDNANCE SURVEY REGULATIONS AND COPYRIGHT
THE MAP IS AVAILABLE FOR VIEWING AT THE COUNCIL'S
PLANNING OFFICE IN KILMARNOCK. FOR INFORMATION ON
VIEWING PLEASE CONTACT (01563) 576790.**