

## **EAST AYRSHIRE COUNCIL**

**SOUTHERN LOCAL PLANNING COMMITTEE: 20 MAY 2005**

**04/1198/OL: PROPOSED ERECTION OF DWELLINGHOUSE AT  
BARRSHOUSE, SORN**

**APPLICATION BY MR S ANDERSON**

### **EXECUTIVE SUMMARY SHEET**

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

1.1 Outline planning permission is sought to erect a dwellinghouse on the site for a full time agricultural worker employed on the collective farm unit known as Smiddyshaw Farm. The collective farm unit comprises Smiddyshaw itself along with lands owned by the applicant at Knockgerran, Damhead and Lintmill. In addition, the applicant has also rented land at Barrshouse, Millscroft and Sorn Estate for the past thirty years.

1.2 The proposed access to the site is to be taken off the existing access lane to Knockgerran Cottage in the north west corner of the site. A septic tank discharging to a reed bed system would be used for disposal of foul drainage. Although indicative only the house as shown is of a reasonably modest size displaying dormer windows to the front elevation and a conservatory with a detached garage to the east side.

#### **2. RECOMMENDATION**

**2.1 It is recommended that the application be approved subject to the conditions indicated on the attached sheet, but that the issue of the decision notice be withheld until the Solicitor to the Council has satisfactorily concluded a formal Agreement under Section 75 of the Town and Country Planning (Scotland) Act 1997 with the applicants in respect of the matters detailed in Paragraph 7.1 of this report.**

#### **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 fully addressed and are not of sufficient weight to indicate the application should be refused.

3.2 The applicant has submitted a labour assessment report in respect of demonstrating a site specific locational need case to provide a justification for the proposed dwellinghouse. This report states that the collective farm unit which is managed by the applicant does have a requirement for four full time agricultural workers. The farm unit does comprise several farms, some of which are tenanted by the applicant, however the unit is made up of parcels of land and hence it is only the unit at Smiddyshaw to which the applicant has access to farm buildings and also a farmhouse. It is this farmhouse in which the applicant resides and the proposed dwelling is for an agricultural worker. It is therefore considered that the requirement for a second dwellinghouse where the farm unit can support four full time workers is justified.

3.3 The site proposed for development is located on land within the collective farm unit and although not located in close proximity to the existing farm buildings at Smiddyshaw Farm it is in a position which would allow for supervision of the livestock belonging to the applicant. There are no buildings contained within the farm unit at Smiddyshaw which would be appropriate for conversion and in any case these buildings are tenanted rather than owned by the applicant. The applicant has also confirmed that no farmhouses have been sold from the unit in the preceding five year period.

3.4 Some of the objections raised do relate to the impact which the proposed dwelling will have on the amenity of the site and its location within the Sensitive Landscape Area. The proposed dwellinghouse is to be located within a corner site in an area which is well screened from the main public road. There is a densely wooded area south east of the site, which although mainly comprising of scrubby indigenous trees will still provide a backdrop for the development. Given that the site has only a gradual rise to the south a modestly proportioned house would not break the skyline. It is not considered, that provided the design scheme is in keeping with the vernacular, it would be visually unacceptable on the landscape.

3.5 It would seem that visibility sightline splay areas can be achieved but this would be on land belonging to a third party and therefore a Section 75 legal agreement is recommended to secure this. There are no other matters arising in relation to services and infrastructure and it is considered that the applicant has satisfactorily demonstrated a justification for the proposed house.

## **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 should that decision be based on the principle of the need for the dwelling, the application will require to be referred to the Development Services Committee because it would 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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**04/1198/OL: PROPOSED ERECTION OF DWELLINGHOUSE AT  
BARRSHOUSE, SORN**

**APPLICATION BY MR S ANDERSON**

**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 an outline planning application which is to be considered by the Local Planning Committee under the scheme of delegation as the proposed development is subject to letters of objection. The application was first presented to the Local Planning Committee at its meeting on 22 April 2005 at which time consideration of the application was continued to allow for a Committee site visit.

**2. APPLICATION DETAILS**

2.1 **Site Description:** Situated approximately 370 metres east of the C65 road between Sorn and Auchinleck the site is juxtaposed on a corner between the unclassified road leading to Nether Heillar and an access track to a nearby dwellinghouse known as Knockgerran Cottage. The site covers an area of 0.3 hectares and comprises a greenfield site situated on a gentle north facing slope. The site is bounded by a simple post and wire fence and a swale runs along the verge of the road on the northern side of the site. There are no significant features contained within the site.

2.2 The access to Knockgerran Cottage runs along the west side of the site with a designated area of Ancient Woodland beyond and the domestic curtilage pertaining to this cottage is immediately south on higher ground. A wooded area lies to the east beyond which is agricultural land. The existing farm at Barrshouse is on the northern side of the access road and sits hard onto the verge. This unit primarily consists of a rendered single storey dwelling adjoining a single storey dual pitched roof outbuilding with slated roof and rendered finish. A single storey dwelling known as Balvue lies north west of the site on the opposite side of the road.

**2.3 Proposed Development:** Outline planning permission is sought to erect a dwellinghouse on the site for a full time agricultural worker employed on the collective farm unit known as Smiddyshaw Farm. The collective farm unit comprises Smiddyshaw itself along with lands owned by the applicant at Knockgerran, Damhead and Lintmill. In addition, the applicant has also rented land at Barrshouse, Millscroft and Sorn Estate for the past thirty years.

2.4 The proposed access to the site is to be taken off the existing access lane to Knockgerran Cottage in the north west corner of the site. A septic tank discharging to a reed bed system would be used for disposal of foul drainage. Although indicative only the house as shown is of a reasonably modest size displaying dormer windows to the front elevation and a conservatory with a detached garage to the east side.

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

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

- (i) visibility sightline splay areas of 2.5m by 120m to the east of the site and 2.5m by 90m to the west of the site will require to be formed and maintained at the access with no obstruction greater than one metre in height allowed within these areas;
- (ii) access to the site shall be taken via the existing access road as shown on the plan and this will require a Section 75 legal agreement with the owner of the access road;
- (iii) any roadside ditch must be piped and protected beneath the proposed access;
- (iv) the applicant will require to form a 2.0m wide kerbed pedestrian refuge/verge along the frontage of the site;
- (v) no surface water must be allowed to discharge onto the public road;
- (vi) a minimum of 3 number off road parking spaces will require to be provided for the dwelling;
- (vii) any garages must be set back a minimum distance of 6m from the edge of the public road;
- (viii) the private access will require to be paved for a minimum distance of 5.0m from the edge of the public road carriageway to avoid overcarry of loose material;
- (ix) the applicant will be required to widen the existing public road to form a 2.5m wide service layby at the site entrance;
- (x) any gates must be set back a minimum of 6m from the public road and will require to open inwards away from the public road;
- (xi) access to and egress from the site will require to be taken in forward gear and an internal turning area formed within the site.

***Conditions can be attached to any consent granted for the proposed development to meet the requirements of the Roads and Transportation Division. A Section 75 legal agreement regarding the use of the existing access and the formation of visibility sightline splay areas would also be required should the Committee be minded to approve the application.***

3.2 Scottish Water has been consulted but no response had been received at the time of writing this report.

***Noted.***

3.3 The Scottish Environment Protection Agency has no objections in principle to the proposed development provided the drainage arrangements are to their satisfaction and in this regard the proposed septic tank and reed bed will provide sufficient treatment.

***Noted.***

3.4 Scottish Power has no objection to the proposed development.

***Noted.***

3.5 Sorn Community Council has no comments to make regarding the proposed development.

***Noted.***

#### **4. REPRESENTATIONS**

4.1 The planning application has attracted three letters of objection from third parties and the points of objection raised are summarised as follows:

4.2 At the end of last year the applicant formed an access into the area proposed for this development (a greenfield agricultural site). As far as I am aware no application was made for the formation of this new access to the highway authority and accordingly no permission was granted. The applicant laid a pipe in the existing ditch and thereafter in filled the same. He advised me (the writer) at this time that this field access was only to allow him to get his stock into the field from a cattle float as, since the BSE problems legislation prevented him from walking the animals along a public road. It would now appear he had an ulterior motive in mind. There were previously two existing gates which allowed him adequate access to his field and he has now reverted to moving his cattle by foot therefore the requirement for this gate has now expired.

***The formation of a new access into the field does not require planning permission and the applicant's intentions regarding this access are not a material planning consideration in the determination of the application.***

4.3 Whilst the development buildings are to be located on land owned by the applicant the access and sight lines quoted cannot be provided on land within his ownership. This is already an extremely bad stretch of road with very poor visibility in both directions.

***The Roads and Transportation Division has advised that if the Committee is minded to approve the application the visibility sightlines will require to be the subject of a Section 75 legal agreement.***

4.4 This is an indiscriminate development which appears contrary to good planning control considering the present environment and rural nature of the area as a whole. I believe that certain restrictions with regard to developments in the area are already applicable and to grant approval would be a contravention of same.

***The writer is indeed correct that there are certain restrictions in place regarding such development in the countryside. However it is considered that the applicant has satisfactorily demonstrated a justification for the proposed dwellinghouse. This is covered more fully in Section 5 of this report.***

4.5 Development on this site would also prove an environmental issue as it is surrounded by woodland on both sides and frequently hosts deer and other wildlife as well as a nesting heron in trees directly next to it.

***The site is located in a Sensitive Landscape Area but has no special designation in terms of its wildlife habitat value. This objection is therefore not considered to be of significant weight in the determination of the planning application.***

4.6 The applicant only owns one field at this particular location and, as his centre of business is Smiddyshaw Farm, which I understand is owned by Sorn Estates, I do not consider that the development can be business or agriculturally related.

***As stated in section 4.5 above, the applicant has demonstrated a site specific locational need case which is considered to comply with the relevant policy and therefore this objection, whilst material, is not of significant weight in the determination of the application.***

4.7 The proposed layby has also been shown blocking my direct access and that is also completely unacceptable particularly as the applicant has no ownership rights thereon.

***The applicant will be required to enter into a Section 75 legal agreement to ensure all of the required road safety measures can be achieved. The issue of ownership is therefore a legal matter between the relevant parties concerned.***

4.8 It is my understanding that the applicant has previously been refused planning permission for development on this site.

***The writer is correct in that the site has previously been the subject of planning applications and the planning history of the site is considered under section 6.3 of this report.***

4.9 Since 1924 the area in front of Barrshouse has been managed in order to maintain an open aspect to allow sun and light into Barrshouse. Even in 1970 when the forest was planted an agreement was made to retain an area of open land opposite Barrshouse. This is essential since Barrshouse, is a building of 250 to 300 years old, built with lime and a variety of stone. The proposed dwelling would lead to shading of Barrshouse and this could lead to a significant deterioration of the fabric of the building.

***The house at Barrshouse is evidently an old farmhouse however it has been extended and modernised so that it is not considered to be of any significant architectural merit in terms of the vernacular. Additionally the proposed dwelling would be located some 67 metres away and hence this objection is not considered to be of significant weight in the determination of the planning application.***

4.10 The effluent from the proposed dwellinghouse on exiting the reed bed will drain into the ditch, which generally dries up for several months over the summer period. Even with typical water levels, the effluent would be a significant proportion of the fluid in the ditch. I believe this would be a health hazard as well as being unpleasant for people living or walking in the area. The area along the ditch is a popular walking route and links up with several rights of way.

***SEPA has advised that the proposed method of drainage from a septic tank via a reed bed would be suitable as this method would provide sufficient treatment and therefore this objection is of no weight in the determination of the application.***

4.11 I am concerned that the water supply to Balvue and Barrshouse would be adversely affected by the addition of a further dwelling house. At the moment the water supply is less than ideal and I would not like any further deterioration of it.

***It is the developer's responsibility to ensure there is a potable water supply of adequate quantity and quality whilst not adversely affecting an existing supply. In any case this is a matter for the developer to resolve in accordance with Building Standards regulations.***

4.12 The proposed building would clearly be within the area zoned by East Ayrshire Local Plan as a Rural Protection Area and is at present categorised as a "sensitive landscape area". While acknowledging there is a current demand for new housing, we would strongly object to it taking place within the Rural Protection Area, thus creating a precedent for future building operations.

***The applicant has demonstrated the requirement for the dwelling for a full time employee of the farm unit. It is therefore not considered that it does set a precedent where each application is considered on its individual merits. Hence this objection is of no significant weight in the determination of the planning 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 Policy G5 of the Structure Plan 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 locational need;
- B can be justified in terms of social and economic benefit to the community;
- C contributes to rural land diversification; or
- D provides for the operational needs of agriculture and forestry.

***The applicant has provided an agricultural labour assessment report for the proposed house which states that Smiddyshaw Farm can***

***justify four full time workers therefore meeting with criteria A and D above.***

East Ayrshire Local Plan

5.3 Policy RES13 is supportive of residential development of houses in the Rural Protection Area only where it can be demonstrated that the houses are required on a permanent basis for one of four stated purposes, these being:

- (i) for a full time agricultural or forestry worker employed directly on the land to which the proposed house relates;
- (ii) for a worker employed by a rural enterprise or a tourism related activity and where the requirement for that worker to live on the site is essential to the economic operation of the activity concerned;
- (iii) as an essential and integral part of an authorised proposal which necessitates the provision of on-site staff accommodation; or
- (iv) as an enabling development for the conversion of a large rural residential or institutional property, as detailed in Policy RES8.

***As stated above, the applicant has submitted an agricultural labour assessment report stating that the farm can justify four full time labour units. There is only one other house on the farm unit therefore an additional house is acceptable in terms of Policy RES13.***

5.4 Policy RES15 requires applicants for any new residential development in the countryside deemed acceptable in terms of Policy RES13 and 14 of the local plan to meet two stated criteria, as follows;

- (i) to utilise any existing buildings which are considered capable of residential use in preference to the construction of new build housing; and

***The labour assessment report states that there are no other buildings elsewhere in his land holdings that are capable of conversion to residential use.***

- (ii) to utilise areas of derelict or degraded land in preference to the development of greenfield land.

***The labour assessment report states that the land at Smiddyshaw is not prime agricultural land.***

5.5 Policy ENV11 states that within the Sensitive Landscape Area the Council will not be supportive of development which would create unacceptable visual intrusion or irreparable damage within these areas and will be supportive of development proposals only where these positively enhance or protect the natural landscape, wildlife and cultural heritage of the area or promote the social and economic well being of communities.

***The proposed dwellinghouse is to be located on a corner site on the edge of an unclassified road. The house will have a backdrop of various indigenous trees and it is not considered that, subject to an appropriate design scheme, it will be visually intrusive to an unacceptable degree. Albeit the proposal will not necessarily enhance and protect the natural landscape it is likely to make an economic contribution to the neighbouring communities in terms of services and facilities. It is therefore considered to comply with Policy ENV11.***

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

6.1 The principal material considerations relevant to the determination of the application are the consultation responses, third party objections and planning history of the site.

### Consultations Responses

6.2 None of the consultation responses have raised any matters which cannot be satisfactorily addressed and therefore would not indicate that the application should be refused.

### Representations

6.3 The planning application has attracted three letters of representation objecting to the proposed development for the following reasons: road safety, impact on wildlife, justification, planning history, impact on existing house at Barrshouse, effluent, impact on existing water supply and the impact on the Sensitive Landscape Area. The objections made are material planning considerations; however it is not considered that any are of sufficient weight to indicate that the application should be refused.

### Planning History

6.4 The site in question has been the subject of planning applications previously. In 1990 the same applicant applied for outline planning permission for the erection of two dwellinghouses (Planning Ref CD/90/295). This application was refused permission for the reason that it would be detrimental to the locally

important agricultural land and would result in a proliferation of accesses onto an unclassified road. An application was subsequently submitted in 1994 (Planning Ref: CD/94/0269/OPP) for outline planning permission for the erection of three number dwellinghouses in a traditional three sided courtyard format. This particular application was for a larger site incorporating the current application site and extending into the adjoining field on the east side in close proximity to the farm unit known as Gilmilnscroft. This planning application was also refused on the grounds that it would have a detrimental effect on the landscape character of the Area of Local Landscape Significance and that it would be sporadic in nature. Neither of the above applications were for dwellings required for agricultural workers and they are not considered to be of any significant weight in the determination of the current planning application. There have also been planning applications on a site located on the north side of the unclassified public road to the east side of the farm unit at Barrshouse. In 1990 an application for reserved matters (Planning Ref: CD/90/245) was granted for the erection of a dwellinghouse in accordance with outline planning permission granted in 1989 (Planning Ref: CD/89/384). It is not considered that this application is of any weight in the determination of the current planning application.

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

7.1 If the Committee are minded to approve the application it is recommended this is subject to the completion of a Section 75 legal agreement in respect of the following matters:

- (i) the use of existing access road to serve the proposed dwellinghouse; and
- (ii) the formation and maintenance of requisite visibility sightline splay areas.

## **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 fully addressed and are not of sufficient weight to indicate the application should be refused.

8.2 The applicant has submitted a labour assessment report in respect of demonstrating a site specific locational need case to provide a justification for the proposed dwellinghouse. This report states that the collective farm unit which is managed by the applicant does have a requirement for four full time agricultural workers. The farm unit does comprise several farms, some of which are

tenanted by the applicant, however the unit is made up of parcels of land and hence it is only the unit at Smiddyshaw to which the applicant has access to farm buildings and also a farmhouse. It is this farmhouse in which the applicant resides and the proposed dwelling is for an agricultural worker. It is therefore considered that the requirement for a second dwellinghouse where the farm unit can support four full time workers is justified.

8.3 The site proposed for development is located on land within the collective farm unit and although not located in close proximity to the existing farm buildings at Smiddyshaw Farm it is in a position which would allow for supervision of the livestock belonging to the applicant. There are no buildings contained within the farm unit at Smiddyshaw which would be appropriate for conversion and in any case these buildings are tenanted rather than owned by the applicant. The applicant has also confirmed that no farmhouses have been sold from the unit in the preceding five year period.

8.4 Some of the objections raised do relate to the impact which the proposed dwelling will have on the amenity of the site and its location within the Sensitive Landscape Area. The proposed dwellinghouse is to be located within a corner site in an area which is well screened from the main public road. There is a densely wooded area south east of the site, which although mainly comprising of scrubby indigenous trees will still provide a backdrop for the development. Given that the site has only a gradual rise to the south a modestly proportioned house would not break the skyline. It is not considered, that provided the design scheme is in keeping with the vernacular, it would be visually unacceptable on the landscape.

8.5 It would seem that visibility sightline splay areas can be achieved but this would be on land belonging to a third party and therefore a Section 75 legal agreement is recommended to secure this. There are no other matters arising in relation to services and infrastructure and it is considered that the applicant has satisfactorily demonstrated a justification for the proposed house.

## **9. RECOMMENDATION**

**9.1 It is recommended that the application be approved subject to the conditions indicated on the attached sheet, but that the issue of the decision notice be withheld until the Solicitor to the Council has satisfactorily concluded a formal Agreement under Section 75 of the Town and Country Planning (Scotland) Act 1997 with the applicants in respect of the matters detailed in Paragraph 7.1 of this report.**

## **CONTRARY DECISION NOTE**

Should the Committee agree that the application be refused contrary to the recommendation of the Head of Planning, Development and Building Standards, and should that decision be based on the principle of the need for the dwelling, the application will require to be referred to the Development Services Committee because it would represent a significant departure from the development plan.

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

08 May 2005  
NM/HM/SMB

## **LIST OF BACKGROUND PAPERS**

1. Application Form and Plans.
2. Statutory Notices and Certificates.
3. Letters of Representation.
4. Consultation responses.
5. Adopted East Ayrshire Local Plan (2003).
6. Approved Ayrshire Joint Structure Plan (1999).
7. Previous applications: CD/89/384, CD/90/245, CD/90/295, and CD/94/0269/OPP.

Anyone wishing to inspect the above background papers should contact Nicola Monroe on 01563 555485.

**Implementation Officer: Dave Morris**

Form TP24A

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

Application No: 04/1198/OL

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Location	Barrhouse SORN KA5 6NE
Nature of Proposal:	Proposed erection of dwellinghouse
Name and Address of Applicant:	Mr S Anderson Smiddyshaw Farm SORN KA5 6HS
Name and Address of Agent	Stairhill Architecture Services Stairhill MAUCHLINE KA5 5HN

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

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

1. The proposed development shall be carried out in accordance with the application form received on 30 November 2004 and the amended plans received by the Planning Authority on 21 March 2005.

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

2. The dwelling shall only be occupied by a person locally employed or locally last employed full time in agriculture or in forestry on the land to which the dwelling relates; or by a dependant of such a person residing with him or her (or a widow or widower of such a person).

REASON – The proposed development constitutes the construction of a dwelling house in the countryside which would otherwise be refused.

3. Before any development commences on the site, the further approval of the Planning Authority shall be obtained in respect of the undermentioned matters hereby reserved.
  - (a) The layout of the site;
  - (b) The size, height, design and external appearance of the proposed dwellinghouse;
  - (c) The means of drainage and sewage disposal;

- (d) Details of the access arrangements;
- (e) The provision for car parking;
- (f) The boundary walls/fences to be erected;
- (g) The landscaping of the site;
- (h) Finished floor levels.

REASON – The approval is in outline only.

- 4. The dwellinghouse hereby approved in principle shall be either a single or one and a half storey dwelling only with the first floor being accommodated within the roof space and shall be of a design in keeping with the rural vernacular incorporating traditional fenestration to the satisfaction of the Planning Authority.

REASON – To ensure the design scheme is appropriate to the rural environment in which it is located.

- 5. The dwellinghouse hereby approved shall be constructed using external finishing materials appropriate to the rural area.

REASON – To ensure the dwellinghouse is appropriate to the rural environment in which it is located.

- 6. Prior to the occupation of the dwellinghouse hereby approved visibility sightline splay areas of 2.5m by 120m to the east of the site and 2.5m by 90m to the west of the site shall be formed with no obstruction greater than one metre in height allowed within these areas which shall thereafter be maintained in perpetuity.

REASON – In the interests of road safety.

- 7. Access to the site shall be taken via the existing access road as shown on the approved plan.

REASON – In the interests of road safety.

- 8. Any roadside ditch shall be piped and protected beneath the proposed access to the satisfaction of the Planning Authority in consultation with the Roads and Transportation Division.

REASON – In the interests of public health and safety.

- 9. Prior to the occupation of the dwellinghouse the developer shall form a 2.0m wide kerbed pedestrian refuge/verge along the frontage of the site.

REASON – In the interests of pedestrian and road safety.

- 10. No surface water shall be allowed to discharge onto the public road.

REASON – To ensure a secure road surface in the interests of road safety.

- 11. A minimum of 3 number off road parking spaces shall be provided for the proposed dwelling.

REASON – To ensure sufficient off road parking in the interests of road safety.

- 12. Any future garage shall be set back a minimum distance of 6metres from the edge of the public road.

REASON – To avoid obstruction on the public highway in the interests of road safety.

13. The private access shall be paved for a minimum distance of 5 metres from the edge of the public road carriageway to avoid overcarry of loose material.

REASON – To ensure a secure road surface in the interests of road safety.

14. The existing public road fronting the site shall be widened to form a 2.5 metres wide service layby at the site entrance.

REASON – In the interests of road safety.

15. Any gates shall be set back a minimum of 6 metres from the public road and shall open inwards away from the public road.

REASON – To avoid obstruction on the public highway in the interests of road safety.

16. Access to and egress from the site shall be taken in forward gear and an internal turning area shall be formed within the site to facilitate this requirement.

REASON – In the interests of road safety.

#### **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, (including capacity issues), 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.

**DUE TO ORDNANCE SURVEY REGULATIONS AND COPYRIGHT  
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