

EAST AYRSHIRE COUNCIL

DEVELOPMENT SERVICES PLANNING COMMITTEE: 13 DECEMBER 2005

05/0027/FL: PROPOSED HOUSING DEVELOPMENT AT CROFHEAD ROAD, KILMAURS BY HOPE HOMES, SCOTLAND

EXECUTIVE SUMMARY SHEET

1. DEVELOPMENT DESCRIPTION

1.1 This planning application relates to the erection of 44 dwellinghouses within the 2.59 hectare site and the implementation of road improvements to Crofthead Road. The proposal includes a range of house types including 2 and 3 bedroom semi-detached and 3, 4 and 5 bedroom bungalows and two storey villas. The proposal provides a footpath link onto Irvine Road, a 5 metre wide landscaping boundary to the western edge of the site and a designated play area within the site.

1.2 The proposal incorporates extensive road works to Crofthead Road and a traffic light arrangement through the railway bridge at the eastern end of Crofthead Road. The traffic light arrangement is required as the railway bridge is too narrow to allow two way traffic and a public footpath. The proposed traffic light arrangement would result in a three way phasing - traffic heading east, traffic heading west and pedestrians.

1.3 During the proposed pedestrian phase, the pedestrians would be expected to utilise a 1.5m wide pedestrian crossing marked on the road which would run through the railway bridge.

1.4 The proposal would also result in traffic calming being provided along Crofthead Road and in the widening of the road to 7.2 m from its junction with Hillmoss to No. 42 Crofthead Road. This will allow on street parking at this location as well as two lanes of traffic. Thereafter the road would return to the standard 5.5m into the development site.

1.5 The road alterations would also result in the reduction of the footpath over the frontage of No. 46-52 Crofthead Road to approximately 1.7m wide for a distance of approximately 30 metres. As the householder's hedges have overgrown the footpath at this location they will require to be trimmed back to their boundary with the footpath. Four parking spaces providing off street parking for the public will be provided immediately to the west of No. 46-52 Crofthead Road.

2. RECOMMENDATION

2.1 It is recommended that the application be approved subject to notification of the Scottish Ministers under the Town and Country Planning (Notification of Applications)(Scotland) Direction 1997 and subject to the conditions on the attached sheet.

3. CONCLUSIONS

3.1 As indicated in the report the development of the site for housing purposes would be consistent with the terms of the Development Plan, the proposal accords with the requirements of the Council's Design Guidance for housing developments and the road improvements are to the satisfaction of the Roads Authority. As per Section 6 of the report there are material considerations relevant to the application however it is not considered that these are of sufficient weight to merit the refusal of the application given the attachment of appropriate conditions to any grant of planning permission.

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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05/0027/FL: PROPOSED HOUSING DEVELOPMENT AT CROFHEAD ROAD, KILMAURS BY HOPE HOMES, SCOTLAND

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 full planning application which is to be considered by the Development Services Planning Committee under the scheme of delegation due to the fact that the application is the subject of objections and requires to be referred to the Scottish Executive.

2. APPLICATION DETAILS

2.1 **Site Description:** The site is located at the western end of Crofthead Road, Kilmaurs. The site is agricultural land approximately 2.59 hectares in area and lies within the settlement boundary of Kilmaurs as extended by the East Ayrshire Local Plan (Adopted April 2003). The site is bounded by housing on its northern and eastern boundaries and by agricultural land on its southern and western boundaries.

2.2 As the applicant had commenced soil stripping and engineering works on the site, without the benefit of planning permission, the contours of the site have been altered. Through these unauthorised works the developer has created a large mound of soils approximately 3.5m high within the middle of the field. The applicant however was prevented from completing said works as enforcement action, a Stop Notice and then interdict proceedings were taken by the Council because said works had commenced without the benefit of planning permission.

2.3 **Proposed Development:** This planning application relates to the erection of 44 dwellinghouses within the 2.59 hectare site and the implementation of road improvements to Crofthead Road. The proposal includes a range of house types including 2 and 3 bedroom semi-detached and 3, 4 and 5 bedroom bungalows and two storey villas. The proposal provides a footpath link onto Irvine Road, a 5 metre wide landscaping boundary to the western edge of the site and a designated play area within the site.

2.4 The proposal incorporates extensive road works to Crofthead Road and a

traffic light arrangement through the railway bridge at the eastern end of Crofthead Road. The traffic light arrangement is required as the railway bridge is too narrow to allow two way traffic and a public footpath. The proposed traffic light arrangement would result in a three way phasing - traffic heading east, traffic heading west and pedestrians.

2.5 During the proposed pedestrian phase, the pedestrians would be expected to utilise a 1.5m wide pedestrian crossing marked on the road which would run through the railway bridge.

2.6 The proposal would also result in traffic calming being provided along Crofthead Road and in the widening of the road to 7.2 m from its junction with Hillmoss to No. 42 Crofthead Road. This will allow on street parking at this location as well as two lanes of traffic. Thereafter the road would return to the standard 5.5m into the development site.

2.7 The road alterations would also result in the reduction of the footpath over the frontage of No. 46-52 Crofthead Road to approximately 1.7m wide for a distance of approximately 30 metres. As the householder's hedges have overgrown the footpath at this location they will require to be trimmed back to their boundary with the footpath. Four parking spaces providing off street parking for the public will be provided immediately to the west of No. 46-52 Crofthead Road.

3. CONSULTATIONS AND ISSUES RAISED

3.1 Transco have no objection to the proposed development however recommend that safe digging practises in accordance with HSE publication HSG47 "Avoiding Danger from underground services" should be adhered to.

A note can be attached to any grant of planning consent bringing this matter to the attention of the developer.

3.2 Scottish Environment Protection Agency have indicated that they have no objection to the proposal however would require that all foul drainage be connected to the public sewer. They would also seek written assurance from Scottish Water that the additional flow arising from this development will not cause or contribute to premature operation of consented storm overflows. They also consider that a condition should be attached to any grant of consent requiring details of the Sustainable Urban Drainage System be provided prior to the commencement of the development.

A condition can be attached to any grant of consent addressing the Sustainable Urban Drainage System and the appropriate confirmation from Scottish Water in relation to the premature

operation of the storm overflows.

3.3 Scottish Water have no objection to the proposal however indicate that the applicant should utilise a Sustainable Urban Drainage System for the non-foul drainage.

The applicant has indicated that the proposal will utilise a Sustainable Urban Drainage System for the non-foul drainage from the site. A condition can be attached to any grant of Planning Consent requiring the details of the Sustainable Urban Drainage System.

3.4 West of Scotland Archaeology Service have advised that there are no historical recorded sites within the development area however they indicate that because the site is on previously undeveloped land the potential for unrecorded sub-surface archaeological deposits remains. They recommended that a site survey should be carried out prior to the determination of the application as recommended in Planning Advice Note 42.

It is considered that as significant engineering works have already commenced on the site the imposition of such a condition would not be appropriate. However it is recommended that a watching brief condition should be attached to any grant of planning consent.

3.5 East Ayrshire Council's Roads and Transportation Division have no objection to the proposal subject to conditions being attached to any grant of planning consent addressing the implementation of the traffic calming, traffic lights, road widening and details of the Sustainable Urban Drainage System.

Conditions can be attached to any grant of planning consent addressing the above matters.

3.6 East Ayrshire Council's Outdoor Service have no objection to the landscaping and play equipment details subject to the attachment of appropriate conditions to any grant of planning permission, however they do raise concerns about the Sustainable Urban Drainage System drainage basin being considered to be part of the public open space provision.

Conditions can be attached to any grant of planning consent addressing landscaping and play equipment requirements.

With regard to the integration of the Sustainable Urban Drainage System and the public open space the CIRIA Guide for Sustainable Urban Drainage Systems allows for the integration of drainage basin and areas of public open space.

The SUDS drainage basin, for 1 in 200 year flood events, is an indented area of grass which has an open rubble drain, ie large stones, running through the middle of it which carries the rainwater drainage from the housing development and delays its discharge into the ground water networks thus reducing the flood risk in said water courses. The outlet for the drain is smaller than the inlet thus controlling the rainwater discharge from the site.

In extreme rainfall conditions the SUDS basin will pond with water, said water would then discharge gradually (probably over a 24 hour period) following cessation of the heavy rainfall.

It should be noted that the proposal aims to provide play equipment outwith the SUDS basin and that the proposal provides 1100sqm of the site's required 1350 sq m of public open space outwith the 1 in 200 year flood event SUDS basin area.

3.7 Kilmaurs Community Council have objected to the proposal on the following grounds:

- (i) The proposed access road is unacceptable - traffic around Sunnyside/Crofthead Road and Yardside Road is a huge problem and would be exacerbated if the proposal went ahead. The proposed traffic lights will not solve the problems. No account appears to be taken of the railway station car park or pedestrian safety.

Visibility at the railway bridge is poor with line of sight being unsuitable in all directions. It would appear that no pavement would exist, only a marked area on the road for pedestrians. It is also considered that Crofthead Road is an unsuitable access route for the development.

The Council's Roads Division have assessed the proposal and are satisfied that the amended scheme accords with the appropriate guidelines and will not create adverse road safety issues. The pedestrian route painted onto the road should only be utilised when the traffic lights allow for pedestrian movement, ie with the "green man".

- (ii) The parking of cars around the school is not addressed by this proposal. Double yellow lines will not solve the problem as these are completely ignored.

The Council's Roads Division have assessed the proposal and are satisfied that the scheme accords with the appropriate guidelines and will not create adverse road safety issues. The issue of illegal parking is a police matter.

(iii) There appear to be no plans for the drainage of Crofthead Road.

Any requirements for drainage gullies within the upgraded section of Crofthead Road will be addressed by the Roads Authority through the Road Construction consent process.

(iv) The lack of parking for present users at the top end of Crofthead Road would appear to be unsatisfactory.

No restrictions are being put in place which would prevent any party parking along the length of Crofthead Road. In addition four parking spaces are being provided adjacent to the 46-52 Crofthead Road flats for the benefit of all road users.

(v) The width of the pavement at certain areas was believed to be inadequate and would also be a health and safety issue for pedestrians.

The Council's Roads Division have assessed the proposal and are satisfied that the scheme accords with the appropriate guidelines and will not create adverse road safety issues. It should be noted that while a 2 metre wide footpath is the preferred footpath width, it is a guideline which may be reduced when the Roads Authority consider it appropriate. In this instance the Road's Authority consider that the reduction of the 30 metre stretch of footpath outside 46-52 Crofthead Road to a measurement of between 1.7 and 1.9 metres wide is acceptable.

(vi) Residents of Hamilton Court were not consulted on the proposal.

As these properties were not within the notifiable distance required by current legislation there was no need for the applicant to neighbour notify them individually. It should be noted that the Kilmaurs Community Council have been consulted on this planning application and the matter has been advertised in the Kilmaur Standard providing the opportunity for any party to make representations on the proposals. The applicant has certified that all the necessary neighbour and owner notifications have been carried out.

(vii) How will construction traffic access the site?

Construction traffic access to the site will be by way of Crofthead Road.

4. REPRESENTATIONS

4.1 There are 68 letters of objection, including one from the Community Council detailed above, in relation to this proposal and three letters of support. The issues raised in the letters of objection are summarised as follows:-

4.2 No major development should be allowed on the green belt.

East Ayrshire Local Plan does not identify any designated areas of green belt. The application site is designated within the East Ayrshire Local Plan as a housing site and is within the settlement boundary of the village.

4.3 This is a small village which has small roads and is being ruined by continual enlargement.

The application site is designated site within the East Ayrshire Local Plan and is accounted for in the housing projections for the district. The road alterations will result in an acceptable access to the site.

4.4 Our property is a low lying bungalow and the new houses would be looking straight into our property, affording us minimal privacy which we have enjoyed in this bungalow for the past 18 years.

As the proposed housing development bounds up to the fence of the objector the development will have an impact on their property. However the proposed house which backs onto the objector's property has a rear garden of approximately 14 metres. Therefore given the distance of the proposed house away from the boundary of the objector's property, the proposed 1.8 metre high boundary treatment and the relationship of the objector's property to the proposed house it is considered that the proposal is acceptable.

4.5 No evidence has been shown of the production of an Environmental Impact Study of the Development as it relates to its environ.

The proposed development is not of a scale as would require the production of an Environmental Impact Assessment under the appropriate Regulations.

4.6 No Provision for Social Housing.

The site is not identified within the East Ayrshire Local Plan as providing any level of affordable housing. The Developer has chosen to provide a mix of family homes within the development.

4.7 The deed of servitude granted by Leonard Anderson Lockhart to Hope Homes (Scotland) Limited may in fact not be legal as Mr Lockhart did not own the road and therefore would have no right to grant such a deed.

The issue of the right of access over any road is not a material planning consideration in the determination of this application. The application has been appropriately advertised and notified. In addition, Hope Homes have demonstrated that they do have an appropriately registered deed of servitude over the farm track.

4.8 Insufficient gullies for drainage on the residential side of Crofthead Road.

Any requirements for drainage gullies within the upgrade section of Crofthead Road will be addressed by the Roads Authority through the Road Construction consent process.

4.9 What status and guarantees are given that the parking spaces adjacent to 46-52 Crofthead Road Kilmaurs will solely be available for the residents of said flats?

As the proposed parking spaces will be part of the public highway the space cannot be reserved specifically for the residents of 46-52 Crofthead Road. It is considered that the provision of the four parking spaces is an additional benefit to the residents in this locality. It should be noted that no restrictions are being put in place which would prevent any party parking along the length of Crofthead Road. The residents of 46-52 Crofthead Road currently have no designated parking spaces within the public highway therefore any road user could currently choose to park directly outside their properties.

4.10 The residents along Yardside Road, Hillmoss and Sunnyside should have been notified of this proposal as they would also be severely affected.

As these properties were not within the notifiable distance required by the legislation there was no need for the applicant to neighbour notify them individually. It should be noted that the Kilmaurs Community Council have been consulted on this planning application and the matter has been advertised in the Kilmarnock Standard providing the opportunity for any party to make representations on the proposals.

4.11 Crofthead Road is less than 5.5m wide in several places.

The proposed development will provide a minimum road width of 5.5m on Crofthead Road with the majority of the road being 7.2 m

wide, equivalent to an industrial estate specification. The Council's Roads Division has assessed the proposal and is satisfied that the scheme accords with the appropriate guidelines and will not create road safety issues.

4.12 Are the existing sewers capable of accommodating the additional waste?

Scottish Water have no objection to the proposal.

4.13 Have SEPA and Scottish Water approved the SUDS system?

It is not normal practise for Scottish Water or SEPA to fully assess the SUD system at this stage in the development process, both parties are aware of the proposals and neither have made any objection to the principle of the scheme. It is considered that a condition addressing the approval of the SUD system be attached to any grant of planning consent.

4.14 With three priorities on one side of the bridge there will be congestion at peak times and access to the station car park and poor sightlines at Yardside remain a problem.

The Council's Roads Division have assessed the proposal and are satisfied that the scheme accords with the appropriate guidelines and will not be detrimental to road safety in the locality.

4.15 The proposal present a hazard to the residents of Hamilton Court due to the amount of traffic parked at the entrance to the Court.

The Council's Roads Division has assessed the proposal and is satisfied that the scheme accords with the appropriate guidelines and will not exacerbate road safety issues in the locality.

4.16 Traffic lights at the bridge- drivers will do anything to avoid traffic lights and this would result in much increased traffic using Yardside Road and Hillmoss both of which are totally unacceptable for the increased traffic volume.

The Council's Roads Division has assessed the proposal and is satisfied that the scheme accords with the appropriate guidelines and will not exacerbate road safety issues in the locality.

4.17 The provision of a 1 metre high boundary fence along my boundary does not protect my property.

A condition can be attached to any grant of planning permission requiring fencing or other suitable screening to preserve the

residential amenity of neighbouring properties.

4.18 As I own the hedge on the field side of Crofthead Road I do not wish the hedge to be damaged through the construction of the road.

Any works to the hedge are a private legal matter between the parties concerned.

4.19 The three letters of support indicate that:

- (i) the proposal is an excellent thing, greatly increasing pedestrian and vehicular safety at this spot, and I do not think I am alone in this view.

Roads deem acceptable.

- (ii) My interest in this development will allow me the opportunity to hopefully purchase a family home within the walking distance of the school. I understand there is to be a range of quality homes which will allow us to stay within the catchment area for Kilmaurs.

Noted.

5. ASSESSMENT AGAINST DEVELOPMENT PLAN

5.1 Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 require that 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 (2003).

Ayrshire Joint Structure Plan

5.2 With regard to the Structure Plan it is considered that Policy L1 specifically relates to the current application. Policy L1 of the Ayrshire Joint Structure Plan indicates that the three Ayrshire Councils shall work in conjunction with public and private agencies to ensure sufficient effective land is available for housing to 2005 and to set the context for annual roll forward to meet the forecast requirements to 2010. Councils shall aim, in conjunction with the house building industry and other public housing agencies, to maintain as a minimum a five year effective land supply.

The application site is an identified housing site within the East Ayrshire Local Plan.

East Ayrshire Local Plan

5.3 Policy RES1 encourages and supports the residential development of those Development Opportunity Sites identified for housing purposes on the individual Local Plan maps and reserves them for residential and associated recreational and amenity open space development.

As an identified residential development opportunity site the principle of residential development at this location is acceptable. In the East Ayrshire Local Plan, the site is given an indicative capacity of 50 houses. The proposed development is for 44 houses and the development is considered to be consistent with the local plan provisions.

5.4 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.

Schedule 3 of the East Ayrshire Local Plan states that for a development of over 30 units, 300 sq m of open space must be provided for every 10 houses. To meet this requirement, the proposal therefore requires to provide at least 1350 sq metres of public open space and this figure is exceeded by the proposed development which has over 2800 sq metres of public open space.

5.5 Policy RES20 states that, in formulating their development proposals, developers should ensure that the provision of open space meets seven stated criteria, as follows:-

- (i) that areas of open space are of a size and configuration that is easily maintainable. The policy advocates that larger areas of well located, consolidated open space should be provided in preference to a series of smaller, individual areas scattered throughout the proposed development site;

It is considered that the location and provision of open space within the development is appropriately located and designed.

- (ii) that proposed areas of open space link, wherever possible, with other areas of adjacent existing open space;

There are no existing areas of open space at the boundaries of the site however the proposal includes a landscaped footpath link onto Irvine Road, Kilmaurs.

- (iii) That the proposed areas of open space are safe and secure, overlooked if possible by adjacent properties;

The proposed open space is overlooked by several properties and is of a safe and secure design.

- (iv) that play areas, kick about areas and games pitches are provided as required by the Council's Head of Leisure Services;

The Council's Outdoor Service have no objection to the level of play equipment proposed.

- (v) that play equipment and facilities for the disabled and those with special needs are provided as considered appropriate;

It is proposed to attach a condition to any grant of planning permission addressing the type of play equipment required within the development site.

- (vi) that areas of open space are attractively planted and, where appropriate, use plant species to encourage wildlife; and

It is proposed to attach a condition to any grant of planning permission addressing the landscaping requirement within the development site.

- (vii) that all-open spaces are provided, as appropriate, with footpaths for both access and leisure walking, linking with adjacent open spaces wherever possible.

A footpath link is provided from the site to the adjacent Irvine Road.

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 policy also allows those standards quoted to be relaxed in respect of the conversion of existing properties to flats where this can be fully justified by the developer and where considered appropriate by the Planning Authority.

The proposed development adheres to the Council's minimum 100 sq m of private garden ground for each of the proposed

dwellinghouses.

5.7 Policy ENV3 of the East Ayrshire Local Plan indicates that Council will encourage the retention and preservation of archaeological and industrial resources and ensure that in cases where the primary aim of preserving archaeological sites cannot be achieved, developers carry out appropriate investigations and recording of remains within a proposed development site, prior to the development being commenced.

Following the response of the West of Scotland Archaeology Service it is proposed that a condition be attached to any grant of planning permission addressing the issue of archaeological investigation of the site.

5.8 Policy ENV7 states that all developers will be expected to comply fully with the Council's existing and emerging Design Guidance and Policy documents relating to and advising on the particular type of development proposed. The policy also states that developments which do not meet the required design standards detailed in these documents will require to be fully justified and may not be supported by the Council.

The proposed development accords with the requirements of the Council's Design Guidance .

5.9 Policy TLR5 states that the Council will request all potential developers of residential sites comprising four or more houses, to enter into a Section 75 Agreement with the Authority for contributions towards the provision of appropriate leisure and recreational facilities within the area to which the development relates.

The developer has indicated that they will make a financial contribution of £5,000 to the TLR5 fund however does not wish to enter into a Section 75 agreement to do so. Provisions exist for such a contribution to be made prior to the issue of planning consent.

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, the planning history of the site and the impact on the amenity of the area.

Consultation Responses

6.2 With the exception of the Community Council the consultation responses are generally supportive of the application and do not indicate that the application should be refused.

Representations

6.3 The representations received have been summarised in Section 4 of the report. Although numerous, they are not considered to be of such weight as to merit refusal of the application.

Impact on the Amenity of the Area

6.4 The application site is an allocated housing site within the settlement boundary of Kilmaurs. The proposal provides a good range of well designed and located housing appropriate to the local area. As well as meeting the Council's Design requirements for public and private open space and play equipment the proposal provides a 5 metre wide landscaping zone creating an appropriate settlement boundary for Kilmaurs. The proposed road works to Crofthead Road and the traffic lights at the railway bridge will ensure that the road network is adequate to deal with the additional users as well as providing a safe means of access for pedestrians under the railway bridge, where currently there are no road safety measures.

Planning History

6.5 Enforcement action was taken on 16 March 2005 by the Planning Authority against the developer in relation to the carrying out of engineering operations on the application site without the benefit of planning permission. Enforcement and stop notices were served preventing further engineering works on site, however these works persisted resulting in the securing of an Interim Interdict in April 2005.

6.6 Application for Advert consent 05/0513/AD for the erection of two sign boards at the application site was submitted on 05 May 2005. This application is also before this Committee.

6.7 Planning Application No. 05/0417/FL was submitted on 14 April 2005 for the proposed soil stripping and bunding of topsoil, erection of boundary fencing and laying of ground drainage. This application is also before this Committee.

6.8 Planning Application No. 04/0782/FL for a residential development at the site was withdrawn on 11 January 2005.

6.9 Outline Planning Application No. 01/0312/OL for residential development

at this site was withdrawn on 20 January 2004.

7. FINANCIAL AND LEGAL IMPLICATIONS

7.1 There are legal proceedings in effect relative to this application site preventing works being carried out on the site without the appropriate planning permission. There are no financial implications for the Council arising from the determination of this application.

7.2 In the event of planning consent being granted, for this residential development, following referral to the Scottish Ministers, it would be appropriate for the Council to withdraw the current Enforcement and Stop Notices. These notices relate to works which would become permitted development in the context of a planning consent for housing development.

8. CONCLUSIONS

8.1 As indicated in the report the development of the site for housing purposes would be consistent with the terms of the Development Plan, the proposal accords with the requirements of the Council's Design Guidance for housing developments and the road improvements are to the satisfaction of the Roads Authority. As per Section 6 of the report there are material considerations relevant to the application however it is not considered that these are of sufficient weight to merit the refusal of the application given the attachment of appropriate conditions to any grant of planning permission.

9. RECOMMENDATION

9.1 It is recommended that the application be approved subject to notification of the Scottish Ministers under the Town and Country Planning (Notification of Applications)(Scotland) Direction 1997 and subject to the conditions on the attached sheet.

Alan Neish
Head of Planning, Development and Building Standards

05 December 2005
(CSI/MMM)

LIST OF BACKGROUND PAPERS

1. Application Form and Plans.
2. Statutory Notices and Certificates.
3. Letters of Representation.
4. Consultation Responses.
5. Adopted East Ayrshire Local Plan (2003).
6. Approved Ayrshire Joint Structure Plan (1999).
7. Planning Application: 05/0513/AD.
8. Planning Application: 04/0782/FL.
9. Planning Application: 01/0312/OL.

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

Implementation Officer: Alan Neish

EAST AYRSHIRE COUNCIL

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

05/0027/FL

Site of Proposal: Land at Crofthead Road
KILMAURS
Kilmarnock
KA3 2NU

Nature of Proposal: Proposed Housing Development

Name & Address of Applicant: Hope Homes Scotland Ltd
Watson Terrace
Drongan
AYR
KA6 7AB

Name & Address of Agent:

DPOs Reference: CSI/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 received on 22 December 2004 and the amended plans received by the Planning Authority on 02 November 2005.

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

2. Notwithstanding the approved plans details of all fences, walls, including entrance features and pillars, within the development shall be submitted to and approved in writing by the Planning Authority prior to the commencement of the development and implemented thereafter as approved. All rear garden fences shall be 1.8 metre high.

REASON In the interests of residential amenity

3. A landscaping scheme including the treatment of the boundary of the site/areas for public open space/play areas and means of enclosure of these areas, shall be submitted to and approved in writing by the Planning Authority prior to commencement of any development, and shall be implemented not later than the next appropriate planting season after completion of the houses. The scheme shall include details of the provision to be made for the maintenance of soft and hard landscaped areas, and shall be maintained thereafter in accordance with these details.

REASON To ensure that adequate provision of public open space is provided, to an adequate standard, and that it is subsequently maintained, in the interest of residential and visual amenity.

4. Notwithstanding the plans hereby approved written details and samples of all external materials to be used on the houses shall be submitted to and approved in writing by the Planning Authority prior to the commencement of the development. Thereafter only the approved materials shall be utilised within the development.

REASON In the interests of visual amenity.

5. Prior to the commencement of the development details of the play equipment within the agreed play area and its subsequent maintenance shall be submitted to and approved in writing by the Planning Authority. Thereafter said approved play equipment shall be installed to the satisfaction of the Planning Authority prior to the occupation of the first dwellinghouse on site.

REASON In the interests of residential amenity.

6. Prior to the commencement of the development a phasing program shall be submitted to and approved in writing by the Planning Authority detailing the proposed phasing of the road works to Crofthead Road. Said approved phasing program shall be implemented to the satisfaction of the Planning Authority thereafter.

REASON In the interests of road safety and residential amenity

7. No development shall take place until the developer has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has received the prior approval of the Planning Authority and which is fully compliant with the Terms of Reference which will be issued by the West of Scotland Archaeology Service on behalf of the Planning Authority.

REASON To ensure that appropriate archaeological work is undertaken before the development commences.

8. Prior to the commencement of works on site details of a Sustainable Urban Drainage System and its maintenance following installation shall be submitted to and approved in writing by the Planning Authority. Prior to the occupation of any dwellinghouse within the site, the SUDS arrangement approved under the terms of this condition shall be installed and be fully operational.

REASON To ensure the provision of adequate surface water drainage within the site.

9. External construction works shall take place only between the hours of 8.00am to 6.00pm Monday to Friday and 9.00 am to 1.00 p.m. Saturday and at no time on a Sunday.

REASON In the interests of residential amenity.

10. Prior to the commencement of the development details of the type and position of security fences shall be submitted to and approved in writing by the Planning Authority.

REASON In the interests of residential amenity.

11. Prior to the commencement of the development details of the type and position of security and site lighting shall be submitted to, and approved in writing by, the Planning Authority.

REASON In the interests of residential amenity.

12. Notwithstanding the approved plans the location of the parking spaces at the western end of the Crofthead Road are not hereby approved. Revised details shall be submitted to for approval by the Planning Authority, prior to the commencement of development. Said details shall incorporate the parking spaces on its east, west and northern boundaries.

REASON In the interests of road safety.

NOTE TO APPLICANT:-

1. Prior to the commencement of development on site the applicant should contact Scotland Gas to discuss working practices on the development site.

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.**