

**EAST AYRSHIRE COUNCIL**

**SPECIAL CENTRAL LOCAL PLANNING COMMITTEE: 01 AUGUST 2003**

**03/0313/OL: RESIDENTIAL DEVELOPMENT AND IMPROVED JOINT  
ACCESS  
LAND EAST OF MOORFIELD ROUNDABOUT, CROSSHOUSE ROAD,  
KILMARNOCK  
BY LAND IMPROVEMENT HOLDINGS PLC**

**EXECUTIVE SUMMARY SHEET**

**1. DEVELOPMENT DESCRIPTION**

1.1 Outline planning permission is sought for residential development and improved joint access. The applicant has submitted a supporting statement and framework plan which outlines the planned development of the residential area. These documents provide a comprehensive and co-ordinated development strategy for the residential area in order to avoid piecemeal development. The main components are as follows:-

**Roundabout and Internal Road Layout**

The construction of the new roundabout at the junction of the existing access to the Brewers Fayre and Travel Lodge on B7064 will access both the residential area as well as the proposed business and industrial area.

The roundabout is the subject of a separate detailed application which is also to be considered by this Committee. There will be a main internal spine road off the eastern arm of the roundabout which should have no frontage development and will terminate in a roundabout serving individual residential cul-de-sacs over its length from its termination point. The extent of the development served from the terminal roundabout should not exceed 300 units. The overall footpath strategy will be tied into the internal road layout. The internal road design will be the subject of a detailed application for approval.

**Phasing**

The overall area has been split into 3 main sites:

- Site A is bounded by B7064 and the existing country lane and comprises 2-8 hectares (7 acres) in area;
- Site B to the north west has been split into 2 areas of equal size:

B1 – 4.1hectares in area (10.1 acres)

B2 – 4.1hectares in area (10.1 acres)

- Site C is to the south east and is 4.9 hectares in area (12.2 acres).

### Drainage Layout

Two attenuation ponds are proposed, one is to be placed at the site entrance adjacent to the new roundabout. The second attenuation pond is proposed south of the main internal spine road within a central open space landscaped area. Surface water will be carried off the site via an underground culvert at the north west corner of the site.

### Structural Landscaping

Heavy sound absorbing structural planting is proposed adjacent to the B7064 and Moorfield Roundabout. Existing perimeter planting will be maintained and reinforced where required. Boulevard planting is proposed along the sides of the main internal spine road. A 5 metre wildlife corridor will be introduced along the boundary to the adjacent Annanhill Golf Course. This will act as a barrier from wayward golf balls. The applicant is also proposing to carry out a landscaping scheme on the main Moorfield Roundabout.

### Open Space

The applicant has indicated that public open space will be provided in excess of the Council's Guidelines, with approximately 10.5 acres of active public open space being provided. A 'linear' park is proposed in the areas either side of the underground gas main and will contain access pathways within these areas. They will be utilised by walkers, cyclists, joggers and children playing. Each site will be linked via country footpaths and equipped play areas are proposed within each phase of developable area.

## **2. RECOMMENDATION**

**2.1 It s recommended that the application should be approved subject to the conditions indicated on the enclosed sheet and that the issuing of the planning 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 Section 5 of the overview report.**

### **3. CONCLUSIONS**

31 As indicated in Section 5 of the report the application is 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.

3.2 There are material considerations relevant to this application as indicated in Section 6 of the report and they are generally supportive of the proposal. The framework plan has provided details of how the site is to be developed strategically, such as internal roads and footpath access, drainage, structural landscaping and public open space, as well as identifying the existence of certain constraints to development such as the main gas pipeline and electricity pylons. Suitable solutions for the constraints have been designed into the framework plan. Approval of this development will allow the wider objectives of the Council to be met through the development of an identified housing site and the erection of a new roundabout which will not only serve the housing development but the adjacent industrial and business site. This along with upgrades of certain infrastructure and services is of considerable significance for the redevelopment of the whole area.

#### **CONTRARY DECISION NOTE**

Should the Committee agree that the application be refused contrary to the recommendation of the Head of Planning and Building Control. The application would require to be referred to the Development Services Committee as there would be a significant breach of Council Policy.

**Alan Neish**  
**Head of Planning and Building Control**

**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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ACCESS  
LAND EAST OF MOORFIELD ROUNDABOUT, CROSSHOUSE ROAD,  
KILMARNOCK  
BY LAND IMPROVEMENT HOLDINGS PLC

### Report by Head of Planning and Building Control

#### 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 because it concerns a large scale residential development which accords with the Adopted East Ayrshire Local Plan and is subject to objection.

#### 2. APPLICATION DETAILS

2.1 **Site Description:** The application site is 20.2 hectares in area and is located on the south western outskirts of Kilmarnock. The site is agricultural land and is bounded to the north by agricultural land and industrial premises, to the south by Mount House a grade 'B' listed building recently converted to residential use and agricultural land, to the west by Annandale Guest House, Brewers Fayre and Travel Lodge and B7064 and to the east by Annanhill Golf Course. The main Moorfield Roundabout is located to the south west of the application site.

2.2 **Proposed Development:** Outline planning permission is sought for residential development and improved joint access. The applicant has submitted a supporting statement and framework plan which outlines the planned development of the residential area. These documents provide a comprehensive and co-ordinated development strategy for the residential area in order to avoid piecemeal development. The main components are as follows:-

##### Roundabout and Internal Road Layout

The construction of the new roundabout at the junction of the existing access to the Brewers Fayre and Travel Lodge on B7064 will access both the residential area as well as the proposed business and industrial area.

The roundabout is the subject of a separate detailed application which is also to be considered by this Committee. There will be a main internal spine road off the eastern arm of the roundabout which should have no frontage development and will terminate in a roundabout serving individual residential cul-de-sacs over its length from its termination point. The extent of the development served from the terminal roundabout should not exceed 300 units. The overall footpath strategy will be tied into the internal road layout. The internal road design will be the subject of a detailed application for approval.

### Phasing

The overall area has been split into 3 main sites:

- Site A is bounded by B7064 and the existing country lane and comprises 2-8 hectares (7 acres) in area;
- Site B to the north west has been split into 2 areas of equal size:  
B1 – 4.1hectares in area (10.1 acres)  
B2 – 4.1hectares in area (10.1 acres)
- Site C is to the south east and is 4.9 hectares in area (12.2 acres).

### Drainage Layout

Two attenuation ponds are proposed, one is to be placed at the site entrance adjacent to the new roundabout. The second attenuation pond is proposed south of the main internal spine road within a central open space landscaped area. Surface water will be carried off the site via an underground culvert at the north west corner of the site.

### Structural Landscaping

Heavy sound absorbing structural planting is proposed adjacent to the B7064 and Moorfield Roundabout. Existing perimeter planting will be maintained and reinforced where required. Boulevard planting is proposed along the sides of the main internal spine road. A 5 metre wildlife corridor will be introduced along the boundary to the adjacent Annanhill Golf Course. This will act as a barrier from wayward golf balls. The applicant is also proposing to carry out a landscaping scheme on the main Moorfield Roundabout.

### Open Space

The applicant has indicated that public open space will be provided in excess of the Council's Guidelines, with approximately 10.5 acres of active public open space being provided. A 'linear' park is proposed in the areas either side of the underground gas main and will contain access pathways within these areas.

They will be utilised by walkers, cyclists, joggers and children playing. Each site will be linked via country footpaths and equipped play areas are proposed within each phase of developable area.

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

3.1 East Ayrshire Council's Roads and Transportation Division have no objections and have offered the following comments regarding the framework plan and the proposed development.

- a) The proposed roundabout and other external improvements shall be constructed prior to the commencement of any building work within the application site.
- b) A drainage risk assessment for the site should be undertaken, this is required regarding the impact of the development on the watercourse downstream rather than inundation of the application site.
- c) Existing roads within the application site must either be maintained and incorporated into the new road layout or formally stopped up.
- d) No dimensions have been provided on the layout plan indicating the road widths. The new access road from the new roundabout on B7064 to the internal roundabout, should be a distributor road which shall be 6 metres wide with no frontage access. The only access point being permitted will be road junctions at 100 metre centres. An exception will be for the existing Annandale guesthouse which shall be permitted to access over a private access crossing.
- e) No traffic calming proposals have been indicated for the distributor road and is required for all new road construction.
- f) All roads off the distributor road shall be considered as housing roads and be 5.5 metres wide with at least one emergency access link to other section of the new road network. A maximum of 100 dwellings are permitted for these junctions unless the internal geometry of the road is converted to a distributor road.
- g) Consideration should be given to providing Mount House with a link onto the new road network.
- h) The current layout plan indicates the existing road into Annandale industrial estate as remaining. This may be permitted and be used as an emergency link/cycle route/pedestrian route. As such it should be closed to through vehicular traffic at the end of the site and be provided with street lighting.

There is a footpath running parallel with the emergency link which appears to be redundant. Clarification of its purpose is sought.

- i) All footpaths and footways within the development and links to the existing public footways should incorporate a cycle lane.
- j) Pedestrian links should be provided on the southern side of the distributor road to serve residential development there.
- k) A pedestrian link should be provided to Laburnum Road and Dundonald Road, however no specific route has been shown on the layout plan.
- l) Further details of the 2 attenuation ponds are required. The Roads Division will only accept discharge of road surface water into a Scottish Water sewer or a watercourse incorporating a SUDS design which permits storm overflows to ensure that in the event of extreme rainfall periods the road drainage continues to operate even if the SUDS capacity is exceeded.

***In respect of points (a) – (b), (d) – (f), (h) – (j) and (l) these can be addressed by attaching conditions to any grant of planning consent. With regard to point (k) a pedestrian link to Laburnum Road and Dundonald Road will be addressed through Section 75 agreement. The linking of the Mount House into the new road network could be achieved through Area C, however the owner of Mount House wishes to retain the present vehicular access from Dundonald Road to the existing Mount House residential development and therefore present vehicular access arrangements to Mount House will remain as existing. With regard to point (h) the two pathways running through the linear park, one is the existing access road which will be used as an emergency link/cycle route and pedestrian route and will be closed to through vehicular traffic at the end of the site. The existing access from B7064 to the Annandale industrial units will be retained. The other pathway is an informal access through the linear park.***

3.2 Scottish Water have indicated that the developer will require to provide sewage storage as the area to the north of the former Massey Ferguson plant is constrained by Gatehead Storm Tank Combined Storm Overflow (CSO). This storage is to avoid any increase in the number of spills from the CSO to the River Irvine and to avoid any increase in the concentration of effluent. The applicant has approached Scottish Water and have advised that 850m<sup>3</sup> of sewage needs to be stored. They have proposed a couple of solutions and the applicant's consulting engineers are presently designing them.

***Scottish Water will use their statutory powers to promote the upgrade of the existing infrastructure in order to accommodate this***

***residential development and the adjacent proposed industrial and business development.***

3.3 Scottish Environment Protection Agency have no objection in principle. They are pleased to see the inclusion of a SUDS system but request further information including calculations to assess the design details of the SUDS. The proposal for surface water to be taken off site via an underground culvert and request the reasoning behind this proposal. Written assurance should be sought from Scottish Water that sufficient capacity exists within the network for foul drainage to be connected into the public sewers.

***Refer to the consultation response of Scottish Water. The design of the SUDS system can be addressed by attaching a condition to any grant of planning consent.***

3.4 Transco have no objection to the proposed development and have advised that the Crosshouse to River Irvine pipeline has a diameter of 273 mm and a building proximity distance of 16 metres. This building proximity distance has been catered for within this layout. There will be practical plan protection issues at the various road crossings as is the norm.

***See response to 3.5.***

3.5 Health and Safety Executive have advised that they would not advise against the development and it is important that the detailed planning application maintains adequate separation. They however maintain their concern about the proposed significant increase in population near the major hazard pipeline and draw attention to paragraphs 4, 22 and article 12 of the Seveso 2 Directive and the obligation of the Council “to take account of the need in the long term to maintain appropriate distances .....”. Although the Directive does not apply to pipelines, its enactment into Scottish Law does not exclude them.

They understand that packages of land could be sold on to other developers and HSE took legal advice for the Public Planning Inquiry in Bo’ness regarding the European Convention on Human Rights and the duty to notify purchasers of new homes of the potential risk.

***An exclusion zone limit of 92 metres in total, 46 metres either side of the main gas pipeline has been shown in the framework plan. This land will be used for private garden, open space and vehicular access. This exclusion zone limit meets with Health and Safety Executive’s requirements. A note can be attached to any grant of planning consent advising the applicant to notify purchasers of the presence of a main gas pipeline within the application site.***

3.6 Power Systems have lodged a formal objection on the following grounds:-

- The proposed development may interfere with the overhead transmission lines. It is essential that statutory safety clearances are maintained and access to the apparatus where work is being carried out in the vicinity of an overhead line in accordance with Health and Safety Guidance Note GS6 "Avoidance of Danger from Overhead Lines".
- There is lower voltage overhead and underground apparatus within the site. Access to their operations should be maintained at all times. Work being carried out in the vicinity of underground cables must be in accordance with Health and Safety Guidance Note HS(G) 47 "Avoiding Danger from Underground Electricity Cables".

It is hoped that once the developer has made an approach to Scottish Power satisfactory arrangements to protect Scottish Power's operational apparatus will be achieved voluntarily.

***The applicant has indicated that they have been in discussion with Scottish Power about the 132 kV and 32 kV pylons on site since 1998. They have recently been given costs for putting both sets of cables underground and have agreed in principle the proposed routes. If the pylons were to remain in situ Scottish Power have confirmed that there would need to be a corridor of 18 metres (132 kV) and 9 metres (33kV) on either side of the centre line of the cables. This would ensure that the proposed development would not interfere with Scottish Power's essential operations. It is recommended that a condition is attached to any grant of planning consent requiring the developer to address what remedial measures will be adopted for the presence of the pylons on site.***

3.7 The Coal Authority have indicated that there are workings in 8 seams of coal at shallow to 190 metre depth, the last date of working being 1924. There are 6 mine entries within 20 metres of the application site.

***A note can be attached to any grant of planning consent advising the applicant of the advice of the Coal Authority.***

3.8 East Ayrshire Council Department of Educational and Social Services, Crosshouse Community Council have no adverse comments to make regarding the proposed development.

***Noted.***

3.9 Grange Howard Community Council have objected to the proposed development as there is no information given to the size, layout and to the road access and traffic volumes that it would generate. They are concerned about the cumulative effects and results of several developments and road proposals. Their size and nature would have significant impact in environmental terms. They would impact substantially on the capacity and the capability of the road systems in the Moorfield area and on the main roads leading to and from the centre and the west side of the town. Questions were also raised about the adequacy of the general infrastructure indicating school places and to what extent these have been taken into account in the schools proposals that have recently been put forward.

***A Transport Assessment has been submitted for the above development and a copy has been passed to the Community Council. The Roads Division has offered no objection to the principle of residential development on the site as their comments have concentrated on the details of the internal layout which will be addressed at the detailed stage. A new roundabout which will access the residential development is proposed at the junction to the existing access to the Brewers Fayre and Travel Lodge. (The existing road network is of sufficient size and capacity to serve a development of the scale proposed).***

***With regard to the availability of school places, the Department of Educational and Social Services have offered no objections to the proposed development. This matter would have been considered in the local plan process during the identification of this site for residential development. The link between this residential development and any future schools proposals in the area is not for consideration within this present proposal.***

3.10 West of Scotland Archaeology Service have advised that there are no recorded sites contained within the application area. The bulk of the application area comprises green fields and there stands a reasonable chance of unearthing buried unrecorded remains which may survive below ground level. They advise that an initial assessment following by an archaeological field evaluation is carried out by the developer to determine the character and extent of any archaeological remains, the development area and to quantify the likely costs of appropriate mitigation reasons. This work should be carried out before a decision is reached on the application. If for any reason prior evaluation is not possible they advise the attachment of a negative suspensive condition as contained in paragraph 34 of PAN 42 and is worded to reflect current circumstances and in the light of experience elsewhere.

***It is considered that a similarly worded negative suspensive condition as detailed in PAN 42 should be attached to any grant of planning consent.***

3.11 East Ayrshire Council's Environmental Health and Waste Management, Ayrshire Joint Structure Plan Team have not responded to their consultation letter at the time of writing this report.

***Noted.***

3.12 Scottish Executive Environment and Rural Affairs Department have indicated that they are no longer in a position to consider an objection on the grounds of loss of prime quality land as since the end of October 2002 the Special Protection of Prime Quality Land from Development has been removed. Under the present circumstances they will not be raising an objection.

***The application site is an identified housing site within the Adopted East Ayrshire Local Plan and therefore the loss of prime quality agricultural land was considered when the above site was identified as a housing opportunity in the local plan.***

3.13 East Ayrshire Council Outdoor Services have concerns on health and safety grounds regarding any proposed footpaths via the golf course. If there was a footpath to Laburnum Road via the golf course, there would be a high risk of footpath users being struck by golf balls which could cause injury and therefore would strongly object to the footpath being created. A suitable alternative may be to create a footpath through Mount House grounds to join up with the existing footpath adjacent to the railway which leads to Laburnum Road.

***The provision of a footpath link between the development site and Laburnum Road will be addressed through Section 75 Agreement.***

They also have concerns about golf balls landing within the development site along the eastern boundary area. Depending on the location of houses, this may cause future problems.

***The developer is proposing a 5 metre wildlife corridor along this eastern boundary. This can be further addressed by a condition requiring the developer to take into account in the housing layout the presence of a golf course and wayward golf balls.***

Outdoor Services play park proposals should be put in place for a development of this size. One large central area consisting of toddler, junior and teenage play equipment. This development is for approximately 300 houses which will have a significant number of children and the nearest football pitch is some walking

distance away at Howard Park (approximately 1 mile). Therefore they require a football field with changing facilities.

***The provision of a strategic play area and football pitch with changing facilities can be met through a condition and the Section 75 Agreement.***

#### **4. REPRESENTATIONS**

4.1 There are 2 objectors of the proposed development (Powersystems and Grange Howard Community Council, which are detailed in Sections 3.6 and 3.9 of the report).

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

5.2 The application site is identified as a housing development opportunity within EALP, whereby it will encourage and support the development of major residential development in the Mount House area comprising both high amenity and general needs private housing and associated open space. The proposed development therefore complies with the EALP. The present application site does not include land to the south east and land to the south of Mount House identified also as housing development opportunity 145H in the Local Plan.

5.3 Policy RES 19 requires all housing developers to provide areas of recreational and amenity open space as an integral part of their development proposals and to make provision for the future maintenance of these areas. Developers will be expected to pay due regard to the indicative basic standards set out in Schedule 3 of the Local Plan in preparing their proposals.

***The proposed development meets the standards set out in the Adopted Local Plan. Due to the exclusion zone on either side of the underground gas pipeline a linear park is proposed to the north and a strategic area of open space along the south western boundary. Structural planting is proposed along B7064 and Moorfield Roundabout, and boulevard planting along the new main distributor road through the site. A 5 metre wildlife corridor is also proposed along the boundary with the adjacent Annanhill Golf Course. Whilst the developer is proposing equipped play areas for each phase of***

***the development, it is proposed given the recent difficulties associated with small individual play areas within residential areas, and the recent thinking of the Council Outdoor Services that one more strategically located play area is incorporated within the open space areas and a football field with changing facilities. The strategic play area should incorporate play equipment on three levels – toddler, junior and teenager. It is recommended that the implementation and phasing of the landscaping and open space areas are controlled by Section 75 legal agreement.***

5.4 The EALP advises that a Development Brief should be prepared for the site in order to co-ordinate development proposals. Policy ENV 7 also advises that developers should be expected to comply fully with the Council's Design Guidance.

***A development brief has been produced for this site and addresses issues such as the existing infrastructure and services, existing and adjacent land uses and overall design characteristics. Detailed design considerations have been addressed by a further design brief, include housing layout, site capacity and mix, road and parking layouts, footpath and cycleway connections, house design and materials and open space and landscaping. The principles of the design brief will be achieved through the Section 75 agreement.***

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

6.1 The principal material considerations relevant to the determination of this application are the consultation responses and objections detailed in Sections 3 and 4 of the report and the planning history of the site.

### Consultation Responses and Representations Received

6.2 The consultation responses have been addressed in Section 3 of the report and do not raise any issues that would warrant the refusal of this application. Many of the issues raised by the consultation process can be addressed by attaching conditions to any grant of planning consent. With regard to the objections from Grange Howard Community Council their concerns have not been echoed by the Roads Division or the Department of Educational and Social Services.

### Planning History

6.3 98/0681/OL: Proposed Residential Development and Improved Joint Access at Land East of Moorfield Roundabout, Crosshouse Road, Kilmarnock.

***This application involved the same application site as the present application under consideration. The applicant appealed non-determination to the Scottish Executive and the acceptability of the application site as a housing site was considered during the local public inquiry into the Local Plan. The appeal was withdrawn by the applicant and the application was subsequently considered withdrawn and resulted in the present application being submitted.***

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

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

7.2 Legal implications would arise from the Council entering into a legal agreement under Section 75 of the Town and Country Planning (Scotland) Act 1997 with the applicant. The main Heads of Terms of the Section 75 are addressed in detail in the Overview Report Section 5.

## **8. CONCLUSIONS**

8.1 As indicated in Section 5 of the report the application is 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.

8.2 There are material considerations relevant to this application as indicated in Section 6 of the report and they are generally supportive of the proposal. The framework plan has provided details of how the site is to be developed strategically, such as internal roads and footpath access, drainage, structural landscaping and public open space, as well as identifying the existence of certain constraints to development such as the main gas pipeline and electricity pylons. Suitable solutions for the constraints have been designed into the framework plan. Approval of this development will allow the wider objectives of the Council to be met through the development of an identified housing site and the erection of a new roundabout which will not only serve the housing development but the adjacent industrial and business site. This along with upgrades of certain infrastructure and services is of considerable significance for the redevelopment of the whole area.

## **9. RECOMMENDATION**

**9.1 It is recommended that the application should be approved subject to the conditions indicated on the enclosed sheet and that the issuing of the planning 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 Section 5 of the overview report.**

### **CONTRARY DECISION NOTE**

Should the Committee agree that the application be refused contrary to the recommendation of the Head of Planning and Building Control. The application would require to be referred to the Development Services Committee as there would be a significant breach of Council Policy.

**Alan Neish**  
**Head of Planning and Building Control**

22 July 2003  
(PC/MMM)

### **LIST OF BACKGROUND PAPERS**

1. Application Form and Plans.
2. Statutory Notices/Certificates.
3. Consultation Responses.
4. Adopted East Ayrshire Local Plan.
5. Approved Ayrshire Joint Structure Plan.
6. Planning Application No: 98/0681/OL.
7. Report into Objections to the East Ayrshire Local Plan Volume 2 Housing.
8. Development Proposals at Moorfield North Industrial Site Development Services Committee: 20 May 2003.
9. Moorfield/Mount House Action Plan Development Services Committee: 21 November 2000.

Anyone wishing to inspect the above papers please contact Pamela Clifford on 01563 576772.

***Implementation Officer: Dave Morris***

0303130L

## EAST AYRSHIRE COUNCIL

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

03/0313/OL

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Site of Proposal:	Land East of Moorfield roundabout Crosshouse Road KILMARNOCK
Nature of Proposal:	Proposed Residential Development and Improved Joint Access
Name & Address of Applicant:	Lands Improvement Holdings plc C/o Agent
Name & Address of Agent:	James Barr 226 West George Street GLASGOW G2 2LN

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DPOs Reference: PC/MMM

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

1. The proposed development shall be carried out in accordance with the application form and plans received on 19 March 2003, the Transportation Impact Assessment dated January 2000, the Interim Statement dated May 2003 and the framework plan dated 10 June 2003.

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

2. Before any development commences on the site, the further approval of the Planning Authority shall be obtained in respect of the under mentioned matters hereby reserved.

- (a) The layout of the site;
- (b) The size, height, design and external appearance of the proposed dwellinghouses/ buildings.
- (c) The means of drainage and sewage disposal;
- (d) Details of the access arrangements;
- (e) The provision for open space and associated maintenance arrangements;

- (f) The provision for car parking;
- (g) The boundary walls/fences to be erected;
- (h) The landscaping of the site and associated maintenance arrangements;
- (i) Finished site levels/floor levels.

REASON The approval is in outline only.

3. Details to be submitted under Condition 2 above shall include the following road details:-

- a) The proposed distributor road shall be 6 metres wide with no frontage access.
- b) There shall be 100 metre separation distance between new road junctions off the proposed distributor road.
- c) Details of the design and location of traffic calming measures for the distributor road.
- d) All roads off the distributor road shall be 5.5 metres wide with at least one emergency access link to the other section of new road network. A maximum of 100 dwellings shall be permitted for these junctions.
- e) All footpaths and footways shall incorporate cycle lanes.
- f) Pedestrian links shall be provided on the southern side of the distributor road.
- g) All existing roads within the application site shall be maintained and incorporated into the new road layout.
- h) A pedestrian link shall be provided to the edge of the most northerly boundary of Housing Area B1.
- i) The existing vehicular access to the Annandale Units through the proposed linear park shall be closed to through vehicular traffic at the northern end of the application site and shall be used as an emergency link/cycle route/pedestrian route as detailed in the framework plan. Street lighting shall be provided along this access.

All the above details shall be implemented as approved within a timescale to be approved in writing by the Planning Authority.

REASON To allow public access and in the interests of road safety.

4. Prior to the commencement of any building work on site, the proposed new roundabout on B7064 and other external improvements specified in the Transportation Impact Assessment to the Moorfield and Dalepark Roundabouts shall be operational on site.

REASON In the interests of road safety.

5. Prior to the commencement of development on site, a drainage risk assessment for addressing the impact of the development on the watercourse downstream shall be submitted to and approved by the Planning Authority and any measures arising from the assessment shall be implemented on site prior to any house building on site.

REASON To ensure that adequate drainage is provided.

6. No work shall commence on site until such time as the applicant has provided the Planning Authority with written confirmation from Scottish Water that the sewerage system is capable of accommodating the connection of this approved decision.

REASON To ensure that adequate drainage is provided.

7. Details to be submitted in terms of Condition 2(c) shall include the design details of the Sustainable Urban Drainage System which shall incorporate a Sustainable Urban Drainage System design which permits storm overflows to ensure that in the event of extreme rainfall periods the road drainage continues to operate even if the Sustainable Urban Drainage System capacity is exceeded. The above details shall be implemented as approved within a timescale to be approved in writing by the Planning Authority.

REASON To ensure that adequate drainage is provided.

8. Notwithstanding the submitted plans, the play areas shown in each phase of the proposed development are not hereby approved, one strategically located play area incorporating toddler, junior and teenager play equipment shall be provided. Details of its location, type and design of play equipment and the maintenance scheme to be adopted shall be submitted to and approved by the Planning Authority prior to the commencement of development on site and installed on site within a timescale to be approved in writing by the Planning Authority.

REASON To ensure that adequate open space is provided in the interests of residential amenity.

9. Notwithstanding the submitted plans, a full-sized football pitch shall be provided. Details of its exact location, surfacing of the football pitch, and future maintenance arrangements of this facility shall be submitted to and approved by the Planning Authority and implemented on site within a timescale to be agreed in writing by the Planning Authority.

REASON To ensure adequate open space facilities are provided for this new residential development.

10. Details to be submitted and approved under Condition 2(h) above. A landscape strategy incorporating:

- a) Boulevard planting along the new distributor road;
- b) 5 metre wildlife corridor along the boundary with Annanhill Golf Course and other landscaping measures to reduce the incidence of wayward golf balls within the housing area;
- c) Heavy structural planting adjacent to the B7064;
- d) A landscaping proposal for the new roundabout on B7064.
- e) The provision of a linear park within the Health and Safety Exclusion Zone to the north of the proposed distributor road;
- f) Landscaping details in the Health and Safety Exclusion Zone to the south-west of the proposed distributor road;
- g) A maintenance scheme regarding the managing and maintaining of all public open space/planting/parkland areas and play areas;
- h) A phasing programme providing details of the timescale for the implementation of the above landscaping details on site and how it relates to each phase of the development.

The above details shall be implemented as approved.

**REASON** To ensure that adequate provision of public open space is provided to an adequate standard and that it is subsequently maintained, in the interests of residential and visual amenity.

11. Prior to the commencement of any development on site, a phasing programme of how the site is to be developed regarding each housing phase, footpaths, road layout, street lighting, street signs shall be submitted to and approved by the Planning Authority and implemented thereafter according to the approved details. The footpaths, the final surfacing of the roads, street signs, street lighting shall be available prior to the occupation of the first house of each residential phase.

**REASON** To enable the Planning Authority retain control over the development of the site in the interests of the proper planning of the area and in the interests of residential amenity.

12. The Health and Safety Exclusion Zone identified on the approved framework plan shall be used for private garden, open space or vehicular access only and no other development shall take place within this Exclusion Zone.

**REASON** There is a major gas pipeline which requires to be protected and no development shall take place in this Zone, in the interests of public safety.

13. Prior to the commencement of development on site, details of the remedial measures that shall be undertaken to address the electricity pylons on the site shall be submitted to and approved by the Planning Authority. The approved measures shall be implemented on site prior to the building of any houses on site.

REASON There are electricity pylons on site and they should be suitably addressed in the interests of public safety and visual amenity.

14. No development shall take place within the application site until the developer has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted by the applicant agreed by the West of Scotland Archaeology Service and approved by the Planning Authority. Thereafter the developer shall ensure that the programme of archaeological works is fully implemented and that all recording and recovery of archaeological resources within the development site is undertaken to the satisfaction of the Planning authority in agreement with the West of Scotland Archaeology Service.

REASON To safeguard any potential archaeological remains in the application site.

15. No trees shall be felled, lopped, have roots cut, or be the subject of any other works without the prior written consent of the Planning Authority.

REASON In the interest of visual amenity and to maintain the existing visual contribution of the trees to the amenity of the area.

16. Details to be submitted under condition 2 above shall take into account the presence of the adjacent golf course and the incidence of wayward golf balls in terms of the layout and design of the housing development.

REASON To prevent damage from wayward golf balls in the residential area.

17. Vehicular access to Annandale Guest House shall be maintained at all times during site preparation and construction works.

REASON To ensure unrestricted access to adjacent properties during construction works.

### Notes

1. The applicant is advised that they are workings in 8 seams of coal at shallow to 190 metres depth, the last date of working being 1924. There

are 6 mine entries within 20 metres of the application site. The applicant shall satisfy himself to stability of the site.

2. It is strongly recommended that the developer advises all potential house purchasers that there is the presence of main gas pipeline within the site and there is an identified Exclusion Zone where no development can take place within this area except for private garden, public open space or vehicular access only.
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 SUDS shall be drained in accordance with the recommendations contained in the CIRIA manual on SUDS.

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