

**EAST AYRSHIRE COUNCIL**

**SOUTHERN LOCAL PLANNING COMMITTEE: 24 FEBRUARY 2006**

**04/0958/FL: PROPOSED ROAD AND DRAINAGE NETWORK INCLUDING  
POND, PART DEMOLITION OF BALLOCHMYLE HOUSE AND  
REFURBISHMENT TO FORM 14 RESIDENTIAL UNITS  
AT BALLOCHMYLE HOUSE AND ESTATE, MAUCHLINE**

**APPLICATION BY NORTHKIRK LIMITED**

**EXECUTIVE SUMMARY SHEET**

**1. DEVELOPMENT DESCRIPTION**

1.1 Full permission is now sought, under Reserved Matters, for the refurbishment of Ballochmyle House for the development of 14 flatted residential units comprising two units (three apartment) on the lower ground floor, four units (three apartment) on the ground floor, four units (three apartment) on the first floor and two units at attic level (four apartment). Two units will be accommodated over the ground floor with a mezzanine level to provide four apartments in each.

1.2 The proposal also includes the formation of a new access road to serve the refurbished mansion house that will also serve as part of the residential road layout for the proposed enabling residential development to be constructed within the grounds of the former hospital site. Also included as part of this proposal is the formation of a lochan in front of the mansion house, that is to be used as a sustainable urban drainage system for surface water within the development site.

1.3 Car parking will be provided both to the front of Ballochmyle House and also to the north and south sides of the building. The application is also supported by a comprehensive Landscape and Visual Impact Assessment, an Ecological Report including specific Bat and Barn Owl Surveys, an updated Tree Survey and an assessment of the designated Ancient Woodland. These documents were prepared to meet the terms of the outline consent for the proposed enabling development and are also relevant in part to the refurbishment of the mansion house.

**2. RECOMMENDATION**

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

### **3. SUMMARY OF ANALYSIS**

3.1 As indicated in Section 5 of the report, the application is considered to be in accordance with the development plan. Therefore, given the terms of Section 25 and Section 37(2) of the Town and Country Planning (Scotland) Act 1997, the application should be approved unless material considerations indicate otherwise. As is indicated at Section 6 of the report, there are material considerations relevant to this application, however it is considered that these have been sufficiently addressed and do not merit refusal of the application.

3.2 The application has been made for the refurbishment of a Grade B Listed Building for the development of 14 flatted residential units for which Listed Building Consent has already been granted in this regard. It is considered that the proposed development is acceptable in terms of its design, layout of parking and proposed servicing arrangements.

3.3 The layout seeks to restore, at least in part, the historic setting of the listed Ballochmyle House previously despoiled by the former hospital development. With regard to ecological and landscape impact, appropriate surveys have been carried and in this regard, Scottish Natural Heritage has raised no objections to the proposed development and concurs with the findings of the various supplementary reports provided as part of this application.

3.4 Objections received from Scottish Water are currently being addressed by the applicant with the statutory undertaker and these objections are not of sufficient weight to justify refusal of the application. It is considered that the third party objections relative to this development proposal are either not borne out by the consultation process, or are not valid or are not of sufficient weight to justify refusal of the application.

### **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, and this was based on the principle of the proposed development, the application would require to be referred to the Development Services Committee as it would be contrary to the previous decision to grant outline consent for the development.

**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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**APPLICATION BY NORTHKIRK LIMITED**

**Report by Head of Planning, Development and Building Standards**

### **1. PURPOSE OF REPORT**

1.1 The purpose of this report is to present for determination a Reserved Matters application which is to be considered by the Local Planning Committee under the scheme of delegation as the application is the subject of objections and is of local area significance.

### **2. APPLICATION DETAILS**

2.1 **Site Description:** The application site extends to 29.6 hectares in area, comprises Ballochmyle House and part of the former hospital at Ballochmyle Estate and its environs. The site is located approximately 1.2 km south-east of the settlement of Mauchline and 0.3 km west of the village of Catrine.

2.2 Ballochmyle Golf Course lies immediately southwest of the site with agricultural land to the southeast and the A76 trunk road running south of the golf course. To the east the ground slopes down towards the edge of Catrine and to the north-west is the B705 road between Mauchline and Catrine. Agricultural land lies between the application site to the north and the B705 which wraps around the northern edge of the Ballochmyle Estate. Ballochmyle Sawmill and Sawmill Cottage are situated on the opposite side of the B705 immediately across from the existing main entrance to the site.

2.3 The site is accessed via the existing main site entrance from the B705, albeit at present this entrance is sealed off to vehicles. This road is central within the site and leads to a mini roundabout situated approximately 400 metres from the mansion house itself. There is an existing internal road network at present, this is however substandard in nature. There are three hospital buildings remaining on the site together with the foundations of some buildings which have been demolished since the closure of the hospital.

2.4 Ballochmyle House lies immediately to the east of the site boundary and is a Category B Listed Building. Prior to and since the closure of the hospital, the mansion house has fallen into a severe state of disrepair.

2.5 A previous outline planning application for the development of land for residential purposes and refurbishment of mansion house to form flats at Ballochmyle House and estate was approved on 01 February 2005. This outline consent was subject to a Section 75 Agreement to ensure the restoration of Ballochmyle House (Ref. No. 02/0257/OL). An associated Listed Building Consent Application (Ref. No. 03/0410/LB) for the proposed refurbishment of Ballochmyle House to form flats was approved on 09 November 2004.

2.6 **Proposed Development:** Full permission is now sought, under Reserved Matters, for the refurbishment of Ballochmyle House for the development of 14 flatted residential units comprising two units (three apartment) on the lower ground floor, four units (three apartment) on the ground floor, four units (three apartment) on the first floor and two units at attic level (four apartment). Two units will be accommodated over the ground floor with a mezzanine level to provide four apartments in each.

2.7 The proposal also includes the formation of a new access road to serve the refurbished mansion house that will also serve as part of the residential road layout for the proposed enabling residential development to be constructed within the grounds of the former hospital site. Also included as part of this proposal is the formation of a lochan in front of the mansion house, that is to be used as a sustainable urban drainage system for surface water within the development site.

2.8 Car parking will be provided both to the front of Ballochmyle House and also to the north and south sides of the building. The application is also supported by a comprehensive Landscape and Visual Impact Assessment, an Ecological Report including specific Bat and Barn Owl Surveys, an updated Tree Survey and an assessment of the designated Ancient Woodland. These documents were prepared to meet the terms of the outline consent for the proposed enabling development and are also relevant in part to the refurbishment of the mansion house.

### **3. CONSULTATIONS AND ISSUES RAISED**

3.1 East Ayrshire Council Roads and Transportation Division has no objections subject to the following conditions:

- (i) Access to the site will require to be taken via internal roads which comply with the Roads Development Guide 1996 and will require Construction Consent. This consent would cover such details as road widths, footways, road construction, street lighting, drainage etc;

- (ii) A right turn lane to the requirements of the Design Manual for Roads and Bridges Volume 6 TD41/95 will be required on the B705 Mauchline to Catrine Road to access the site in the interests of road safety;
- (iii) Improved street lighting will be required at the junction with the B705 as part of the Construction Consent in the interests of road safety;
- (iv) Junction visibilities of 4.5 metres by 160 metres are required to the right hand side on exit and 4.5 metres by 120 metres to the left hand side on exit at the junction with the B705 with no obstruction to visibility greater than 1 metre in height being allowed within these areas;
- (v) All internal roads will require to be traffic calmed;
- (vi) Junction visibility splay areas of 4.5 metres by 35 metres will be required at all internal road junctions with no obstruction to visibility greater than 1 metre in height being allowed within these areas;
- (vii) The developer is required to upgrade the rural footway adjacent to the B705 that links Mauchline with the site as part of the construction consent
- (viii) Parking to the Roads Development Guide 1996 will require to be provided for the development;
- (ix) Any garages must be set back a minimum distance of 6 metres from the rear of the public footway;
- (x) All private driveways will require to be paved for a minimum distance of 6 metres from the rear of the footway;
- (xi) Any gates will require to open inwards, away from the public road;
- (xii) No surface water must be allowed to discharge onto the public road;

***The requirements of the Roads and Transportation Division in the interests of road safety can be met through the imposition of appropriate conditions in any consent granted for the proposed development.***

3.2 Mauchline Community Council and Catrine Community Council have not responded to the consultation letter.

***Noted.***

3.3 Scottish Water has advised that it objects to the application whereby the proposed development drains to the public sewerage system. Scottish Water will remove this objection if the developer can demonstrate that the development will not have an impact on its assets, or that suitable infrastructure can be put in place to support the proposed development

***The developer will require to resolve issues of drainage of the site directly with Scottish Water.***

3.4 The Scottish Environment Protection Agency has no objections in principle to the proposals provided that the drainage arrangements are to its satisfaction. All foul drainage from the development must be connected to the public

sewerage system in accordance with Scottish Water requirements. The applicant should obtain written assurance from Scottish Water that the additional foul drainage arising from this development will not cause or contribute to premature operation of the down stream consented storm sewer overflows. SEPA would seek a condition requiring the applicant to obtain assurance from Scottish Water that the additional foul drainage arising from this development will not cause or contribute to premature operation of downstream consented storm sewer overflows. SEPA requests a condition requiring the applicant to install a surface water treatment system designed and constructed in accordance with the principles of the Sustainable Urban Drainage Systems Design Manual for Scotland and Northern Ireland. Soils in this area may not be suitable for infiltration systems and therefore surface treatment structures may be more appropriate. All waste materials generated by this development that require to be removed such as construction, demolition materials and surplus excavated material, must be removed from the site by licensed waste carriers. Waste must be removed to a site that has either an appropriate waste management licence or is registered with SEPA as exempt from licensing.

***Conditions and appropriate notes can be attached to any consent granted to meet the requirements of SEPA.***

3.5 Power Systems has no objections to the proposed development but has advised that SP Distribution has an operational substation and high voltage or underground cables within the vicinity of the proposed development.

***The applicant has been advised of the comments of Power Systems.***

3.6 Scottish Natural Heritage re-iterates its previous comments at the outline stage regarding the possibility of bats roosting on site and the recommendation that a bat survey is carried out. SNH would anticipate that a bat and tree survey should be completed prior to any work commencing on site.

***Following the initial comments received from SNH, the applicant submitted survey information regarding the presence of bat and barn owls on site together with a comprehensive tree survey and assessment of the designated Ancient Woodland area. SNH was also provided with a Landscape and Visual Impact Report together with an Ecological Assessment of the site.***

With regard to the reports on bats and barn owls, SNH states that Ballochmyle House is a designed landscape considered to be of regional importance. The protection of the integrity of the designed landscape is therefore considered to be of similar importance to the ecological value. It is important to consider information together to ensure that the integrity of the designed landscape is balanced with the protection of the more ecologically sensitive areas. SNH notes that the more recent survey for barn owls did not find evidence of barn owl using

Ballochmyle House although the earlier survey carried out by Central Environmental Surveys did report observations. The Wildlife & Countryside Act 1981 (as amended) makes it an offence intentionally or recklessly take, damage or destroy the nest of any wild bird while that nest is in use or being built. Barn owls are included on Schedule 1 of the Act which grants additional protection, making it an offence to disturb the bird while it is in, on or near a nest containing eggs or young, and to disturb dependent young of such a bird. The birds are most likely to be present and breeding between March to September, if the work is likely to proceed before this time this would be acceptable. However, we would recommend that if work is not proposed until after March 2006 the site should be resurveyed to confirm the birds are absent. The bat survey did not record any signs of roost within Ballochmyle house although did state that it was not the most appropriate time of year to carry out the survey and also some areas of the main building were inaccessible for a physical check. SNH would endorse the mitigation proposals recommended within the report.

***SNH, following consultation on the additional reports and survey information provided, has indicated that it accepts the survey results and recommendations contained within the reports and consequently has no further comments to make in this regard. The recommendations and mitigation measures promoted within the submitted reports can be secured by appropriate conditions attached to any consent granted for the proposed development, thereby meeting the requirements of SNH.***

3.7 West of Scotland Archaeology Service states that as part of the current proposed development involves the creation of a large pond amongst other ground works, it is possible that this could uncover archaeological remains, such as a defensive ditch surrounding an earlier fortified house and its offices. It is therefore recommended that should the Council intend to grant planning consent for this proposal, an archaeological watching brief condition should be attached as follows:

*The developer shall secure the implementation of an archaeological watching brief, to be carried out by an archaeological organisation acceptable to the planning authority, during development work. The retained archaeological organisation shall be afforded access at all reasonable times and allowed to record and recover items of interest and finds. Terms of reference for the watching brief will be supplied by the West of Scotland Archaeology Service. The name of the archaeological organisation retained by the developer shall be given to the planning authority and to the West of Scotland Archaeology Service in writing not less than 14 days before the development commences.*

WOSAS indicates that the condition is necessary to recover any evidence of an earlier medieval house which may exist in the area affected by the development.

***A condition can be attached to any consent granted for the proposed development to meet the requirements of WOSAS.***

#### **4. REPRESENTATIONS**

4.1 Apart from the consultee objection received from Scottish Water referred to in Section 3 above, two third party letters of representation have been received regarding the proposed development. The points of objection are summarised as follows:

4.2 The proposed accesses to the main road are dangerous, particularly to our neighbouring properties at the sawmill and Sawmill Cottage. The sawmill is used for commercial purposes and has constant visiting traffic. The access arrangements have to be radically altered and this does not appear to have been addressed.

***The proposed development at Ballochmyle Estate and Ballochmyle House has been the subject of a Traffic Impact Assessment. Subject to the implementation of appropriate road infrastructure improvements identified as part of the TIA, the Roads and Transportation Division has no objections to the proposed development in road safety terms.***

4.3 The estate (Ballochmyle Estate) has access through the proposed development site for agricultural and timber operations. Appropriate access arrangements have not been provided and the proposed planning consent would remain unsuitable for operations of this sort.

***The proposed road infrastructure to be installed to serve both the refurbished mansion house and the proposed enabling residential development will result in improved access though the site including roads formed to adoptable standards. It is considered that access to and through the site will be improved, not diminished.***

4.4 The pond discharge linked to on site drainage is inappropriate as this discharge is to be connected to existing watercourses within the bounds of the existing golf course. It is felt that the discharge generated by the introduction of this drainage scheme directly into an open watercourse would create extra problems for our already precarious drainage and course ecology.

***The proposed SUDS system will require to be designed to meet the requirements of SEPA, Scottish Water and the Roads and Transportation Division. No particular objections have been raised to the discharge outfall from the proposed lochan being directly discharge to a watercourse. The purpose of the lochan is to***

***attenuate surface water discharge from the development site so as to prevent any adverse impacts 'downstream' of the development.***

4.5 As we know from the past planning applications and consents, the question of site contamination is to be addressed. The microclimate required to maintain the growth of fine grass and to nurture a balanced eco -structure within the golf course may be compromised by the unchecked/unregulated discharge.

***Comments as per 4.4 above.***

## **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 (1999) and the adopted East Ayrshire Local Plan (2003).

### Ayrshire Joint Structure Plan

5.2 There are no policies within the structure plan that are especially relevant to the proposed development.

***Noted.***

### East Ayrshire Local Plan

5.3 Policy ENV2 states that the Council will actively encourage the retention, restoration, renovation and re-use of listed buildings, unlisted buildings in Conservation Areas and other locally important, especially traditional older properties, throughout the area. There will be a presumption against the demolition or partial demolition of all such properties.

***The renovation of the listed property is fully in line with the provisions of the above policy.***

5.4 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.

***The renovation of the listed property is fully in line with the provisions of the above policy.***

5.5 Policy RES7 encourages the rehabilitation or conversion of existing, and traditionally designed and constructed buildings to residential use, subject to a set of stated criteria being met, as follows;

(i) the Council will require to be satisfied that the structural condition of the building is suitable for its conversion to residential use;

***An engineer's report on the structural condition of the building and its suitability for conversion has previously been provided as part of the previous applications.***

(ii) the proposal is capable of being implemented while retaining, to at least eaves level, the existing external walls of the building. Any extension shall be limited to a maximum of 50% of the ground floor area of the existing building and a minimum 50% of the external wall area in the completed conversion/rehabilitation shall be formed from the external walls of the original building;

***There are no extensions proposed in relation to the development.***

(iii) the development meets the service requirements of all appropriate statutory undertakers and the Council as Roads Authority;

***The proposed development is consistent with this provision.***

(iv) the proposal is fully in keeping with the character and appearance of the area within which it is located;

***The proposal is considered to be in keeping with the character and appearance of the area.***

(v) the proposal meets all the design requirements of the Council and reflects the style and design of the original building located on the site; and

***The proposed development is consistent with this provision.***

(vi) the proposal does not damage the architectural integrity of the building and reuses wherever possible, any existing traditional building materials found on site.

***The proposed development is consistent with this provision and it is noted that listed building consent has been granted for the proposed works.***

***The principle of development has already been established through the approval of the previous outline application for the development. The conversion of the house is considered to be extremely sensitive and in keeping with the character and appearance of the existing building and its location.***

## **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 and the planning history of the site.

### Consultations Responses

6.2 The consultation responses do not suggest that the application should be refused. The objection from Scottish Water is based on cost criteria and this matter will require to be resolved directly between the applicant and Scottish Water.

### Planning History

6.3 An outline planning application (Ref. No. 02/0757/OL) for the development of land for residential purposes and refurbishment of Ballochmyle House to form flats was approved on 01 February 2005. This application is also the subject of an existing Section 75 Agreement for the site.

6.4 A Listed Building Consent Application (Ref. No. 03/0410/LB) for the proposed refurbishment of Ballochmyle House to form flats was approved on 09 November 2004.

6.5 A Reserved matters application (Ref. No 05/0706/RM) for the development of 94 dwellings within Ballochmyle Estate including the formation of access roads was approved by the Southern Local Planning Committee at its meeting on 27 January 2006 subject to the concluding of an amendment to the existing Section 75 Agreement for the site.

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

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

## **8. CONCLUSIONS**

8.1 As indicated in Section 5 of the report, the application is considered to be in accordance with the development plan. Therefore, given the terms of Section 25 and Section 37(2) of the Town and Country Planning (Scotland) Act 1997, the application should be approved unless material considerations indicate otherwise. As is indicated at Section 6 of the report, there are material considerations relevant to this application, however it is considered that these have been sufficiently addressed and do not merit refusal of the application.

8.2 The application has been made for the refurbishment of a Grade B Listed Building for the development of 14 flatted residential units for which Listed Building Consent has already been granted in this regard. It is considered that the proposed development is acceptable in terms of its design, layout of parking and proposed servicing arrangements.

8.3 The layout seeks to restore, at least in part, the historic setting of the listed Ballochmyle House previously despoiled by the former hospital development. With regard to ecological and landscape impact, appropriate surveys have been carried and in this regard, Scottish Natural Heritage has raised no objections to the proposed development and concurs with the findings of the various supplementary reports provided as part of this application.

8.4 Objections received from Scottish Water are currently being addressed by the applicant with the statutory undertaker and these objections are not of sufficient weight to justify refusal of the application. It is considered that the third party objections relative to this development proposal are either not borne out by the consultation process, or are not valid or are not of sufficient weight to justify refusal of the application.

## **9. RECOMMENDATION**

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

### **CONTRARY DECISION NOTE**

Should the Committee agree that the application be refused contrary to the recommendation of the Head of Planning, Development and Building Standards, and this was based on the principle of the proposed development, the application would require to be referred to the Development Services Committee as it would be contrary to the previous decision to grant outline consent for the development..

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

10 February 2006  
HM/HM

### **LIST OF BACKGROUND PAPERS**

1. Application Form, Plans and accompanying supporting information.
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. Previous applications 02/0757/OL and 03/0410/LB
8. Current application 05/0706/RM.

Anyone wishing to inspect the above background papers should contact Mr. Hugh Melvin on 01563 555481.

***Implementation Officer: Dave Morris***

Application No: 04/0958/FL

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Location	Ballochmyle House MAUCHLINE KA5 6QH
Nature of Proposal:	Proposed road and drainage network including pond, part demolition of Ballochmyle House and refurbishment to form 14 residential units
Name and Address of Applicant:	Northkirk Ltd 14 Walnut Road KILMARNOCK KA1 2HF
Name and Address of Agent	Thomson McCrea 9 Old Bridge Street AYR KA7 1QA

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DPO's Ref:  
PPO's Ref: Hugh Melvin

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

1. Prior to the commencement of development on site, the applicant shall submit to and have approved by the Planning Authority, in consultation with the Roads Authority, details of the proposed right turn lane constructed to the requirements of the Design Manual for Roads and Bridges Volume 6 TD41/95, as required on the B705 Mauchline to Catrine Road to access the site.

REASON – In the interests of public road safety

2. Junction visibilities of 4.5 metres by 160 metres shall be formed to the right hand side on exit and 4.5 metres by 120 metres to the left hand side on exit at the junction with the B705 with no obstruction to visibility greater than 1 metre in height being allowed within these areas.

REASON – In the interests of public road safety.

3. Junction visibility splay areas of 4.5 metres by 35 metres shall be formed at all internal road junctions with no obstruction to visibility greater than 1 metre in height being allowed within these areas.

REASON – In the interests of public safety.

4. Parking to the Roads Development Guide 1996 shall be provided for the development.

REASON – In the interests of residential amenity.

5. Any gates will require to open inwards, away from the public road.

REASON – In the interests of public safety.

6. No surface water must be allowed to discharge onto the public road;

REASON – In the interests of public road safety.

7. Construction works on site shall not be carried out prior to 0800 hours and after 1700 hours on Mondays to Fridays, between 0800 and 1300 hours on Saturdays, and not at any time on Sundays.

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

8. Notwithstanding the plans hereby approved, and the provisions of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992, no boundary walls or fencing shall be constructed within the curtilage of the listed building, unless forming part of this approval, without the prior written approval of the Planning Authority.

REASON – In the interests of visual amenity.

9. Prior to the commencement of development on site, the applicant shall submit to and have approved by the Planning Authority a detailed landscaping plan for the development site. The plan shall provide details of the numbers, species and sizes of trees and shrubs to be planted as core structure planting within the development site. The submitted information shall include details of the timing of the provision of all the foregoing as well as proposals for the future maintenance of these areas.

REASON – In the interests of visual amenity.

10. Prior to the commencement of development the developer shall submit the details of the Sustainable Urban Drainage system (SUDs) to be installed and shall specify a programme for the future management and maintenance of the scheme. The design of the SUDS scheme, relevant to the proposed lochan, shall take cognisance of the principal function of the lochan to serve as a landscape feature within the development site.

REASON – To ensure an appropriate means of surface water runoff in the interests of public health and safety.

11. Prior to the commencement of any development on site, there shall be submitted to and approved by the Planning Authority in consultation with the Environmental Health Authority, a methodology statement addressing the collection and removal of asbestos cement contained within the site. This asbestos cement, thought primarily to be located in the vicinity of underground heating pipes, shall thereafter be treated in accordance with the details in the statement as approved.

REASON - In the interests of public health.

12. No site clearance or building operations shall be commenced until chestnut pale fencing of a height no less than 1.2 metres has been erected around trees shown on the approved plans as being retained on the site. The fencing shall enclose either:

- (a) the area described by the limit of the spread of the branches of the tree; or

(b) a radius of 5 metres from the trunk of the tree,

whichever is the greater.

REASON: To ensure the retention of the maximum number of trees on the site and their protection from damage in the interests of visual amenity.

13. Other than those trees specifically identified for removal as part of the approved plans, no trees within the application site, either existing or proposed as part of the core structure planting, shall be lopped, topped or felled within the site without the prior formal approval of the Planning Authority, or as otherwise may be agreed as part of an approved Landscape Management Plan for the site.

REASON – In the interests of visual amenity.

14. Prior to the commencement of works on site, the applicant shall submit to, and have approved by the Planning Authority, details of any enclosures, structures or other apparatus required in respect of the provision of servicing infrastructure for the proposed development.

REASON – In the interests of visual amenity.

15. The developer shall secure the implementation of an archaeological watching brief, to be carried out by an archaeological organisation acceptable to the planning authority, during development work. The retained archaeological organisation shall be afforded access at all reasonable times and allowed to record and recover items of interest and finds. Terms of reference for the watching brief will be supplied by the West of Scotland Archaeology Service. The name of the archaeological organisation retained by the developer shall be given to the planning authority and to the West of Scotland Archaeology Service in writing not less than 14 days before the development commences.

REASON – In order to safeguard potential archaeological resources that may be affected by the development proposals.

## **NOTES TO APPLICANT**

1. East Ayrshire Council Roads and Transportation Division has advised that Construction Consent will be required for the construction of the residential roads and footpaths, street lighting etc. The Division can be contacted on Tel 01563 555330. The internal roads must comply with the Roads Development Guide 1996. This consent would cover details such as road widths, footways, road construction, street lighting, drainage, traffic calming, internal junction visibilities etc.
2. The developer should make early contact with Scottish Water and the Scottish Environment Protection Agency regarding drainage of the site and to confirm the request to utilise a Sustainable Urban Drainage System (SUDS) with regard to surface water. These Authorities require this development to be drained in accordance with the recommendations contained in the CIRIA manual on SUDS.
3. 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.

4. The applicant should make early contact with Power Systems and Transco with regard to the protection or diversion of apparatus that may be affected by the proposed development.
5. All waste to be removed from the site (construction waste etc.) shall be removed by a licensed waste carrier to an appropriately licensed or exempted site.

**DUE TO ORDNANCE SURVEY REGULATIONS AND COPYRIGHT  
THE MAP IS AVAILABLE FOR VIEWING AT THE COUNCIL'S  
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VIEWING PLEASE CONTACT (01563) 555320.**