

## **EAST AYRSHIRE COUNCIL**

**NORTHERN AREA LOCAL PLANNING COMMITTEE: 16 FEBRUARY 2007**

**06/0535/FL: CHANGE OF USE OF LAND TO ESTABLISH RIDING CENTRE, ERECTION OF STABLES, OFFICE, BARN AND SIX FIELD SHELTERS, FORMATION OF NEW ACCESS, PARKING AND OUTDOOR ARENA AND SITING OF CARAVAN AND CONTAINER AT LAND TO WEST OF MUIRHEAD OF BALGRAY FARM, NEAR IRVINE.  
BY Mr A ANGUS**

### **EXECUTIVE SUMMARY SHEET**

#### **1. DEVELOPMENT DESCRIPTION**

1.1 Within the East Ayrshire Council area, the planning application relates to a proposed riding centre. This centre will include a riding arena and stabling, along with administration and teaching facilities. The riding arena will be located in the northern part of the application site, close to the road, and would measure 70 metres long by 39 metres wide. The arena would be laid on top of the existing ground, built up from hard-core, sand, bark and/or composite rubber, with an integral drainage solution throughout. Sited around the riding arena on the northern, eastern and western sides of it, would be 26 stables, the office and learning centre facilities. These structures would be 3 metres high and each stable unit would be 4.5 metres wide. At a central location to the north of the arena, in a break between the stable block would be a barn, measuring 8 metres by 12 metres and standing 4 metres high. The stables would be built in shiplap timber with black 'Onduline' cladding to the roof. On the southern side of the arena, the applicant proposes a residential caravan to provide on-site accommodation and also proposes to relocate an existing 40 foot steel container from the western edge of the site to this location. The container has been used up to this point for the storage of equipment associated with the on-site riding activities. On the western side of the arena, the applicant proposes a ramp to permit disabled riders to mount and dismount the horses.

1.2 Following discussions, the access will now be on the northern edge of the site, approximately 65 metres from the corner, to provide satisfactory visibility splays. This access leads into the site and turns west to an area of 32 car parking spaces, 5 car and trailer parking spaces and a large turning head.

1.3 The field drainage from the arena would be collected and taken to a reed bed to the south west of the arena. The foul waste from the on-site toilet and caravan would go into a septic tank before finally discharging to the same reed bed. On the northern side of the arena, next to the barn, there would be a midden to collect and dispose of the horse waste, any liquid

arising from the midden would be stored separately in an underground tank prior to collection and disposal.

## **2. RECOMMENDATION**

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

## **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 refusal of the application, given the imposition of appropriate planning conditions. The proposal is of a nature and scale compatible with adjoining activities and is generally appropriate within such a rural location.

## **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 the application will not require to be referred to the Development Services Committee as this would not 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.

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BY Mr A ANGUS**

**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, since it has been the subject of objections.

### **2. APPLICATION DETAILS**

2.1 **Site Description:** The application site relates to an area of agricultural land which previously formed part of Muirhead of Balgray Farm, but which has recently been sold to the applicant. The site extends in total to some 57 acres, with the majority of the site lying within North Ayrshire, however, their part would only be used for grazing of horses and the erection of the field shelters.

2.2 The site overlaps the boundary with the North Ayrshire Council. To the west, on the opposite side of the road and located within North Ayrshire is the Viewfield Manor Caravan Park. Along the western boundary of the site are some residential properties and Ellandee Kennels located between the site and the public road. To the north, on the opposite side of the road lies Laigh Auchenhavie Farmhouse, this and the remaining boundaries abut open fields and farmland.

2.3 **Proposed Development:** Within the East Ayrshire Council area, the planning application relates to a proposed riding centre. This centre will include a riding arena and stabling, along with administration and teaching facilities. The riding arena will be located in the northern part of the application site, close to the road, and would measure 70 metres long by 39 metres wide. The arena would be laid on top of the existing ground, built up from hard-core, sand, bark and/or composite rubber, with an integral drainage solution throughout. Sited around the riding arena on the northern, eastern and western sides of it, would be 26 stables, the office and learning centre facilities. These structures would be 3 metres high and each stable unit would be 4.5 metres wide. At a central location to the north of the arena, in a break between the stable block would be a barn, measuring 8 metres by 12

metres and standing 4 metres high. The stables would be built in shiplap timber with black 'Onduline' cladding to the roof. On the southern side of the arena, the applicant proposes a residential caravan to provide on-site accommodation and also proposes to relocate an existing 40 foot steel container from the western edge of the site to this location. The container has been used up to this point for the storage of equipment associated with the on-site riding activities. On the western side of the arena, the applicant proposes a ramp to permit disabled riders to mount and dismount the horses.

2.4 Following discussions, the access will now be on the northern edge of the site, approximately 65 metres from the corner, to provide satisfactory visibility splays. This access leads into the site and turns west to an area of 32 car parking spaces, 5 car and trailer parking spaces and a large turning head.

2.5 The field drainage from the arena would be collected and taken to a reed bed to the south west of the arena. The foul waste from the on-site toilet and caravan would go into a septic tank before finally discharging to the same reed bed. On the northern side of the arena, next to the barn, there would be a midden to collect and dispose of the horse waste, any liquid arising from the midden would be stored separately in an underground tank prior to collection and disposal.

### 3. CONSULTATIONS AND ISSUES RAISED

3.1 East Ayrshire Council's Roads and Transportation Division advise that following discussions they have no objections to the proposal nor the access point proposed on the northern boundary, subject to the following conditions;

- (a) the junction sightlines required are X = 2.5 metres, Y = 70 metres.
- (b) the service lay-by to be formed at the new site access as detailed by them.
- (c) the corner at the junction of the C6 and C20 is to be widened to accommodate commercial service vehicles and horse trailers.

Elements of this work are required to be done to an adoptable standard and the applicant should be advised that a road opening permit must be obtained prior to work commencing to ensure that it is undertaken to the correct specification and in a safe manner.

***Appropriate planning conditions can be attached to the grant of any planning permission for this development addressing these matters. Similarly, advisory notes can be attached to any consent, advising the applicant of the need to obtain a road opening permit, prior to the commencement of any works on site.***

3.2 East Ayrshire Council, Roads & Transportation Division - Flooding Section confirm that they have no objections to the proposals in relation to flooding.

***Noted.***

3.3 East Ayrshire Council, Environmental Health Division advise that they have no objections in principle to the development, however, offer the following comments:

1. Any waste arising from the works during construction and whilst they are operating should be disposed of to the satisfaction of the Waste Management Authority, and otherwise than by burning.
2. Suitable provision should also be made for the collection and disposal of animal waste, and any dungstead should be so sited as will not give rise to complaints of nuisance, or present a contamination risk to any watercourse.
3. Noisy work on the site during construction should be restricted to 8.00 a.m. to 6.00 p.m. Monday to Friday, 8.00 a.m. – 1.00 p.m. on a Saturday, and no noisy work on a Sunday. Particular cognisance should be paid to the close proximity of residential properties in the area.
4. Noise from the works during construction should be at such a level as will not cause annoyance or be otherwise detrimental to the amenity of the area.
5. All drainage from the premises should be completed to the satisfaction of SEPA.
6. The lighting installation should ensure that surrounding properties are not adversely affected by spread of light from the floodlights as this can be the cause of annoyance and I understand, may eventually be classed as Statutory Nuisance.

***These matters can be addressed by the imposition of the appropriate planning conditions and advisory notes on any planning permission granted.***

3.4 Scottish Water do not object in principle to the proposal, however, request that it be noted that any planning consent does not guarantee a connection to Scottish Water's infrastructure and a separate application is needed.

Scottish Water also advise there are no public sewers in the vicinity and it is advisable that any septic tank is located to permit easy access for emptying by a tanker. They advise that the water network infrastructure is not affected by this proposal at this time, however, a supply from the public water network is dependant on the spare capacity at the time of application for a water connection.

***Planning conditions and advisory notes can be attached to any planning consent to alert the applicant to these issues.***

3.5 Scottish Environment Protection Agency (SEPA) advise that they have no objections in principle provided the drainage is to their satisfaction.

3.6 SEPA's preferred method for the disposal of septic tank effluent is the provision of a sub soil soakaway system. It is therefore recommended that the possibility of providing such a system is investigated. The septic tank and soakaway construction and design should comply with the requirements set out in "The Scottish Building Standards: Technical Handbook: Domestic" issued in May 2005. The local authority Building Standards Department should be contacted in this regard. This will require the applicant to carry out percolation testing on site to assess the suitability of the sub-soil for effluent disposal, surface water should be excluded from the septic tank.

3.7 The Water Environment (Controlled Activities) (Scotland) Regulation 2005 were implemented on 1 April 2006. All developments completed after this date will require compliance with this legislation. The discharge of treated sewage effluent will require registration with SEPA. Further details on this matter can be obtained by contacting the local SEPA office in Ayr on 01292 294000.

3.8 In addition, any planning permission granted should include 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.

3.9 The applicant must however make suitable provision to ensure that contaminated drainage (e.g. farm manure storage areas) is not allowed to gain access to groundwater or watercourses. Guidance on this issue is contained within SEPAs Pollution Prevention Guidance Note 24, Stables, Kennels and Catteries, available at [www.sepa.org.uk](http://www.sepa.org.uk) or from the local SEPA office on 01292 294000.

### **Construction and Pollution Prevention**

3.10 Construction works associated with the development of the site must be carried out with due regard to the SEPA's guidelines on avoidance of pollution. Reference should be made to the relevant Pollution Prevention Guidance (PPG). Notes are available on SEPA's website at [www.sepa.org.uk](http://www.sepa.org.uk) and to the CIRIA publication C651 "Environmental Good Practice Pocket Book".

3.11 Any waste materials imported to the site during construction must be stored and used only in accordance with the waste management licence or exemption under the Waste Management Licensing Regulations 1994 (as amended). Similarly any waste materials removed from the site must be disposed of at a suitably licensed or exempt waste management facility in accordance with these Regulations.

***Planning conditions can be attached to any grant of planning permission in relation to SUDS and drainage within the site. In terms of construction and Pollution Prevention Guidance, notes can be attached advising the applicant to contact SEPA.***

3.12 North Ayrshire Council advise that they have considered the planning application submitted to them. They agreed at their meeting of 12 January 2007, to conditionally approve it. With regard to the wider proposal to establish the Riding Centre and site additional buildings, they offer no objection.

***Noted.***

3.13 Stewarton & District Community Council have not responded in respect of the proposal.

***Noted.***

#### **4. REPRESENTATIONS**

4.1 The proposal was advertised in the Kilmarnock Standard on 29 June 2006 as a result of the Neighbour Notification requirements. Seven letters of objection, three of which were a standard letter, were received from four parties. The objectors raised the following concerns:

4.2 Concerns have been raised by objectors and on their behalf by the local MP, regarding the adequacy of the boundary fencing and the resulting lack of safety and security from the applicant's horses. They advise that fences have been broken down and horses entered into neighbours property endangering their family members and animals. They highlight several such occasions when such incursions took place, resulting in injury to a neighbour and the re-homing of one horse away from the area.

***A planning condition could have been used to obtain a more secure fencing/boundary treatment, however, as this part of the objector's property lies within North Ayrshire, this Council would not impose any such condition as it would be unlawful and unenforceable. However, the applicant could voluntarily agree to discuss an acceptable fencing solution.***

4.3 The objectors claim that the size and scale of this proposal will have a detrimental impact on the wildlife in the surrounding area.

***The site is located in open countryside and only comprises a relatively small area of timber and other rurally acceptable structures. It is unlikely that this proposal would significantly affect the local wildlife and is more likely to provide/enhance nesting and habitat opportunities.***

4.4 Concern is expressed at the likely heightened noise nuisance in the area given the size and scale of the proposed operation. Also possible light pollution from vehicles visiting the site and any proposed floodlighting.

***The Council's Environmental Health Division have raised no objections to the proposal, suggesting conditions relating to working hours during construction and that due regard be taken that any lighting does not cause annoyance to neighbouring properties. In this respect it is proposed to impose planning conditions restricting construction works, hours of operation and seeking the prior approval of the Council for any security or floodlighting proposed.***

4.5 Drainage concerns have also been noted, stating that this area is poorly drained and prone to flooding.

***It should be noted that SEPA raised no objections to the proposal and the applicant proposes to drain the arena and will have to provide positive drainage solutions for all the roads, parking and hard surfaces within the site.***

4.6 The site of the development proposed, the number of people likely to be attracted and the resulting additional traffic on the road will cause a loss of privacy to surrounding residents.

***Given the rural location of the business and the distance to the nearest neighbouring property, approval of the proposal is unlikely to have a significant detrimental affect on the amenity or privacy of the surrounding properties.***

4.7 Concerns have been expressed at the inadequate nature of the surrounding road network and objectors question whether the roads can cope with all the additional traffic.

***As stated earlier, following discussions, the access point to the site has been relocated from the western boundary to the northern boundary, in a position considered acceptable by both sets of Council Roads engineers subject to conditions on sightlines, junction widening and a lay-by provision.***

4.8 Further concerns have been expressed regarding water run-off from the site, the reed bed system, and the adequacy of the midden proposed.

***SEPA have not objected to the proposal and have advised the applicant to contact them direct with regard to pollution control matters arising from the midden.***

4.9 The objectors are concerned with the size and style of construction proposed for both the field shelters and the stables, claiming they are built to a poor standard and are not sufficiently large to accommodate the breed of horses they think will occupy them.

***The Council's Environmental Health Division raised no concerns on this matter and the stable construction proposed is one which is commonly used in such developments.***

4.10 Finally, concerns have been expressed that the site may be liable to subsidence due to alleged illegal mining operations which have taken place in the past.

***The Council are unaware of any ground stability issues relating to this site. The applicant is responsible for establishing the nature of any ground conditions prior to applying for a Building Warrant or commencing any works on site. A note can be attached to any consent advising the applicant to contact British Coal.***

## **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 (AJSP) and the Adopted East Ayrshire Local Plan (EALP)

The Finalised Replacement Ayrshire Joint Structure Plan is now a material consideration in the determination of planning applications.

### Ayrshire Joint Structure Plan

5.2 Policy G5 states that development proposals outwith settlements in the Rural Protection Area shall conform to the Structure Plan only where the development:

A. has a demonstrated site specific location need;

***The applicant has provided information to support the application and also to demonstrate a site specific locational need. The site proposed is in an acceptable location for such a development, as it is adjacent to an existing caravan site within North Ayrshire Council's boundary, located off the main A735 route between Barrhead and Irvine. The supporting information indicates that this is an ideal location to which to attract people with horses, etc, from surrounding areas. The justification also states that trekking in this location will be easier due to the proximity of quiet country roads.***

***The applicant also justifies the proposal on the basis of a range of activities which will take place. They also state that riding lessons (including riding lessons for the disabled) within East and North Ayrshire have a waiting list of between 6 – 18 months. (However, there has not been any supporting information submitted with the application to justify this assertion). The supporting information provided by the applicant has however, on balance demonstrated a site specific locational need.***

B. can be justified in terms of social and economic benefit to the community;

***It is considered, from the information supplied, that the proposal can be justified in terms of social and economic benefit to the community.***

C. contributes to rural land diversification; or

***It is considered that the proposal will contribute to rural land diversification.***

D. provides for the operational needs of agriculture and forestry.

***The proposal is not associated with the operational needs of agriculture and forestry.***

#### East Ayrshire Local Plan

5.3 Policy SD3 states that, within the Rural Protection Area, development proposals relating to land located outwith settlement boundaries will be acceptable to the Council only in five stated circumstances. Only three of these stated circumstances are pertinent to the application, these being where the development:-

(ii) can be fully justified in terms of site specific locational need; or

(iii) can be fully justified in terms of social and economic benefit to the community; or

(iv) contributes to rural land diversification.

***The applicant has established that the proposal satisfies the requirements of these criteria.***

5.4 Policy IND6 requires all proposals for new industrial or business development on land not specifically identified for such purposes on the Local Plan maps and changes of use of existing premises to industrial or business use to be justified against a set of eight separate criteria, as follows:-

- (i) locational need;

***The locational need has been established through the supporting statement and the nature of the activities.***

- (ii) availability of alternative land/premises in established industrial areas or on land identified as part of the marketable industrial land supply;

***A general rural location for a such a proposal would normally be considered acceptable in preference to land/premises in established industrial areas or on land identified as part of the marketable industrial land supply.***

- (iii) economic benefit;

***It is considered that the proposed development would benefit the local economy.***

- (iv) impact on surrounding environment and adjacent uses;

***It is considered that the development will have a minimal impact on the surrounding environment and adjacent uses.***

- (v) transportation and infrastructure implications;

***The Council's Roads Division have raised no objections to the proposal.***

- (vi) loss of public amenity open space;

***No public amenity open space would be lost as a result of the proposed development.***

- (vii) loss of prime quality and good quality locally important agricultural land falling within categories 1, 2, 3.1 and 3.2 of the Macauley Land Use Research Institute; and

***The development would not result in the loss of good quality locally important agricultural land falling within category 1, 2, 3.1 and 3.2 of the Macauley Land Use Research Institute.***

- (viii) impact on natural and built heritage resources.

***It is considered that the proposed development will not have any adverse impact on natural and built heritage resources.***

5.5 Policy IND10 states that industrial and business development outwith settlement boundaries will be acceptable to the Council only where the proposal relates to five stated types of development, the most relevant being:-

(iii) Sympathetic industrial and business development related to appropriate rural activities such as small scale craft industries and leisure, recreation and tourism developments;

***The proposal is considered to be a sympathetic recreational based business development related to an appropriate rural activity.***

The policy also requires all proposals for industrial and business developments in the countryside to be justified against a set of six criteria, as follows:-

- (i) their impact on the surrounding environment;
- (ii) their impact on adjacent uses;
- (iii) transportation implications;
- (iv) infrastructure implications;
- (v) loss of prime agricultural land; and
- (vi) impact on natural and built heritage resources.

***It is considered that the applicants proposal does not conflict with the aims of any of these stated criteria.***

5.6 Policy TLR 6 presumes in favour of the recreational and sporting use of land in the countryside subject to a set of three criteria being met, as follows:-

- (i) the proposed use is not visually or environmentally intrusive and is of a nature and scale compatible with adjoining activities;

***It is considered that the proposed use will not be visually or environmentally intrusive and is of a nature and scale compatible with adjoining activities, which in this location are primarily associated with tourism/leisure and agriculture.***

- (ii) there is no adverse impact on natural or heritage resources; and

***It is not considered that the proposed development will have any adverse impact on natural and built heritage resources.***

- (iii) the proposal complies fully with all other relevant Local Plan Policies and meets all pertinent Development Promotion criteria relating to infrastructure, services, access, siting, design, landscaping, car parking, etc.

***The proposal complies with all other relevant Local Plan Policies and complies with infrastructure, services, access, siting, design, landscaping and car parking requirements, subject to the application of conditions.***

5.7 Policy RES 12 states that the use of caravans and permanent dwellings on sites other than those specifically authorised for such purposes will not be permitted. However, the policy also states that temporary consent may be granted in special circumstances where on-site temporary accommodation is required pending the construction of a permanent dwelling or where a temporary, proven, site specific locational need can be demonstrated to the satisfaction of the Council.

***It is considered that a temporary consent should be issued for the use of a caravan on site while the business is being established and a site specific locational need can be satisfactorily demonstrated in this case.***

## **6. ASSESSMENT AGAINST MATERIAL CONSIDERATIONS**

6.1 The principal materials consideration relevant to the determination of the application are the consultation responses, the representations received , the Finalised Ayrshire Joint Structure Plan and the issue of any impact on the amenity of the area.

### Consultation Responses

6.2 The consultation responses are detailed in Section 3 of the report 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 and are not considered to be of such weight as to merit refusal of the application.

### Finalised Ayrshire Joint Structure Plan

6.4 Policy ECON 14 Rural Diversification

The three Ayrshire Councils shall:

A. Support the principle of rural diversification, particularly through proposals for small scale renewable energy; forest-based products and industries; leisure, recreation and tourism; non-food crops and local quality food initiatives; appropriate rural housing and small business development; and

B. Identify appropriate criteria for the assessment of proposals related to the diversification and growth of existing rural businesses and for the establishment of appropriate new business development in rural areas.

***It is considered that the proposal accords with this policy as it can be associated with leisure, recreation and is a small business development.***

#### Impact on the Amenity of the Area

6.5 It is considered that the proposed development would not have a significant detrimental impact on the character and amenity of the surrounding area. The proposal is for a rural use, retaining a predominantly open appearance and subject to the implementation of conditions imposed in relation to traffic, pollution and noise, it can be adequately controlled without detriment to the surrounding area.

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

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

## **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 refusal of the application, given the imposition of appropriate planning conditions. The proposal is of a nature and scale compatible with adjoining activities and is generally appropriate within such a rural location.

## **9. RECOMMENDATION**

**9.1 It is recommended that the application 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 the application will not require to be referred to the Development Services Committee as this would not be a significant departure from Council policy.

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

07 February 2007  
(WS/IMB/RH)

FV/DVM

## **LIST OF BACKGROUND PAPERS**

1. Application Form and Plans.
2. Statutory Notices and Certificates.
3. Consultation Responses.
4. Letters of Representation.
5. Adopted East Ayrshire Local Plan (2003).
6. Approved Ayrshire Joint Structure Plan (1999)
7. Finalised Ayrshire Joint Structure Plan

Anyone wishing to inspect the above papers please contact William Stewart, Principal Planning Officer, on 01563 578165.

***Implementation Officer: Dave Morris***

## EAST AYRSHIRE COUNCIL

## TOWN &amp; COUNTRY PLANNING (SCOTLAND) ACT 1997

Application No:

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Site of Proposal:	Land to the West of Muirhead of Balgray Farm, Near Irvine, KA11 2AR
Nature of Proposal:	Change of Use of land to establish Riding Centre, Erection of Stables, Office, Barn and Six Field Shelters, Formation of New Access, Car Parking and Outdoor Arena and Siting of Caravan and Container.
Name & Address of Applicant:	Alex Angus 13 Canmore Place STEWARTON KA3 5PS
Name & Address of Agent:	N/A

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DPO'S REFERENCE: WS/IMB/RH

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

1. Details of the junction improvements on the C6 and C20 adjoining the application site, as well as details of the service lay-by to be formed at the new access with the public road, shall be submitted to and agreed in writing by the Planning Authority. Thereafter the approved junction and lay-by details shall be fully implemented prior to any other works commencing on site.

REASON In the interests of road safety.

2. Prior to any works commencing on site, visibility splays of  $x=2.5$  metres and  $y =70$  metres, shall be formed at the access point with the public road, with no obstructions greater than 1.0m in height being permitted thereafter within these splays.

REASON In the interests of road safety.

3. External construction works and deliveries to the site shall only take place between the hours of 08:00am to 6:00pm Monday to Friday, 08:00am to 1:00pm on a Saturday and at no time on a Sunday.

REASON In the interests of the amenity of the surrounding area.

4. The riding centre hereby approved shall only be open to the public between the hours of 08:00am to 8:00pm.

REASON In the interests of the amenity of the surround area.

5. Notwithstanding the plans hereby approved, details of any floodlighting and/or security lighting, including its positioning, within the site shall be submitted to and agreed in writing by the Planning Authority. Thereafter the approved scheme shall be implemented in accordance with the approved details, unless otherwise agreed in writing with the Head of Planning, Development and Building Standards.

REASON In the interests of the amenity of the surrounding area.

6. Before any work commences on site, details of a Sustainable Urban Drainage System and its maintenance following installation shall be submitted in writing to and approved by the Planning Authority. The Sustainable Urban Drainage System shall thereafter be installed on site prior to the riding centre coming into use.

REASON To ensure that adequate drainage is provided.

7. Details of the foul drainage solution for the site, shown on drawing No. 200610 Rev D dated 28 November 2006, shall be fully installed and operational prior to the riding centre coming into use.

REASON To ensure an adequate drainage solution and in the interests of the amenity of the surrounding area.

8. The caravan and 40 foot container detailed and indicated on drawing No. 200610 Rev D dated 28 November 2006, shall only be permitted on site for a temporary period expiring on 16 February 2009.

REASON To avoid the establishment of an unjustified permanent residential presence within the Rural Protection Area and in the interests of the amenity of the surrounding area.

9. Notwithstanding the plans hereby approved, details of the barn to the north of the riding arena, in terms of materials and finishes, shall be submitted to and agreed in writing by the Planning Authority prior to any work commencing on site.

REASON In the interests of the amenity of the surrounding area.

10. A landscaping scheme indicating the number, location, size and species proposed shall be submitted to and agreed in writing by the Planning Authority, prior to the riding centre becoming operational. Thereafter, the agreed scheme shall be implemented within the first planting season following the riding centre becoming operational, with any specimens dying or become diseased within 5 years of that date, being replaced with an equivalent specimen.

REASON In the interests of the amenity of the surrounding area.

#### NOTES

1. The applicant shall contact the Council's Roads and Transportation Division (Tel: 01563 576358) with regard to any traffic management requirements and to obtain a Road Opening Permit, prior to commencing any works on site.

2. The applicant is advised to contact Scottish Water with regard to a connection to their infrastructure.

3. Any waste arising from the works during construction and whilst the site is in operation, shall be disposed of to the satisfaction of the Waste Management Authority, and otherwise than by burning.

4. Suitable provision should be made for the collection and disposal of animal waste, and any dungstead should be so sited as will not give rise to complaints of nuisance, or present a contamination risk to any watercourse.

5. The Water Environment (Controlled Activities) (Scotland) Regulation 2005 were implemented on 1 April 2006. All developments completed after this date will require compliance with this legislation. The discharge of treated sewage effluent will require registration with SEPA. Further details on this matter can be obtained by contacting the local SEPA office in Ayr on 01292 294000.

6. The applicant must make suitable provision to ensure that contaminated drainage (e.g. farm manure storage areas) is not allowed to gain access to groundwater or watercourses. The guidance on this issue is contained within SEPAs Pollution Prevention Guidance Note 24, Stables, Kennels and Catteries, available at [www.sepa.org.uk](http://www.sepa.org.uk) or from the local SEPA office on 01292 294000.

7. Construction works associated with the development of the site must be carried out with due regard to the SEPA's guidelines on avoidance of pollution. Reference should be made to the relevant Pollution Prevention Guidance (PPG) Notes available on SEPA's website at [www.sepa.org.uk](http://www.sepa.org.uk) and to the CIRIA publication C651 "Environmental Good Practice Pocket Book".

8. Any waste materials imported to the site during construction must be stored and used only in accordance with the waste management licence or exemption under the Waste Management Licensing Regulations 1994 (as amended). Similarly any waste materials removed from the site must be disposed of at a suitably licensed or exempt waste management facility in accordance with these Regulations.

9. The applicant is advised to contact British Coal, prior to commencing any works on site.

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