

**EAST AYRSHIRE COUNCIL**

**NORTHERN AREA LOCAL PLANNING COMMITTEE:  
30 SEPTEMBER 2005**

**05/0785/FL: PROPOSED ERECTION OF EIGHT NO. RESIDENTIAL  
DWELLINGS  
AT FENWICK ROAD/ MILLHILL AVENUE, KILMAURS  
BY HOPE HOMES SCOTLAND LTD**

**EXECUTIVE SUMMARY SHEET**

**1. DEVELOPMENT DESCRIPTION**

1.1 The proposal consists of the erection of eight detached one and half storey dwellinghouses. A similar house type would be used throughout the site, where plots 1, 2, 3, 7 and 8 are the same and plots 4 to 6 similar but with a slightly larger sized dwelling. The dwellings for plots 1, 2, 3, 7 and 8 would cover a footprint area each of some 68.28 sq metres and the dwellings for plots 4 to 6 would cover a footprint area each of some 78.84 sq. metres. The dwellinghouses would be finished externally in wet dashed render with stone base courses and white uPVC sash and case windows to the front elevations. It is proposed to tile the roofs in 'Marley Monarch' slate grey roof tiles. The proposal includes the erection of a 0.6 metre high wall with 0.45 metre high railing onto the front boundaries of the dwellinghouses on Millhill Avenue, 0.9 metre high and 1.8 metre high timber fencing is proposed between the plots. Driveways accommodating two car parking spaces are allocated for each housing plot. Ancillary works to the public road to form footways and traffic calming measures on Fenwick Road are included within the application.

**2. RECOMMENDATION**

**2.1 It is recommended that the application be approved subject to the conditions indicated on the attached sheet and that the issuing of the planning decision notice be withheld until the Solicitor to the Council has satisfactorily concluded a formal agreement with the applicants in respect of the matters detailed in paragraph 7.1 of this report.**

**3. CONCLUSIONS**

3.1 As indicated in the report the application is considered to be in accordance with the terms of the Development Plan. Therefore it should be approved unless material considerations indicate otherwise.

3.2 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 use of appropriate conditions.

### **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, on the basis of the principle of residential development, the application will require to be referred to the Development Services Committee as that would be a significant departure from 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.**

## EAST AYRSHIRE COUNCIL

### NORTHERN AREA LOCAL PLANNING COMMITTEE: 30 SEPTEMBER 2005

#### 05/0785/FL: PROPOSED ERECTION OF EIGHT NO. RESIDENTIAL DWELLINGS AT FENWICK ROAD/ MILLHILL AVENUE, KILMAURS BY HOPE HOMES SCOTLAND LTD

#### 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 Local Planning Committee under the scheme of delegation, due to the fact that objections have been submitted in respect of the application.

### 2. APPLICATION DETAILS

2.1 **Site Description:** The site is located at the end of Millhill Avenue and Fenwick Road in Kilmaurs. The site is approximately 0.9 acres in area, is currently vacant ground and has a steep gradient from south to north. The site is located within Kilmaurs Conservation Area and is surrounded by residential properties to the north, east and south and a mixture of commercial buildings and residential properties to the west.

2.2 **Proposed Development:** The proposal consists of the erection of eight detached one and half storey dwellinghouses. A similar house type would be used throughout the site, where plots 1, 2, 3, 7 and 8 are the same and plots 4 to 6 similar but with a slightly larger sized dwelling. The dwellings for plots 1, 2, 3, 7 and 8 would cover a footprint area each of some 68.28 sq metres and the dwellings for plots 4 to 6 would cover a footprint area each of some 78.84 sq. metres. The dwellinghouses would be finished externally in wet dashed render with stone base courses and white uPVC sash and case windows to the front elevations. It is proposed to tile the roofs in 'Marley Monarch' slate grey roof tiles. The proposal includes the erection of a 0.6 metre high wall with 0.45 metre high railing onto the front boundaries of the dwellinghouses on Millhill Avenue, 0.9 metre high and 1.8 metre high timber fencing is proposed between the plots. Driveways accommodating two car parking spaces are allocated for each housing plot. Ancillary works to the public road to form footways and traffic calming measures on Fenwick Road are included within the application.

### 3. CONSULTATIONS AND ISSUES RAISED

3.1 East Ayrshire Council Roads and Transportation Division have no objection to the proposal subject to the imposition of conditions on any planning consent pertaining to the footway and traffic calming measures. The developer is required to form the new footway to an adoptable standard and obtain road construction consent prior to the commencement of works on site for such works. It is further advised that the applicant is required to ensure that buildings are above the potential flood flow path for a 1 in 200 year storm rainfall event and that potential purchasers are aware that the flood flow path must be kept clear of any structures or large planting. Manholes and rodding eyes should be provided at strategic points on the system to ensure adequate access for inspection and maintenance purposes.

***Should the Committee be minded to approve the application, conditions can be attached relating to the matters pertaining to traffic calming, formation of the footway, provision of details in respect of floor levels and notes requiring the developer to obtain a road construction consent, the provision of rodding eyes at strategic points on the system (this matter will be covered by the Council's Building Standards Division under the Building Warrant application) and a duty to advise potential purchasers to protect the flow path through the site.***

3.2 East Ayrshire Council Outdoor Services, Technical Officer has made no comments on the proposed development.

***Noted.***

3.3 Scotland Gas Networks have raised no objections to the proposed development.

***Noted.***

3.4 Scottish Water have raised no objections subject to the imposition of conditions on any planning consent pertaining to; connections to the wastewater system and/ or water network and the possible requirement that the surface water is treated by a SUDS system.

***Conditions can be attached to any grant of planning consent addressing the matters of connections to the waste water system and/ or water network and the provision of the SUDS system.***

3.5 Scottish Environment Protection Agency (SEPA) have made no objection to the proposal provided that all foul drainage from the site is connected to the public sewer and written assurance from Scottish Water is required to

demonstrate that the additional flow arising from this development will not cause or contribute to the premature operation of consented storm overflows. In addition it is requested that any planning permission granted includes a condition requiring the applicant to treat surface water from the site in accordance with the principles of the Sustainable Urban Drainage Systems Design Manual for Scotland and Northern Ireland, which was published by CIRIA in March 2000. It is further advised that suitable provision should be made with regard to space for waste storage at individual properties and the development as a whole to be in line with the Council's collection plans to address the recycling, composting, recovery and disposal targets.

***Should planning permission be granted for the proposed development, appropriately worded conditions can be imposed to ensure that foul drainage and a SUDS arrangement are to SEPA's satisfaction. It is considered that the applicant has taken cognisance of the Council's National Waste Strategy Local Area Waste Plan.***

3.6 Scottish Civic Trust does not object to the expression and proportions of the buildings which they believe relate better to their surroundings and the character of the village as a whole than the previous application. The use of render and natural slate roofing tiles is welcomed. They would recommend timber sliding sash and case windows.

***The Civic Trust's support of the proposal is noted. The applicants seek to finish the dwellinghouses in wet dash render, slate substitute roofing tiles and UPVC sliding sash and case windows on the front elevation with UPVC sash effect tilting windows on the side and rear elevations which are considered to respect and reflect the traditional/vernacular style represented in Kilmaurs Conservation Area.***

3.7 Architectural Heritage Society of Scotland have no objections in principle to the proposed development, where they comment that the design of the houses is acceptable, being in a traditional idiom. The contrasting colour of the ridge tiles could be seen as a rather suburban feature in this central location of Kilmaurs and wet dash render would be more appropriate to this location.

***Noted. Amended plans show the use of wet dash render and delete the use of contrasting ridge tiles.***

3.8 West of Scotland Archaeology Service comment that the proposal does not raise any known archaeological issues.

***Noted.***

3.9 Kilmaurs Community Council have not made any comments at the time of writing.

***Noted.***

#### **4. REPRESENTATIONS**

Eight letters of objection have been received from ten objectors in relation to the proposal. The grounds of objection are summarised as follows:-

4.1 Concern is raised that residents may be on holiday and will not have the opportunity to submit comments in the time available.

***Objections submitted outwith the statutory period are likely to be accepted where the objector confirms that they were on holiday during the relevant period. No objections have been disregarded on the basis of time bar.***

4.2 A question is raised regarding the ownership of the land and whether East Ayrshire have the right to sell the land.

***The applicants have submitted a copy of the title plan from the Council outlining the area of land. Any disputes over the ownership of land is a private legal matter, but notice has been served as required on the Council.***

4.3 The proposal does not meet the standards of the Council's Design Guidance for ' Listed Buildings and Buildings within Conservation Areas'.

***As detailed in section 5.3 it is considered that the proposal complies with the Council's Design Guidance.***

4.4 The proposal is unsympathetic to the setting of the category C listed building at 2 Fenwick Road.

***It is considered that the proposal would not impact on the setting of the C(s) listed building at 2 Fenwick Road. The comments of the amenity bodies are noted.***

4.5 Trees form much of the boundary line of the property at 2 Fenwick Road, the felling of any trees on or about the boundary line is strongly opposed and concern is raised regarding damage to the roots of the trees. Verification is sought whether it is an offence to remove trees in a conservation area without an adequate assessment having been carried out.

**Section 172 of the Town and Country Planning (Scotland) Act 1997 makes it an offence to fell/ lop trees within Conservation Areas without giving prior notice to the Planning Authority. Should the applicant require to fell/ lop any trees the applicant will require to notify the Council of these intentions. Irrespective of this, the right to carry out works to trees not on land within the applicants ownership is a private legal matter. The trees that surround the northern and eastern boundaries of the property at 2 Fenwick Road are predominantly conifers that have been allowed to grow to produce a dense hedge type screening. The Council's arboriculturalist has advised that the root spread for conifer trees is approximately 2 metres from the base of the tree, thus due to the positioning of the houses it is envisaged that they will not significantly impinge on the trees.**

4.6 Impact on privacy of existing residents.

**Given the constraints of the site the impact on privacy of existing residents has been carefully addressed through the internal arrangement of the proposed houses. At its most constrained area the distance between houses (proposed and existing) is detailed as approximately 13 metres (Plot 2). This is across a public road where amenity and privacy aspects are considered to be less sensitive in the public elevations, thus this distance is considered acceptable. To the rear of plots 1,2 and 3 there is considered to be no significant privacy aspect into the rear garden of the property at 2 Fenwick Road due to both the one and half storey design of the house and the existing screening around the northern and eastern boundaries of 2 Fenwick Road. The remaining plots have separation of between 17 and 20 metres. Thus it is considered that there will be no significant impact imposed by the development in terms of impact on the privacy of the existing residential properties.**

4.7 Impact on daylight of the existing dwellinghouses on Millhill Avenue.

**Given the distance between the proposed and the existing properties on Millhill Avenue and the fact that the proposed dwellinghouses are one and half storey in height it is considered that there will be no significant impact in terms of overshadowing to the existing dwellinghouses on Millhill Avenue.**

4.8 There is no allowance made for child play areas.

**Given that the application seeks permission for eight dwellinghouses; this is below the 30 unit threshold where the Council would seek provision of a play area.**

4.9 The proposal will result in both parking difficulties and increased road hazards to additional vehicles and pedestrian movement. The proposed parking provision is inadequate.

***As detailed in section 3.1 the Council's Roads and Transportation Division have confirmed that they are satisfied with the proposal, its parking provision and its supplementary traffic calming measures.***

4.10 Doubts regarding the capacity of both the water supply and the sewerage system.

***As detailed in sections 3.4 and 3.5, Scottish Water and SEPA have no objections to the proposal subject to the imposition of conditions that control connection to the water supply and foul drainage for the development.***

4.11 Concerns regarding the flooding of Fenwick Road and whether the proposed means of surface water drainage is adequate.

***As detailed in sections 3.4 and 3.5 conditions can be attached to any grant of planning consent to ensure adequate provision of a surface water drainage system. The Council's Roads and Transportation Division have advised that the applicants must ensure that the buildings are above the potential flood flow path for the 1 in 200 year storm rainfall event; a condition can be attached to any grant of planning permission to ensure that this matter is adhered to.***

4.12 Questions are raised regarding the accuracy of the boundary line between the site and the property at 2 Fenwick Road.

***The applicants have submitted a copy of the title plan and it is considered that the plan is consistent with the redline site area shown on the submitted application. It is, though, ultimately not a material planning consideration.***

4.13 Clarification is sought on the proposed road works to be carried out on Fenwick Road, where there is an existing driveway entrance into the garden at 2 Fenwick Road.

***The Council's Roads and Transportation Division have advised that where the build-out is proposed the access will still be available as the kerbs will be dropped at this location. Further clarification will be available through the road construction consent.***

4.14 Insufficient information is shown on the submitted plans regarding the traffic calming and parking on Fenwick Road and speed bumps etc are required at this location.

***The submitted plans clearly detail the proposed traffic calming measures and formation of footpath on Fenwick Road and all works will require to be to the satisfaction of the Council's Roads and Transportation Division in terms of construction consent.***

4.15 The houses are located too close to the footpath, have no front gardens and the front doors are on the pavement edge which does not reflect the other houses in Millhill Avenue. If it is not possible to achieve 100 sq. metres rear garden ground through the allocation of front gardens then it would appear that the site is still overdeveloped and a further reduction from 5 houses to 4 on Millhill Avenue should be made.

***It is considered that properties abutting the footpath are not an uncommon characteristic of Conservation Areas and in particular this is represented in properties on Main Street, Kilmaurs. It should be noted that the consultation responses from amenity bodies (Architectural Heritage Society and Scottish Civic Trust) charged with the assessment of the application in design terms have not criticised this particular aspect.***

4.16 Clarification is sought on what the curving dotted lines in the rear gardens indicate.

***The applicants have confirmed that this was a decorative path annotation on the original submitted plans and have since removed this detailing from the amended plans to avoid confusion.***

## **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 (2003).

### Ayrshire Joint Structure Plan

5.2 With regard to the structure Plan the application site is located within the settlement boundary of Kilmaurs therefore it is considered that there are no specific policies contained within the plan that relate to the application.

## East Ayrshire Local Plan

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

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

***The proposed development is located within Kilmaurs Conservation Area. It is considered that the house types are generally acceptable for such a location and the proposed materials reflect the traditional/ vernacular style of the Conservation Area. As detailed in section 3 the Civic Trust and Architectural Heritage Society are generally supportive of the proposal and have confirmed that the development is acceptable in the context of the Conservation Area.***

- (ii) transportation and infrastructure implications;

***As detailed in section 3 there are no objections to the proposed development from the Council's Roads and Transportation Division and other consultees regarding infrastructure.***

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

***The design of the house types are considered to reflect the traditional/ vernacular style of the Conservation Area and the applicants have reduced the density of the site from previously submitted applications to the present proposal that is considered acceptable in terms of space between dwellings and garden ground provision for the proposed dwellings.***

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

***The Council's Design Guidance 2 'New Residential Development' and 4 'Listed Buildings and Buildings within Conservation Areas' are relevant to the assessment of this application and it is considered that the proposal respects and reflects the general principles of these guidance documents.***

5.4 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 proposed development ensures that each residential unit accords with the requirements of Schedule 4 of the Local Plan, where a minimum of 100 sq. metres of private garden ground is provided for each plot to safeguard the amenity of the area.***

5.5 Policy ENV4 seeks to ensure that all development within or affecting the Setting of a Conservation Area or affecting the appearance or setting of a Listed Building, is sympathetic to the area or building concerned in terms of its layout, size, scale, design, siting, materials and colour of finish. The policy also states that development proposals should seek to preserve, enhance or incorporate features, which contribute positively to the character or appearance of the area and have due regard to the architectural and historic qualities of the area or building concerned.

***As previously stated the house types, layout and materials used are considered acceptable for a Conservation Area. Due to the separation distance between the category C(s) listed building at 2 Fenwick Road and the application site it is considered that the proposal will not materially affect the appearance or setting of the listed building. Furthermore it is considered that the application seeks to provide an attractive and complementary form of development on a vacant and unattractive piece of ground within the Conservation Area.***

5.6 The applicant has been requested to confirm a contribution to the Leisure and recreation fund under Policy TLR5 of the Adopted East Ayrshire Local Plan.

***The applicant has indicated that they would be willing to make a contribution to the TLR5 Fund of a total sum of £2,500 as a gesture of goodwill. The applicants submit that they regularly provide financial contributions to a variety of clubs, schools and charities located within East Ayrshire Council and question the ethics and legalities of the policy TLR5 requirements, however they are willing to contribute the sum stated and would encourage these funds to be utilised for funding in Kilmaurs.***

In conclusion it is considered that the proposal is in accordance with the provisions of the Development Plan.

## **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 The consultation responses do not indicate that the application should be refused and the Civic Trust and the Architectural Heritage Society are generally supportive of the application.

### Representations

6.3 The representations received have been summarised in Section 4 of the Report and 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 nature of the site is such that it is considered that the proposal can be accommodated as detailed with no detriment to the area. It is considered that the proposal represents the satisfactory redevelopment of vacant and unattractive ground within the Conservation Area.

### Planning History

6.5 An application for planning permission (02/0544/FL) for thirteen residential dwellings was withdrawn on 18 July 2003.

6.6 An application for planning permission (03/0628/FL) for twelve residential dwellings was refused on 10 February 2004.

6.7 An application for planning permission (04/0610/FL) for twelve private dwelling houses was refused on 29 October 2004.

6.8 A retrospective application for advertisement consent (05/0435/AD) for 2 No. freestanding signs was refused on 05 August 2005.

6.9 A retrospective application for planning permission (05/0438/FL) for site clearance works and erection of heras fencing was refused on 05 August 2005.

## **7. FINANCIAL AND LEGAL IMPLICATIONS**

7.1 The applicant's voluntary agreement to make a contribution to the Sports, Leisure and Recreation Fund in terms of Policy TLR5 will require a legal agreement to be entered into between the Council and the applicant; noting the applicants wish that such funds are utilised in Kilmaurs.

## **8. CONCLUSIONS**

8.1 As indicated in the report the application is considered to be in accordance with the terms of the Development Plan. Therefore it should be approved unless material considerations indicate otherwise.

8.2 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 use of appropriate conditions.

## **9. RECOMMENDATION**

**9.1 It is recommended that the application be approved subject to the conditions indicated on the attached sheet and that the issuing of the planning decision notice be withheld until the Solicitor to the Council has satisfactorily concluded a formal agreement with the applicants in respect of the matters detailed in paragraph 7.1 of this report.**

## **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, on the basis of the principle of residential development, the application will require to be referred to the Development Services Committee as that would be a significant departure from Council policy.

**Alan Neish**  
**Head of Planning, Development and Building Standards**

23 September 2005

(GC/RH)

FV/DVM

## **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 Refusal 02/0544/FL
8. Planning Refusal 03/0628/FL
9. Planning Refusal 04/0610/FL
10. Advertisement Refusal 05/0435/AD
11. Planning Refusal 05/0438/FL

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

***Implementation Officer: Dave Morris***

EAST AYRSHIRE COUNCIL

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

05/0785/FL

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Site of Proposal:	Fenwick Road/ Millhill Avenue KILMAURS
Nature of Proposal:	Proposed Erection of 8 No. Dwellings
Name & Address of Applicant:	Hope Homes Scotland Ltd Watson Terrace Drongan AYR KA6 7AB
Name & Address of Agent:	N/A

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DPOs Reference: GC/RH

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 plans received on 13 July 2005 and the amended plans received by the Planning Authority on 2 September 2005 and 6 September 2005.

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

2. Notwithstanding the details on the plans hereby approved, further details of the existing and proposed ground levels of the site and proposed floor levels of the proposed houses shall be submitted to for approval by the Planning Authority prior to the commencement of development and thereafter implemented in accordance with the details as approved.

REASON In the interest of the visual amenity of the Conservation Area and residential amenity.

3. Details submitted in pursuance of condition 2 above shall include the means of soil retention within the site.

REASON In the interest of amenity.

4. Notwithstanding the plans hereby approved the boundary treatments illustrated on the approved site layout plan (00/19-V2) shall be implemented prior to the occupation of any of the dwellinghouses, and thereafter maintained to the satisfaction of the Planning Authority.

REASON In the interest of residential and visual amenity of the Conservation Area.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992, (or any order or enactment replacing this) no extensions, garages or structures shall be erected on the site unless a further specific planning application is submitted to and approved by the Planning Authority.

REASON To enable the Planning Authority to ensure that such structures are provided in a manner compatible with the visual amenity of the Conservation Area and to ensure that the flood flow path is kept clear of any structures.

6. Notwithstanding the plans hereby approved prior to the construction of the dwellinghouses details of the 'Conservation' style rooflights shall be submitted for the prior written approval of the planning authority and thereafter be implemented in accordance with the approved details.

REASON In the interest of visual amenity of the Conservation Area.

7. Notwithstanding the plans hereby approved the dwellinghouses shall be finished in wet dashed render and smooth banding around window and door openings shall be formed on the front and side elevations of each dwellinghouse. Prior to the construction of the dwellinghouses details of the paint colour for the render and banding shall be submitted for the prior written approval of the Planning Authority and thereafter shall be implemented in accordance with the approved details.

REASON In the interest of visual amenity of the Conservation Area.

8. Notwithstanding the plans hereby approved and prior to the construction of the dwellinghouses, details of the white sliding sash and case windows to be installed in all front elevations shall be submitted for the prior written approval of the Planning Authority and thereafter shall be implemented in accordance with the approved details.

REASON In the interest of visual amenity of the Conservation Area.

9. Notwithstanding the plans hereby approved and prior to the construction of the dwellinghouses, details of the 'sash and case effect' windows proposed for the side and rear elevations of the dwellinghouses shall be submitted for the prior written approval of the Planning Authority and thereafter shall be implemented in accordance with the approved details.

REASON In the interest of visual amenity of the Conservation Area.

10. 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.

REASON To ensure adequate drainage of the site.

11. Prior to the occupation of any residential units, the SUDS system arrangement approved under the terms of condition 10 shall be installed and fully operational.

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

12. Prior to the commencement of works on site, details of the disposal of waste water shall be submitted to and approved by the Planning Authority and thereafter be fully operational prior to the occupation of any of the dwellinghouses.

REASON To ensure adequate disposal of waste water from the site.

13. Notwithstanding the plans hereby approved full details of the footways and associated traffic calming measures shall be approved in writing by the Planning Authority and thereafter shall be implemented prior to the occupation of the dwellinghouses.

REASON In the interest of road safety.

14. The formation of the new footway will require to be to adoptable road standard.

REASON In the interest of road safety.

15. The building works shall be undertaken in such a manner as to safeguard the retention of the existing hedging to the north and east boundaries of 2 Fenwick Road. Materials and vehicles shall not be stored such as to damage the root systems of these hedges.

REASON In the interests of residential amenity.

## **NOTES TO APPLICANT**

- 1 The applicant is required to notify all prospective purchasers to protect the potential 1:200 years flood flow path through the site.
- 2 The Council does not currently have a general agreement with Scottish Water in relation to the maintenance of public SUDS. Proposals for site specific agreements which may require to involve the developer or other third parties will be considered within the overall framework recommended in the design manual for SUDS published by CIRIA.
3. The developer is required to contact Scotland Gas Networks (0800 111 999) with regards to excavation works on or near to a gas main.
4. The developer shall ensure that manholes and rodding eyes are provided at strategic points on the system to ensure adequate access for inspection and maintenance purposes.

**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.**