

EAST AYRSHIRE COUNCIL

SOUTHERN LOCAL PLANNING COMMITTEE: 17 JUNE 2005

**05/0325/FL: PROPOSED CHANGE OF USE TO RESIDENTIAL AND
ERECTION OF 26 DWELLINGHOUSES AT BARRHILL INDUSTRIAL
ESTATE, BARRHILL TERRACE, CUMNOCK**

APPLICATION BY SPRINGFIELD HOMES LIMITED

EXECUTIVE SUMMARY SHEET

1. DEVELOPMENT DESCRIPTION

1.1 Full planning permission is sought for the erection of 26 dwellinghouses on the site. The proposed dwellings comprise 5 different house types, all of two storey construction, as follows:

- (i) 12 Type A (3 bedroom, semi-detached units);
- (ii) 4 Type B (3 bedroom, detached units with integral garage);
- (iii) 2 Type C (3 bedroom, detached units with integral garage);
- (iv) 6 Type D (4 bedroom, detached units with integral garage); and
- (v) 2 Type E (4 bedroom, detached units with integral garage).

1.2 The proposed layout of the site incorporates an area of overlooked open space at the entrance to the development site with a strip of amenity space situated along the Barrhill Terrace frontage. The existing access road would be upgraded with the provision of new footpaths and street lighting linking to the existing nursing home.

2. RECOMMENDATION

2.1 It is recommended that the application be approved subject to the conditions 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 appropriately addressed and are not of sufficient weight to indicate the application should be refused.

3.2 The site is an existing industrial area that is not safeguarded in the local plan. The local plan supports the development of gap, in-fill or other development sites within settlement boundaries. Given the proximity of this industrial site to existing sensitive uses i.e. a nursing home and other residential properties it is considered that the redevelopment of the site for residential purposes is appropriate and should be encouraged.

3.3 The proposed development in terms of its layout, scale, design and use of finishing materials is considered to be acceptable for this location subject to the imposition of appropriate conditions. The development of this site will also greatly improve the visual and general amenity of this area given the present vacant scrubland condition of the application site. Improvements to the existing access road and junction with the A70 road will be implemented as part of the proposed development.

3.4 Although Scottish Water has objected to the proposed development, it is considered that the cost criteria on which the objection is based is a matter for the developer to resolve with Scottish Water and SEPA.

3.5 It is further considered that the representations received are either not of sufficient weight to justify refusal of the application or are not valid in respect of the proposed development. It is considered that some of the points raised can be addressed through the imposition of appropriate conditions in any consent granted for the proposed development.

CONTRARY DECISION NOTE

Should the Committee agree that the application be refused contrary to the recommendation of the Head of Planning, Development and Building Standards, the application will not require to be referred to the Development Services Committee because it would not represent a significant departure from the development plan.

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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ESTATE, BARRHILL TERRACE, CUMNOCK**

APPLICATION BY SPRINGFIELD HOMES LIMITED

Report by the Head of Planning, Development and Building Standards

1. PURPOSE OF REPORT AND BACKGROUND

1.1 The purpose of this report is to present for consideration a full planning application which is to be considered by the Local Planning Committee under the scheme of delegation as the application is for 26 dwellings and is the subject of objections.

2. APPLICATION DETAILS

2.1 **Site Description:** The application site is located on the north side of Barrhill Terrace in Cumnock and lies approximately 25 metres east of the junction of Barrhill Terrace with Barrhill Road (A70 Cumnock – Muirkirk Road). The site area extends to 1.3 hectares and comprises the site of the former Glenmuir Engineering premises and its curtilage at this location. The existing industrial building within the site has been more recently used by a taxi and bus hire firm that has now relocated to Caponacre Industrial Estate. The premises and associated yard are presently vacant.

2.2 The application site is bounded to the south by the Barrhill Terrace access road to Bute House Nursing Home and the existing tree banked area adjacent to the A70 road, by the nursing home and the Glasgow – Dumfries railway line to the east, by existing residential properties on Barrhill Terrace and Keir Hardie Hill to the west and by vacant land to the north.

2.3 **Proposed Development:** Full planning permission is sought for the erection of 26 dwellinghouses on the site. The proposed dwellings comprise 5 different house types, all of two storey construction, as follows:

- (i) 12 Type A (3 bedroom, semi-detached units);
- (ii) 4 Type B (3 bedroom, detached units with integral garage);
- (iii) 2 Type C (3 bedroom, detached units with integral garage);
- (iv) 6 Type D (4 bedroom, detached units with integral garage); and
- (v) 2 Type E (4 bedroom, detached units with integral garage).

2.4 The proposed layout of the site incorporates an area of overlooked open space at the entrance to the development site with a strip of amenity

space situated along the Barrhill Terrace frontage. The existing access road would be upgraded with the provision of new footpaths and street lighting linking to the existing nursing home.

3. CONSULTATIONS AND ISSUES RAISED

3.1 East Ayrshire Council's Roads and Transportation Division has indicated that there is no objection in principle to the proposed development subject to appropriate conditions as follows:

1. The site will require to be served by internal roads which comply with the Roads Development Guide 1996 and will require Construction Consent from East Ayrshire Roads Division. This consent would cover details such as road widths, footways, road construction, street lighting, drainage, traffic calming etc. and must be in place prior to commencing roadworks on site. A road bond must be submitted by the developer prior to commencing building work on site. All roads to be a minimum of 5.5m wide.
2. Junction visibility splay areas of 2.5 m by 35 m will be required at all internal road junctions with no object greater than 1m in height allowed within these areas.
3. No surface water must be allowed to discharge from driveways onto existing or proposed public roads.
4. Parking requirement must be to Roads Development Guide 1996, including visitor parking.
5. Any garages must be set back a minimum distance of 6 m from the rear of the footway / service strip.
6. The private driveways will require to be paved for a minimum distance of 2 metres from the rear of the footway or service strip to avoid overcarry of loose material onto the public road.
7. Driveway manoeuvrability should be provided for off-road parking.
8. The proposed driveways should be not less than 4.8 m in length by 2.5 m wide.
9. Any gates will require to open inwards, away from the public road.
10. Drainage details and in particular the use of SUDS will require the approval of East Ayrshire Council Roads and Transportation Division, Scottish Water and SEPA as part of the Construction Consent.
11. Junction visibility splay areas of 2.5 m by 35 m will be required at all internal road junctions with no object greater than 1m in height allowed within these areas.
12. Junction visibilities of 2.5m by 90m are required at the junction of the development with Barrhill Terrace and no fencing, buildings etc. over 1m in height will be allowed within these areas.

Conditions can be attached to any consent granted for the proposed development to meet the requirements of the Roads and Transportation Division.

3.2 Cumnock Community Council has no objections to the proposed development.

Noted.

3.3 Power Systems has no adverse comments to make on the proposed developments.

Noted.

3.4 Scottish Water has objected to the proposed development for the reason that the cost of providing infrastructure to the development would be beyond their reasonable cost obligation. They would remove their objection if the developer:

- (i) bears the cost of the increase in capacity of Scottish Water's existing infrastructure to accommodate their development; and/or
- (ii) promotes a scheme that does not compromise the quality and quantity of discharge from the existing sewerage system and which is in terms satisfactory to Scottish Water.

The developer has been advised of this and a note can be attached to any consent granted for the proposed development advising the developer to make early contact with Scottish Water regarding the provision of water services.

3.5 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 development must not entail the use of dual manholes for connections to the existing sewerage system, either in the public sewers or within the curtilage of the development. 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.

3.6 East Ayrshire Environmental Health Division has indicated that with regard to the above planning application, historic mapping shows that this site was formerly occupied by railway sidings and goods yard and more recently Glenmuir Engineering Works. The made ground may contain contaminants associated with railway infrastructure and engineering activities such as; fuel and lubricating oils, coal residues and clinker ash containing heavy metals, asbestos, creosote etc. Any development proposal at this location would require that a comprehensive site investigation be carried out in line with PAN 33 to assess the risk of exposure to contaminants in the soil (if present) to key receptors. The standard contaminated land conditions should therefore be applied to the application

The applicant has been made aware of the comments of the Environmental Health Division. The appropriate standard conditions with regard to potential site contamination can be attached to any consent granted for the proposed development to meet the requirements of the Environmental Health Division.

3.7 East Ayrshire Outdoor Amenities Section indicates that it would normally request a children's play area set within a quality open space area for a development of this size. However there may be suitable area adjacent to the site behind Keir Hardie Hill where a suitable junior/ teenager area could be created.

Since the comments of the Outdoor Amenities Section have been received, amended plans have been submitted reducing the number of dwellings from 31 to 26 and introducing an area of amenity open space within the development. In policy terms, as the number of dwellings now proposed falls below 30, there is no formal requirement to provide an equipped play area. The applicant has however agreed to make a contribution to the Council's Sports, Leisure and Recreation Fund.

4. REPRESENTATIONS

4.1 In addition to the objection from Scottish Water, four letters of representation have been received with respect to the proposed development. The main points of objection are summarised as follows:

4.2 The junction of Barrhill Terrace and Barrhill Road needs to be upgraded to make it a lot safer than it presently is.

The proposed development will result in junction improvements to satisfy the requirements of the Roads and Transportation Division and will represent a significant improvement on the existing situation.

4.3 There is no mention of the boundary treatment surrounding the estate and I would wish to know what the developers propose.

The application site has varying existing boundary features including hawthorn hedging, trees and palisade fencing. A condition can be attached to any consent granted for the proposed development to require the applicant to submit details of proposed boundary treatments to the Planning Authority for approval prior to works commencing on site.

4.4 There is a 2 car garage site which is not included in the plans. As this site has lain derelict for years would it not be possible to include this in the proposal.

The area in question is in private ownership and it is understood that the owner wishes to use the area to erect a garage. See 4.10 below.

4.5 All the houses are two storey buildings and I feel that this is likely to spoil the view from the rear of our property together with the potential to impinge on the privacy of our house and garden.

The loss of a view is not a material consideration in the determination of this application. It should be noted that the site layout has been amended to remove dwellings proposed to the rear of existing properties on Barrhill Terrace. Given the distance between the proposed new dwellings and existing residential properties, it is not considered that there would be any significant adverse issues arising from loss of privacy and overlooking.

4.6 The style of the properties appears to be very modern not in keeping with properties in the area.

It is accepted that the proposed development is of modern design and construction but it is considered that this is acceptable for this location and is a considerable improvement on the existing industrial building located within the site.

4.7 I have concerns regarding the increased volume of traffic which would arise at the junction with limited view onto a road busy with artic lorries. The junction is difficult to manage at present.

The proposed development will result in junction improvements to satisfy the requirements of the Roads and Transportation Division and will represent a significant improvement on the existing situation.

4.8 The proposed development area is currently home to a variety of wildlife that would be homeless as a result of the proposed development. The

site is home to house sparrows which is a priority species in terms of conservation.

The application site is not affected by any statutory or non-statutory wildlife designation. The proposed development will result in the redevelopment of a vacant, potentially contaminated industrial site that presently detracts from the general amenity of the area. The proposal will not result in the loss of any significant trees within the site and it is considered that there will be no significant adverse impacts on fauna in or adjacent to the application site.

4.9 When we purchased our house we paid good money for it as we wanted to move to a residential area. To build the proposed houses would only add traffic with cars coming in and out at all hours to what is already a busy junction.

The objector's property lies directly on Barrhill Road (A70) which carries significantly greater levels of traffic during all hours than that which would be generated by the proposed development. It is therefore considered that the proposed development would not result in any significant detriment to the amenity of the objector's property due to traffic generation.

4.10 We have a plot of land at the site where we intend to put a garage on and this would block any access.

The proposed development will not interfere with the objector's plot of ground, rather the development will result in the improvement of the access road and junction serving the wider area. It should be noted that formal planning consent would be required for the erection of a garage on the objector's land.

4.11 This is a very quiet area and very peaceful. If the proposed site goes ahead, it will be no better than a housing scheme which will affect my house price. What happens with the children? Are they going to play in my front garden or the street?

It is not considered that the proposed development will have any significant impact on the objector's property or loss of amenity through noise. The alleged loss in value of property is not a material consideration in the determination of this application.

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 particular policies within the structure plan that are relevant to the proposed development.

Noted.

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;

Residential use at this location would have a limited impact on the surrounding built environment. However, there is a Tree Preservation Order along the frontage of the site. See comments under policy ENV 15.

(ii) transportation and infrastructure implications;

Apart from the objection received from Scottish Water, which is based on cost criteria implications, there are no other significant infrastructure implications arising from the proposed development that cannot be addressed through the imposition of appropriate conditions in any consent granted for the proposed development.

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

The proposed development is compatible with surrounding densities. The house types are not similar to those in surrounding areas but there are no particular objections to those proposed.

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

The design is considered to be generally acceptable.

5.4 Policy RES19 requires all housing developers to provide areas of recreational and amenity open space in their developments to the indicative

basic standards set out in Schedule 3 of the Local Plan. The policy states also that the precise type, size, location and design of the open space required is dependent on the extent of existing open space provision in the vicinity and the recreational and amenity needs of the wider area.

The proposed layout provides for an appropriate level of amenity open space.

5.5 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 amended plans submitted for the proposed development provides for private open space provision in accordance with Policy RES22.

5.6 Policy ENV15 states that the Council will actively seek to preserve and supplement existing broadleaf and native tree species throughout East Ayrshire. In particular, the Council will:

(ii) protect those individual, groups and areas of trees which contribute significantly to the landscape quality of both the built and rural environment, through the serving of Tree Preservation Orders.

There is an avenue of beech trees along the existing entrance road to Bute House Nursing Home. Part of this existing entrance would form the basis for the new access road to this development and the proposed formation of a footway along the north side of the access road as shown on the plans may have an impact on some of the trees. While some of the scrub adjacent to the site access will require to be cut back in the interests of public road safety, it is not envisaged that the proposed road junction improvements or footpath works will require the felling of any trees.

5.7 Policy TLR5 of the Local Plan requests that all potential developers of residential sites comprising four or more houses enter into a legal agreement with the Authority for contributions towards the provision of appropriate leisure and recreational facilities within the area to which their development relates.

The developer has confirmed agreement to make a contribution to the Sports, Leisure and Recreation Fund and hence complies with this policy.

6. ASSESSMENT AGAINST MATERIAL CONSIDERATIONS

6.1 The principal material considerations relevant to the determination of the applications are the consultation responses, representations received and the planning history of the site.

Consultation Responses

6.2 The consultation responses, in terms of site infrastructure do not indicate that planning permission should be withheld. The applicant will require to resolve the issue of site drainage directly with Scottish Water.

Representations

6.3 It is considered that the representations received are either not valid, or can be addressed through the imposition of appropriate conditions in any consent granted for the development, or are not of sufficient weight to justify refusal of the application.

Planning History

6.4 A full planning application for the change of use of the factory building and yard, forming the greater part of the current application site, to use as a garage yard and workshop for a mini-bus, taxi and private hire business was approved on 20 February 2001 (Ref. No. 00/0835/FL). This business relocated to Caponacre Industrial Estate during November 2004.

7. FINANCIAL AND LEGAL IMPLICATIONS

7.1 If the Committee is minded to approve the application this will require to be the subject of an agreement under Section 69 Local Government (Scotland) Act 1973 in respect of securing the developer contribution to the Council's Sports, Leisure and Recreation Fund.

Noted.

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 appropriately addressed and are not of sufficient weight to indicate the application should be refused.

8.2 The site is an existing industrial area that is not safeguarded in the local plan. The local plan supports the development of gap, in-fill or other development sites within settlement boundaries. Given the proximity of this

industrial site to existing sensitive uses i.e. a nursing home and other residential properties it is considered that the redevelopment of the site for residential purposes is appropriate and should be encouraged.

8.3 The proposed development in terms of its layout, scale, design and use of finishing materials is considered to be acceptable for this location subject to the imposition of appropriate conditions. The development of this site will also greatly improve the visual and general amenity of this area given the present vacant scrubland condition of the application site. Improvements to the existing access road and junction with the A70 road will be implemented as part of the proposed development.

8.4 Although Scottish Water has objected to the proposed development, it is considered that the cost criteria on which the objection is based is a matter for the developer to resolve with Scottish Water and SEPA.

8.5 It is further considered that the representations received are either not of sufficient weight to justify refusal of the application or are not valid in respect of the proposed development. It is considered that some of the points raised can be addressed through the imposition of appropriate conditions in any consent granted for the proposed development.

9. RECOMMENDATION

9.1 It is recommended that the application be approved subject to the conditions 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 because it would not represent a significant departure from the development plan.

Alan Neish
Head of Planning, Development and Building Standards

07 June 2005
HM/HM
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. Previous application 00/0835/FL

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

Implementation Officer: Dave Morris

Form TP24A

EAST AYRSHIRE COUNCIL

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

Application no: 05/0325/FL

Location	Barrhill Terrace Industrial Estate Barrhill Terrace CUMNOCK
Nature of Proposal:	Proposed change of use to residential and erection of 26 dwellinghouses and new access road and services.
Name and Address of Applicant:	Springfield Homes 61 Springfield Road Salsburgh SHOTTIS
Name and Address of Agent	Seven Design Group The Square 95 Morrison Street GLASGOW

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

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

1. The proposed development shall be carried out in accordance with the plans received by the Planning Authority on 25 February 2005 as amended by the amended site layout plan (Drawing. No.976/dp/01–Revision B) received by the Planning Authority on 03 June 2005.

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

2. A minimum of two off-road parking spaces shall be provided internally within the plot for each three bedroom dwelling and three spaces for each for four bedroom dwelling.

REASON – In the interests of public road safety.

3. The private driveways shall be paved for a minimum distance of 2 metres from the rear of the footway/edge of the public road carriageway. The proposed driveways shall be not less than 4.8 m in length by 2.5 m wide.

REASON – To avoid overcarry of loose material onto the public highway in the interests of maintaining a secure road surface.

4. Any gates shall open inwards away from the public road.

REASON – To prevent obstruction of the public highway in the interests of pedestrian and road safety.

5. No surface water shall be allowed to egress onto the public highway.

REASON – In the interests of maintaining a secure road surface.

6. Any future garages shall be set back a minimum of 6 metres from the rear of the footway / service strip.

REASON – To prevent obstruction on the public highway in the interests of pedestrian and road safety.

7. The developer shall provide for junction visibility splays of 2.5m by 35m to be formed and maintained at all internal junctions with no object greater than 1m in height allowed within these splay areas.

REASON – In the interests of road safety.

8. Junction visibilities of 2.5m by 90m shall be provided and maintained at the junction of the development with Barrhill Terrace and no fencing, buildings etc. over 1m in height shall be allowed within these areas.

REASON – In the interests of public road safety.

9. Notwithstanding the plans hereby approved and the provisions of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992, any domestic garages associated with the development shall be of a permanent construction and finished in the same materials as the dwellinghouse to which it relates.

REASON – To ensure that any future domestic garages within the site are an appropriate match with the approved dwellinghouses in the interests of visual amenity.

10. 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.

11. Prior to the commencement of development on site, the developer shall submit to, and have approved by the Planning Authority details of boundary fencing or walls to be constructed within the development.

REASON – In the interests of residential and visual amenity.

12. A minimum of 5 no. visitor parking spaces shall be provided within the development site.

REASON – In the interests of public road safety and residential amenity.

13. Prior to the commencement of development, the developer shall submit to and have had approved by the Planning Authority, details of the proposed roof tile to be used in the roof finish of the proposed dwellinghouse.

REASON – In the interests of visual amenity.

14. Prior to the commencement of development, the developer shall submit to and have had approved by the Planning Authority, details of the proposed facing brick and render to be used in the external wall finish of the proposed dwellinghouses.

REASON – In the interests of visual amenity.

15. Notwithstanding the plans hereby approved, and the provisions of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992, no front boundary walls shall be constructed along the frontage of each plot without the prior written approval of the Planning Authority.

REASON – In the interests of visual amenity and to ensure continuity and uniformity of boundary treatment.

16. 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 in all

areas of open space 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 open space areas.

REASON – In the interests of visual amenity.

17. 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 details shall also include measures to address surface water run-off from the proposed development site to prevent discharging onto adjacent residential properties.

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

18. Prior to the commencement of works on site, the developer shall submit details of the proposed works to be undertaken to the site access road junction with Barrhill Road and works for the provision of the new footpath to Bute House Nursing Home, to the Planning Authority for approval in consultation with the Roads Authority. Such works shall be undertaken in a manner that will not prejudice the existing trees in the locality that are subject to a Tree Preservation Order.

REASON – In the interests of residential and visual amenity.

19. Prior to works commencing on site, the developer shall submit to, and have approved by the Planning Authority, details of any proposed works to existing trees within the development site including measures to protect trees during the course of construction work on site.

REASON – To ensure that existing trees within the site are safeguarded in the interests of amenity.

20. No development shall begin on site (with the exception of site investigative works), until a comprehensive contaminated land investigation has been submitted to, and approved in writing by, the Planning Authority. The investigation shall be conducted in line with BS 10175: 2001 code of practice for “The investigation of potentially contaminated sites” and will contain details of proposals to deal with contamination (if present) to include:
 - (i) The nature, extent and type(s) of contamination on the site;
 - (ii) A site specific risk assessment of all relevant pollutant linkages.
 - (iii) Remedial measures to treat/remove contamination to ensure the site is fit for the use proposed.
 - (iv) Measures to deal with unsuspected contamination discovered during construction works.

REASON: To ensure potential risks arising from previous site uses have been fully assessed.

21. Should contamination be present in terms of Condition 20 above, prior to any further site development, the developer shall submit a report, confirming that the remedial works have been carried out in accordance with the remediation plan.

REASON: To provide verification that remediation of has been carried out in accordance with the remediation plan and to the Authority's satisfaction.

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
PLANNING OFFICE IN LUGAR. FOR INFORMATION ON
VIEWING PLEASE CONTACT (01563) 555320.**