

## **EAST AYRSHIRE COUNCIL**

**SOUTHERN LOCAL PLANNING COMMITTEE: 10 SEPTEMBER 2004**

**04/0241/FL: PROPOSED RESIDENTIAL DEVELOPMENT COMPRISING 37  
INDIVIDUAL DWELLINGS AT STEPEND ROAD, HOLMHEAD, CUMNOCK**

**APPLICATION BY GGG OFFICES LIMITED**

### **EXECUTIVE SUMMARY SHEET**

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

1.1 Full planning permission is sought for the erection of 37 detached dwellings within the application site comprising the following house types:

- (i) 8 Type A: 6 apartment, two storey dwelling with integral garage;
- (ii) 5 Type B: 6 apartment, two storey dwelling with integral garage;
- (iii) 10 Type E: 4 apartment, two storey dwelling with integral garage;
- (iv) 2 Type F: 5 apartment, two storey dwelling with integral garage;
- (v) 6 Type H: 4 apartment, single storey dwelling;
- (vi) 5 Type K: 4 apartment, single storey dwelling; and
- (vii) 1 Type L: 4 apartment, single storey dwelling.

1.2 All two storey dwellings will be finished externally in a dry dash render above ground floor level incorporating facing brick details while at ground floor level the dwellings will be finished in facing brick. All single storey dwellings will be finished externally in a render with facing brick details. All dwellings will have a grey concrete tile roof finish. The proposed development will require the completion of a loop residential access road, linking Bute Road with Stepend Road. A small cu-de-sac will be formed at the southern part of the development site adjacent to the present limit of Stepend Road. Apart from this, all dwellings will be access from the new loop road.

1.3 The road layout also provides for appropriate traffic calming measures and provides for a link to the Kings Homes residential development site at the north eastern part of the development site. A small open space area is provided to the south of the application site, together with a narrow strip of open space lying between plots 15 to 23 and the existing rail line to the north of the development site. The layout also provides for single storey development on the highest part of the site to limit visual impact on the hillside.

#### **2. RECOMMENDATION**

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

### **3. CONCLUSIONS**

3.1 As is indicated in Section 5 of the report, the application is considered to be in accordance with the development plan. Therefore, given the terms of Sections 25 and 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 which are also generally supportive of the proposed development.

3.2 The site is identified as a Development Opportunity Site for residential purposes and is the subject of an extant planning consent for residential development.

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.

3.4 Although Scottish Water has objected to the proposed development, it is considered that the cost criterion 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.

3.6 While it is agreed that previous commitments in respect of open space provision have not been implemented, the proposed development represents an opportunity to complete the residential development at this location that has been outstanding for in excess of 20 years.

### **CONTRARY DECISION NOTE**

Should the Committee agree to refuse the application contrary to the recommendation of the Head of Planning, Development and Building Standards and in terms of the principle of the proposed development, the application would require to be referred to the Development Services Committee as such a decision 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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04/0241/FL: PROPOSED RESIDENTIAL DEVELOPMENT COMPRISING 37  
INDIVIDUAL DWELLINGS AT STEPEND ROAD, HOLMHEAD, CUMNOCK

APPLICATION BY GGG OFFICES 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 full planning application which is to be considered by the Local Planning Committee under the scheme of delegation due to the scale of the proposed development and as it is subject to letters of objection.

1.2 Determination of the application was continued at the meeting of the Southern Local Planning Committee on 13 August 2004 to allow the Committee to undertake a site visit.

### 2. APPLICATION DETAILS

2.1 **Site Description:** The site lies at the end of Stepend Road in Holmhead in Cumnock and lies to the east of residential properties on Rigg Crescent and Roseburn Drive. The site also lies to the south of the Kimarnock – Dumfries railway line. To the east of the application site lies the Kings Homes private residential development site, although development has not yet taken place on the land immediately adjoining the application site.

2.2 The application site extends to approximately 1.9 hectares and is presently undeveloped vacant open space relating to the former Baird Homes private residential development site. The topography of the site is such that the site levels rise quite markedly from the south to north.

2.3 The application site has remained undeveloped since the late 1980s due to the liquidation of the former developer, Baird Homes.

2.4 **Proposed Development:** Full planning permission is sought for the erection of 37 detached dwellings within the application site comprising the following house types:

- (i) 8 Type A: 6 apartment, two storey dwelling with integral garage;
- (ii) 5 Type B: 6 apartment, two storey dwelling with integral garage;
- (iii) 10 Type E: 4 apartment, two storey dwelling with integral garage;
- (iv) 2 Type F: 5 apartment, two storey dwelling with integral garage;
- (v) 6 Type H: 4 apartment, single storey dwelling;
- (vi) 5 Type K: 4 apartment, single storey dwelling; and

(vii) 1 Type L: 4 apartment, single storey dwelling.

2.5 All two storey dwellings will be finished externally in a dry dash render above ground floor level incorporating facing brick details while at ground floor level the dwellings will be finished in facing brick. All single storey dwellings will be finished externally in a render with facing brick details. All dwellings will have a grey concrete tile roof finish. The proposed development will require the completion of a loop residential access road, linking Bute Road with Stepend Road. A small cu-de-sac will be formed at the southern part of the development site adjacent to the present limit of Stepend Road. Apart from this, all dwellings will be access from the new loop road.

2.6 The road layout also provides for appropriate traffic calming measures and provides for a link to the Kings Homes residential development site at the north eastern part of the development site. A small open space area is provided to the south of the application site, together with a narrow strip of open space lying between plots 15 to 23 and the existing rail line to the north of the development site. The layout also provides for single storey development on the highest part of the site to limit visual impact on the hillside.

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

3.1 Cumnock Community Council has not responded to the consultation letter at the time of writing.

***Noted.***

3.2 Transco has no adverse comments to make on the proposed development.

***Noted.***

3.3 East Ayrshire Council's Roads and Transportation Division states that it has no objections in principle to the proposed development subject to the following conditions:

1. Junction visibility spays of 2.5m by 35m will require to be formed at all internal road junctions with no object greater than 1m in height allowed within these splay areas.
2. Access to the site will require to be taken via internal roads that comply with the Roads Development Guide 1996 and will require Construction Consent. This consent would cover details such as road widths, footways, road construction, traffic calming street lighting, drainage etc.
3. No surface water must be allowed to discharge onto the public road.
4. A minimum of 8 number off-road parking spaces will require to be provided.

5. Any garages must be set back a minimum distance of 6 m from the rear of the footway.
6. The private driveways will require to be paved for a minimum distance of 2 metres from the rear of the footway to avoid overcarry of loose material onto the public road.
7. Any gates will require to open inwards, away from the public road.
8. Drainage details and in particular the use of SUDS will require the approval of East Ayrshire Roads and Transportation Division and SEPA as part of the Construction Consent.
9. The proposed private driveways should not be less than 4.8 metres in length by 2.5 metres in width.

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

3.4 Scottish Water objects to the proposed development as the site lies within the raw water catchment for the Afton Water Treatment Works on the grounds that the impact of the development would be such as to prejudice Scottish Water's ability to supply potable water. Scottish Water would withdraw this objection should the developer be able to satisfy Scottish Water there would be no significant impact.

***The objection from Scottish Water does not make sense given the location of the proposed development in relation to the Afton Water Treatment Works. Notwithstanding this, a note can be attached to any consent granted for the development to advise early contact with Scottish Water regarding service provision and drainage of the site.***

3.5 The Scottish Environment Protection Agency states that it has no objections in principle to the proposals provided the drainage arrangements are to its satisfaction. All foul drainage from the development site 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 sewage system, either in the public sewers or within the curtilage of the development. SEPA request 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 published by CIRIA. 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 wastes 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.

***A note can be attached to any consent granted for the proposed development advising the applicant to make early contact with***

***SEPA regarding drainage of the site and disposal of waste materials. A condition can be attached to any consent granted in respect of the requirement for a SUD system to serve the development site.***

3.6 East Ayrshire Department of Neighbourhood Services (Parks Section) states that it has no objection to the proposed development. The provision of public open space is noted and the issue of the Council's position regarding factoring of grounds should be taken into account.

***Noted.***

3.7 The Coal Authority has no objections to make on the proposed development.

***Noted.***

3.8 Power Systems has no objections to the proposed development.

***Noted.***

#### **4. REPRESENTATIONS**

4.1 Apart from the objection received from Scottish Water, nine letters of representation with 11 signatories have been received regarding the proposed development. The main points of objection are summarised as follows:

4.2 Who will be responsible for the strip of land running from plot 23 along the back of houses at 2-8 Roseburn Drive.

***The area of land in question lies within the application site. A condition can be attached to any consent granted for the proposed development to ensure the submission of a detailed landscaping plan for the site that will include the area in question. The landscaping will also be the subject of a factoring arrangement to ensure future maintenance of open space areas within the development site.***

4.3 With the expected rise in the amount of traffic, the new section of road joining on to Roseburn Drive would be quite dangerous. A roundabout may be appropriate.

***The Roads and Transportation Division has not raised any significant concerns regarding the layout of the residential roads in terms of traffic volume or safety. A number of traffic calming measures will be provided as part of the new road layout.***

4.4 The proposed two storey buildings would be out of character with the existing bungalows at the top level of the existing development detracting from the amenity of the area.

***The layout of the site is such that all dwellings to the north of the new residential loop road are restricted in height to single storey in order to alleviate concerns of visual impact on the highest part of the development site.***

4.5 There is a significant issue of surface water run-off from this site and I have had concerns over drainage since entry to my house some 14 years ago. My back garden is currently saturated with water from this site.

***It is noted that the undeveloped nature of the application site has resulted in previous complaints regarding surface water run-off into the lower lying properties at the southern part of the site. It is considered that with the development of the site and the installation of appropriate drainage systems, this problem can be alleviated. The applicant will require to provide appropriate drainage systems to deal with surface water arising from the development site.***

4.6 There is currently a large soil bund behind my property on this site.

***In order to implement the development it is likely that this bund will require to be removed or spread across the development site. It is understood that this soil bund was created to try to alleviate problems of surface water run-off.***

4.7 The site boundary does not take into consideration all of the homes which will be affected by this development, in particular the fact that the houses planned are to be double storey and would therefore be looking straight into the surrounding homes some of which have not been notified. Homes in existence in Holmhead Road are not even on the plan issued.

***The applicant has undertaken appropriate neighbour notification procedure. New houses on Holmhead Road not indicated on the plan are separated from the development site by land in the ownership of Kings Homes; this company has been notified of the proposed development in accordance with statutory procedures. The proposed development has also been the subject of a statutory press notice.***

4.8 As the rear of my home faces south, I am sure you will be aware that this is the only area which obtains maximum sunlight and in the event of development on plots 35-37 going ahead as double storey my home will be in permanent shade.

***Given the fact that the existing dwellings in Rigg Crescent are on a south facing hillside and given the separation distance between***

***the existing dwellings and the proposed new dwellings, it is not considered that there will be any significant detrimental impact on existing properties through overshadowing.***

4.9 There is a footpath in existence used by residents of Rigg Crescent which from the plans appears to be going into the garden of plot 37. I am sure the future residents of this plot would not wish the general public having to exit through their garden.

***A condition can be attached to any consent granted to ensure that the existing footpath links appropriately to the footpath network in the locality.***

4.10 Holmhead is already densely populated and at present there is only one exit route. A second access road should be considered before planning permission is granted. The proposal will result in major congestion leading to risks to school children. This will also add to levels of pollution which will have a detrimental effect as Cumnock already has a high incidence of asthma.

***The Roads and Transportation Division has not raised any objections to the proposed development on road safety grounds. The alleged impact on health arising from pollution is not a material consideration in the determination of this application.***

4.11 The proposed plan apart from one area does not appear to have any landscape areas and appears to be building as many houses as possible into the available area. I was under the impression from the original plans by Baird that if houses were to be built there had to be appropriate screening and landscape areas.

***The original plans for this part of the former Baird Homes development site provided for a substantial area of open space, mainly to serve the wider Baird Homes development. However, the builder went into liquidation and this has resulted in the application site remaining undeveloped for a significant period of time. This has been mainly due to the significant costs required to complete the loop road set against the small number of housing plots that have the benefit of an existing consent.***

***Notwithstanding this, the submitted application on its own merits, meets the open space standards set out in the East Ayrshire Local Plan.***

4.12 The proposed area is home to a hawk. What will happen to the wildlife should the plan go ahead?

***The site is part of an identified Development Opportunity Site for residential purposes in the East Ayrshire Local Plan and it is not noted for its natural heritage interests.***

4.13 Has the developer taken into consideration the fact that local schools are running at full capacity, as are local health centres?

***The site is part of a Development Opportunity Site for residential purposes identified in the East Ayrshire Local Plan after a wide range of consultations with affected agencies and service providers and it is for the Education and Health Authorities to ensure appropriate levels of service provision to meet anticipated demands.***

4.14 The area is used by all existing residents as an open space to exercise their pets and I was under the impression if an area is used as a walkway for one hour per day then it becomes a public right of way.

***The comments of the objector are noted in respect of this issue, but the site has been identified for residential development.***

4.15 My property may suffer from subsidence as a result of the proposed development.

***It is for the developer to satisfy himself as to the mineral stability of the site. The developer will require to carry out appropriate ground condition surveys to ensure that the development is carried out in a safe and appropriate manner.***

4.16 Have the developers considered whether the existing water and sewerage supply will be adequate as Rigg Crescent is frequently without water.

***The developer will require to meet the requirements of both Scottish Water and SEPA in respect of the drainage of the site.***

4.17 If the development goes ahead then I am afraid that my existing views over Cumnock and the Afton Valley will be lost and therefore devalue my home.

***The loss of views and alleged loss of property value are not matters that are material to the consideration of this planning application.***

4.18 The site does not appear to have adequate parking facilities which again is a potential risk.

***All of the dwellings will have appropriate off road parking provision and an appropriate level of visitor parking is incorporated into the site layout.***

4.19 As my home is situated at the highest point in Rigg Road, if the development goes ahead then I will have no privacy whatsoever.

***It is considered that the proposed layout of the new development is such that there will be no significant impact on existing properties through loss of privacy.***

4.20 The children currently use this area to play on and therefore any increase in young families will increase the likelihood of accidents. Provision should be made for play area within the development.

***Open space provision appropriate to the scale of development is provided as part of the layout. It is considered that part of the open space area should be equipped as a play area and this can be secured through a condition in any consent granted for the proposed development.***

4.21 The windows and doors of plots 35, 36 and 37 to either side or rear of plots would encroach on our privacy.

***It is considered that the proposed layout of the new development is such that there will be no significant impact on existing properties through loss of privacy.***

4.22 Better fencing and screening would be required adjacent to our property from plots 35 and 37.

***There is existing fencing along this boundary presumably in the ownership of the objector. The replacement of this fence would be a legal matter between the developer and the objector.***

4.23 We object to the increased major works, mass disturbance and disruption that will be caused by this new build development and the effect to the existing residents, and disturbance to the quality of life should this planning go ahead.

***The application site forms part of a larger area identified for development for residential purposes in the East Ayrshire Local Plan. The construction works would be temporary in nature and conditions can be attached to any consent granted to minimise disturbance through the construction hours for the development.***

4.24 The adjacent site developer objects to the area of public space identified in the plan as this differs from the original plans by Baird Construction which showed a large area of open space that was intended to adjoin the open space provided by the adjacent developer. This in effect would mean that our company is providing almost all the open space to serve the community of Holmhead, both from a commercial point of view and from the maintenance aspect that we would be burdened with. We feel we are being unfairly treated.

***It is correct that the original plans for the Baird Construction site identified a substantial area of open space, to serve the wider***

***Baird Construction development. As a result of the company going into liquidation, completion of the approved development never took place and this left a substantial financial burden in terms of both open space provision and completion of the residential loop road.***

***It is for these reasons that the site has remained undeveloped for a substantial period of time. While sympathising with the views of the objector, it is clear that unless a concession is made on the open space provision to allow further houses to be constructed, the opportunity to have this undeveloped area completed could be lost. Notwithstanding the loss of the previously identified open space area, the current application in its own right meets the open space standards set out in the East Ayrshire Local Plan.***

## **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 structure plan policies directly relevant to this application.

***Noted.***

### East Ayrshire Local Plan

5.3 Policy RES1 encourages and supports the residential development of those Development Opportunity Sites identified for housing purposes on the individual Local Plan maps and reserves them for residential and associated recreational and amenity open space development.

***The application site comprises part of housing development opportunity site 015H as identified in the Adopted East Ayrshire Local Plan. The residential development of the area is therefore considered to comply with the policy and is acceptable in planning policy terms.***

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 proposal meets the public open space standards as set down in Schedule 3 of the Local Plan. However the area of open space allocated along the railway line is not located in the best position to encourage or facilitate its use by residents of the area. The land is tucked away behind existing houses and comprises, essentially, a buffer strip between the houses and the railway line. However, other locations within the development site would result in the play area being located adjacent to a main residential distributor road that could have implications for road safety, albeit that this road will be traffic calmed. It is likely that the area of open space at the southern part of the development site will be utilised for a SUD system and therefore inappropriate for use as a play area. Therefore the location of the open space is considered to be acceptable given these circumstances.***

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 policy also allows those standards quoted to be relaxed in respect of the conversion of existing properties to flats where this can be fully justified by the developer and where considered appropriate by the Planning Authority.

***The proposal meets the minimum private open space standards detailed in Schedule 4 of the local plan.***

5.6 Policy TLR5 requests that all developers of residential sites comprising four or more houses enter into a Section 75 Agreement with the Planning Authority for contributions towards the provision of appropriate leisure and recreational facilities within the area to which the development relates.

***At the time of writing this report, the developer has not yet indicated whether or not they are prepared to contribute at the appropriate rate to the SLR Fund.***

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

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

### Consultation Replies

6.2 The consultation replies would generally indicate that approval of the application would be appropriate. The issue of drainage is a matter for the developer to resolve with Scottish Water and SEPA.

### Representations

6.3 The representations received do raise points of material consideration in the determination of this application. It is considered that some of the points raised can be satisfactorily addressed by the imposition of appropriate conditions. Issues regarding loss of view and loss of property value are not material to the determination of the application. On balance, the representations received are not of sufficient weight to justify refusal of the application.

#### Planning History

6.4 A full planning application for the erection of 70 new dwellings, on a larger site including the current application site, was approved by the former Cumnock and Doon Valley District Council on 27 August 1979 (Ref. No: CD/79/145). This consent was partly implemented.

6.5 A subsequent full application for the erection of 36 dwellings on the current application site was approved on 11 April 1980 (Ref. No: CD/80/53). Again this consent was partly implemented and consequently this consent remains extant at this time

6.6 A full application for the substitution of house types on the current application site was refused on 01 February 1991 (Ref. No: CD/90/384). This was refused due to the proposal for two storey development on the top part of the development site, north of the proposed residential loop road.

6.7 A further full application for the erection of 21 dwellings on the current application site was refused on 05 November 1991 (Ref. No: CD/91/231). This was also refused due to the proposal for two-storey development on the top part of the development site, north of the proposed residential loop road. This decision was subsequently appealed but the appeal was dismissed.

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

7.1 There are no financial implications for the Council in the determination of this application. Legal implications may arise in terms of a potential Section 75 Agreement in respect of any contributions to the Sports and Leisure Recreation Fund should the applicant so agree.

### **8. CONCLUSIONS**

8.1 As is indicated in Section 5 of the report, the application is considered to be in accordance with the development plan. Therefore, given the terms of Sections 25 and 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 which are also generally supportive of the proposed development.

8.2 The site is identified as a Development Opportunity Site for residential purposes and is the subject of an extant planning consent for residential development.

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.

8.4 Although Scottish Water has objected to the proposed development, it is considered that the cost criterion 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.

8.6 While it is agreed that previous commitments in respect of open space provision have not been implemented, the proposed development represents an opportunity to complete the residential development at this location that has been outstanding for in excess of 20 years.

## **9. RECOMMENDATION**

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

### **CONTRARY DECISION NOTE**

Should the Committee agree to refuse the application contrary to the recommendation of the Head of Planning, Development and Building Standards and in terms of the principle of the proposed development, the application would require to be referred to the Development Services Committee as such a decision would represent a significant departure from the development plan.

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

03 September 2004  
HM/HM  
FV/DVM

## **LIST OF BACKGROUND PAPERS**

1. Application form and plans.
2. Statutory notices/certificates.
3. Consultation responses.
4. Letters of representation.
5. Adopted East Ayrshire Local Plan (1993).
6. Approved Ayrshire Joint Structure Plan (1999).
7. Previous applications CD/79/145, CD/80/53, CD/90/384 and CD/91/231.

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

**Implementation Officer: Dave Morris**

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Site of Proposal:	Stepend Road CUMNOCK KA18 1ES
Nature of Proposal:	Proposed residential development comprising 37 individual dwellings
Name & Address of Applicant:	GGG Offices Limited C/o 153 Union Street LARKHALL ML9 1EB
Name & Address of Agent:	James Baird Associates 153 Union Street LARKHALL ML9 1EB

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PPOs Reference: 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 12 March 2004 as amended by the site layout plan (Drawing. No. 03/119/PLAN/001–Revision H) received on 22 June 2004 and the amended planning application form received by the Planning Authority on 18 March 2004.

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 for each 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.

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.

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 will require 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. The proposed driveways shall be not less than 4.8 metres in length and 2.5 metres in width.

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

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 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 8 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 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 details shall also provide for an equipped play area in the open space located at the northern part of 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. The existing footpath leading from Rigg Crescent to Stepend Road shall be retained and shall be linked to the existing footpath network at this location without passage through private garden ground in Plot 37.

REASON – In the interests of residential amenity and public 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 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.

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