

EAST AYRSHIRE COUNCIL

SOUTHERN LOCAL PLANNING COMMITTEE: 20 JUNE 2003

**03/0130/OL: PROPOSED RESIDENTIAL DEVELOPMENT (IN OUTLINE)
AT KNOWEHEAD, DALMELLINGTON**

APPLICATION BY ROBERT JOHNSTONE & SON LTD.

EXECUTIVE SUMMARY SHEET

1. DEVELOPMENT DESCRIPTION

1.1 Outline planning permission is sought for residential development within the site. As an application for outline planning permission seeks to establish the principle of a particular use of land, the number of units has not been specified at this stage, nor details of the design, mass, scale, layout or finishes of the proposed development. Should outline planning permission be granted, such details would require to be submitted as part of any subsequent application for approval of reserved matters or full planning permission. It is proposed to alter the existing access to the public road and connect the proposed residential development to the public sewer.

2. RECOMMENDATION

2.1 It is recommended that the application be approved subject to the conditions listed on the attached sheet and that 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 applicant in respect of the matters described in Section 8.3 of this report.

3. CONCLUSIONS

3.1 As indicated in Section 5 of the report, the application is considered to accord with the terms of 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 in Section 6 of the report, there are other material considerations relevant to the determination of this application but these material considerations are not considered to be of sufficient weight to justify refusal of this application.

3.2 The sensitive nature of the site surroundings, the general prominence of the site, and the contribution of the current site to the setting of Dalmellington Conservation Area and Kirk o' the Covenant category B listed building are important considerations in shaping the design, finishes, mass, scale, layout, and landscaping, of any future development proposals for the site. Conditions can be attached to any outline planning permission granted to ensure :-

- i. That the height of any proposed dwellinghouses within the site shall be limited to single or one-and-a-half storeys in order to lessen the visual impact of the proposed development; and
- ii. an appropriate scheme of landscaping incorporating existing tree cover where possible is incorporated as part of the development to soften the visual impact of the proposed development and preserve the character of the site; and
- iii. an appropriate layout, mass, scale, design and finishes of housing within the site complementary to the adjacent Dalmellington Conservation Area and accordant with the Councils design guidance and relevant Local Plan policies; and
- iv. the incorporation of a Sustainable Urban Drainage System to deal with surface and roof water run-off.

3.3 It is considered that the application should be approved subject to a Section 75 Agreement under the Town and Country Planning (Scotland) Act 1997 to include the following obligations on the part of the developer:

Section 75 Agreement

- (i) The securing of suitable access to the site from Knowehead and the B741 public road on land outwith the applicants control; and
- (ii) The provision and maintenance of visibility splays at the junction of the access with the B741 public road, in the interests of public safety, on land outwith the applicants control; and
- (iii) The protection and/or diversion of any existing public utility apparatus located in the road and/or road verge.

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 will not require to be referred to the Development Services Committee because there will be no significant departure from 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.

EAST AYRSHIRE COUNCIL

SOUTHERN LOCAL PLANNING COMMITTEE: 20 JUNE 2003

03/0130/OL: PROPOSED RESIDENTIAL DEVELOPMENT (IN OUTLINE)
AT KNOWEHEAD, DALMELLINGTON

APPLICATION BY ROBERT JOHNSTONE & SON LTD.

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 as the application is subject to objections.

2. APPLICATION DETAILS

2.1 **Site Description:** The site extends to approximately 3600 square metres and is located to the east of Knowehead and adjacent to Dalmellington Cemetery. The site is elevated and slopes from east to west. The site is marshy in nature and contains a number of mature Birch and Sycamore trees. The northern boundary of the site is defined by a hedge.

2.2 A category 'B' listed building (Kirk o' the Covenant) and the rear garden areas of 2 semi-detached dwellinghouses (27 and 29 Knowehead) border the western site boundary. The boundary of Dalmellington Conservation Area follows this western site boundary.

2.3 A bituminously surfaced single track access road serving Dalmellington Cemetery is located immediately to the north of the site with agricultural grazing land incorporating some deciduous tree cover further north. An unsurfaced access track located within the application site branches from the cemetery road and provides access to the rear garden areas of 27 and 29 Knowehead.

2.4 **Proposed Development:** Outline planning permission is sought for residential development within the site. As an application for outline planning permission seeks to establish the principle of a particular use of land, the number of units has not been specified at this stage, nor details of the design, mass, scale, layout or finishes of the proposed development. Should outline planning permission be granted, such details would require to be submitted as part of any subsequent application for approval of reserved matters or full planning permission. It is proposed to alter the existing access to the public road and connect the proposed residential development to the public sewer.

3. CONSULTATIONS AND ISSUES RAISED

3.1 Dalmellington Community Council and Scottish Water have not responded to their consultation letters.

Noted. Despite the fact that public water supply and drainage issues were not problematic in previous applications, the applicant is strongly advised to contact Scottish Water should outline planning permission be granted.

3.2 The West of Scotland Archaeology Service, Scottish Power, and The Coal Authority have no adverse comments to make on the proposed development.

Noted.

3.3 The Scottish Environment Protection Agency has advised that the developers should select and install appropriate Sustainable Urban Drainage Systems to treat and minimise the amount of surface water leaving the site.

Noted. Conditions can be attached to any outline planning permission granted for the proposed development to meet these requirements.

3.4 East Ayrshire Council's Roads and Transportation Division has advised that in principle they have no objections to residential development of this site subject to the access and internal roads being brought up to adoptable standards in accordance with the Roads Development Guide 1996. Any roads, footways and lighting up to and within the development must be completed to a standard suitable for adoption by the Roads Authority prior to any work being undertaken within the site in order to ensure that the proposed development is served by an acceptable public road system.

Conditions can be attached to any outline planning permission granted for the proposed development to meet these requirements.

The Roads and Transportation Division has further commented that the developer would be required to re-engineer the access from the site onto Knowehead then onto the B741 High Main Street which is currently sub-standard for any additional development of the area. The visibility splay areas of 4.5 metres by 90 metres required at the new access onto the B741 High Main Street would be over land outwith the developers control and would therefore require a Section 75 agreement with the landowner. Any existing public utility apparatus located in the road/verge will require to be protected/diverted.

It is considered that the requirements of the Roads Division can be secured with the developer through a Section 75 Agreement under the Town and Country Planning (Scotland) Act 1997.

4. REPRESENTATIONS

4.1 Two letters of representation have been received objecting to the proposed development. The points of objection are summarised as follows:

4.2 A development at the location mentioned would overlook existing properties in Knowehead and the local area, to the detriment of their privacy, including that of visitors to the cemetery. Indeed, it might detract from the dignity of the cemetery area.

The application is for outline planning permission. Further details including the design, mass, scale, finishes, and layout of the development would require to be the subject of a further application for approval of reserved matters or full planning permission, should the current application be granted outline planning permission, prior to the commencement of development on the site. In any case, subject to an appropriate layout and design, the site can accommodate residential development without materially reducing levels of residential amenity at adjacent properties.

4.3 Knowehead benefits from being a quiet area but a development at the top of the hill would tend to cause additional noise and light pollution, which would carry over a considerable distance, because of the height.

It is not considered that the residential land-use proposed would give rise to land-use conflict by means of noise in the locality. Consideration of light pollution as a result of the proposed development cannot be made in the absence of further details at the outline stage.

4.4 It would be difficult for a housing development to meet the requirements of the Council's conservation policies, as to design.

The application site lies adjacent to Dalmellington Conservation Area. Consequently, the proposed development falls to be considered in terms of the adopted East Ayrshire Local Plan Policy ENV 4 which states that the Council will seek to ensure that all development affecting the setting of a Conservation Area and/or a Listed Building, is sympathetic to the area or building concerned in terms of its layout, size, scale, design, siting, materials and colour of finish. Wherever possible, all proposals should seek to preserve, enhance or incorporate features, which contribute positively to the character or appearance of the area and have due regard to the

architectural and historic qualities of the area or building concerned. Should outline planning permission be granted for the proposed development, appropriate conditions can be attached to ensure a sympathetic design, scale, use of materials, and character, which would require to be the subject of a further application for planning permission or approval of reserved matters.

4.5 The environment would be altered partly because of the height of the proposed location. The aspect of Dalmellington, as approached from both Ayr and New Cumnock, would change, perhaps giving something of a 'suburban' impression, detracting from the traditional appearance of the locality and possibly reducing attractiveness to visitors and tourists. That is of some importance, as Dalmellington is at a crossroads of two scenic routes.

The mature deciduous trees within the site, which is located in an elevated position to the east of the Conservation Area, act as a backcloth to the listed building and act collectively as a landscape feature which contributes positively to both the setting of the Conservation Area and the listed building. It would be appropriate in the interests of visual amenity to impose conditions on the planning permission preserving as much of the existing tree cover as possible within the site whilst also requesting a detailed landscaping scheme to be implemented, should the site be developed.

4.6 Knowehead would have difficulty in accepting increased traffic. The road is narrow, there is no pavement at the northerly end, pavement on one side only, in the middle and pavement on both sides of the lower end, only. There is a right angled junction at the foot of the road and entry from the direction of the proposed development would involve negotiating a 'blind' corner, where the church forms an obstruction. High Main Street already is something of a bottleneck. The upper portion is influenced by a major curve, by the presence of The Bield residences for elderly people and by that of the Co-Operative shop, which needs to have very heavy delivery vehicles, from time to time. The lower part of the street is very narrow and all of these factors seem to suggest that additional traffic from the immediate vicinity would aggravate present difficulties.

East Ayrshire Council's Roads and Transportation Division has advised that in principle they have no objections to residential development of this site subject to the access and internal roads being brought up to adoptable standards in accordance with the Roads Development Guide 1996. Any roads, footways and lighting up to and within the development must be completed to a standard suitable for adoption by the Roads Authority prior to any work being undertaken within the site in order to ensure that the proposed development is served by an acceptable public road system. Conditions can be attached to any planning permission granted for the proposed development to meet these requirements. The Roads and Transportation Division has further commented

that the developer would be required to re-engineer the access from the site onto Knowehead then onto the B741 High Main Street which is currently sub-standard for any additional development of the area. The visibility splay areas of 4.5 metres by 90 metres required at the new access onto the B741 High Main Street would be over land outwith the developers control and would therefore require a Section 75 agreement with the landowner(s). Any existing public utility apparatus located in the road/verge will require to be protected/diverted.

4.7 For construction purposes, access to the proposed site is from the road leading past the Church to the Cemetery. There is no entry from the Church Hill side, as private property increases and that would not be available or suitable for transit or other purposes. Because of the slope of the ground on the site, a good deal of excavation would be needed. Also, tree uprooting would be required, possibly accompanied by pile driving to create foundations. These activities could damage properties close by, including the Church, they could cause ground settlement in the Cemetery and they could disturb the water table.

Should the proposal be granted outline planning permission , it is the responsibility of the applicant to ensure that ground conditions are suitable to facilitate the development proposed. Any physical damage caused to adjacent property is primarily a legal matter, not a material planning consideration. Nevertheless, details of existing and proposed site levels, landscaping, trees to be retained, and any engineering operations would require to be specified as part of any further application for full planning permission or approval of reserved matters on the site.

4.8 It seems difficult to understand why Dalmellington would need another location for residential development as it is well endowed with them as matters stand. Take-up appears to have been slow. A plot in High Main Street has stood for a number of years, apparently without interest being shown and there are several other possibilities, some, I understand, already have planning consent. In particular, there is a small development at The Glebe which is attractive and offers a location for housing of modern style. If it is available, there is further ground on the location of the former Sawmill. That would benefit greatly by being cleared and is a brownfield site which, however, does not seem to be industrially polluted. That would extend the Glebe. If private housing is needed, the area seems ideal and in due course could link with the road close to Sillyhole Bridge. Indeed, if there is a call for further housing, an extension towards Burnton might be possible and there is ground already between the bridge and Ayr Road. Close to the filling station, there is an area for which I understand planning permission has already been requested, although I do not know of the outcome of that application.

The Council as planning authority is required to deal with each individual application on its own merits. The site has not been identified within the adopted East Ayrshire Local Plan as a specific

housing development site. Consequently, the proposal falls to be determined in terms of Policy RES 4 of the adopted East Ayrshire Local Plan, rather than being automatically deemed to be contrary to the provisions of this Local Plan.

4.9 I regard the map for the proposed area as vague and inaccurate. It seems to encroach on part of my back garden and also a 'right of way' beyond that.

The 1:2500 scale location plan submitted sufficiently identifies the land to which the application relates. Outline planning permission serves to establish the principle of a particular use of land without the requirement to submit full details of the finalised proposal. Land ownership issues are a civil matter , therefore not material to the determination of an application for outline planning permission.

4.10 As the proposed development would overlook my property, I would suffer a loss of privacy. There is also a variety of trees which is a pleasing screen between the existing houses and the Cemetery and I would be more than concerned if these were removed.

The application is for outline planning permission. Further details including the design, mass, scale, finishes, layout of the development would require to be the subject of a further application for approval of reserved matters or full planning permission, should the current application be granted outline planning permission. In any case, it is considered that the site can be developed without reducing residential amenity to properties at Knowehead by means of overlook. The mature deciduous trees within the site, which is located in an elevated position to the east of the Conservation Area, act as a backcloth to the listed building and act collectively as a landscape feature which contributes positively to both the setting of the Conservation Area and the listed building. It would be appropriate in the interests of visual amenity to impose conditions on the planning permission preserving as much of the existing tree cover as possible within the site whilst also requesting a detailed landscaping scheme to be implemented, should the site be developed.

5. ASSESSMENT AGAINST THE 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 Adopted East Ayrshire Local Plan (2003).

East Ayrshire Local Plan (2003)

5.2 Policies RES 4 and ENV 4 are of relevance in the determination of this application.

5.3 Policy RES 4 states that the Council will positively encourage the sympathetic residential development of gap, infill or other redevelopment sites, including those sites created through the large scale demolition of existing housing, not specifically safeguarded or identified for particular development purposes on the Local Plan maps. Developments will be assessed against the following criteria:

(i) Impact on the surrounding natural and built environment and adjacent uses;

As stated in Section 4.3 of this report, it is not considered that residential development within the site would materially impact on the amenity of adjacent land uses or give rise to land-use conflict. Should outline planning permission be granted, conditions can be imposed to ensure an appropriate standard of landscaping, design, finishes, and layout within this sensitive and prominent site.

(ii) Transportation and infrastructure implications;

East Ayrshire Council's Roads and Transportation Division has advised that in principle they have no objections to residential development of this site subject to the access and internal roads being brought up to adoptable standards in accordance with the Roads Development Guide 1996, the imposition of appropriate conditions, and the formalisation of a Section 75 agreement to secure a safe means of access to the B741 public road.

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

Any further detailed proposals for residential development within the site would require to comply with the terms of the adopted East Ayrshire Local Plan Policy ENV 4 and The Council's Design Guidance Note 4: Listed Buildings and Buildings within Conservation Area. Should outline planning permission be granted for the proposed development, appropriately worded conditions can be attached to ensure a sympathetic design, scale, use of materials, and character, which would require to be the subject of a further application for planning permission or approval of reserved matters.

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

Design Guidance Note 4: Listed Buildings and Buildings within Conservation Areas states that 'Development outwith but affecting the setting of a Conservation Area will require to be sympathetic to

the area in terms of design, scale, materials and character. Such development should take into account its proximity to the Conservation Area and its design should complement the scale and character of other existing buildings within the boundary of the Conservation Area. Unsympathetic design which is detrimental to the setting of the Conservation Area itself must be avoided'. The application is for outline planning permission. Should outline planning permission be granted for the proposed development, appropriately worded conditions can be attached to ensure a sympathetic design, scale, use of materials, and character, which would require to be the subject of a further application for planning permission or approval of reserved matters, prior to development commencing.

5.4 Policy ENV 4 states that the Council will seek to ensure that all development affecting the setting of a Conservation Area and/or a Listed Building, is sympathetic to the area or building concerned in terms of its layout, size, scale, design, siting, materials and colour of finish. Wherever possible, all proposals should seek to preserve, enhance or incorporate features, which contribute positively to the character or appearance of the area and have due regard to the architectural and historic qualities of the area or building concerned.

The application site is located adjacent to the boundary of Dalmellington Conservation Area and in close proximity to a category B listed building (Kirk o' the Covenant). The mature deciduous trees within the site, which is located in an elevated position to the east of the Conservation Area, act as a backcloth to the listed building and act collectively as a landscape feature which contributes positively to both the setting of the Conservation Area and the listed building. It would be appropriate in the interests of visual amenity to impose conditions on the planning permission preserving as much of the existing tree cover as possible within the site whilst also requesting a detailed landscaping scheme to be implemented, should the site be developed. Additionally, should outline planning permission be granted for the proposed development, appropriately worded conditions can be attached to ensure a sympathetic design, scale, use of materials, and character, which would require to be the subject of a further application for planning permission or approval of reserved matters.

6. ASSESSMENT AGAINST OTHER MATERIAL CONSIDERATIONS

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

Consultations

6.2 The consultation responses do not indicate that the application should be refused, subject to conditions and the applicant entering into a Section 75 Agreement under the Town and Country Planning (Scotland) Act 1997 with adjacent landowners in order to facilitate an appropriate standard of access.

Representations

6.3 The terms of 2 letters of objection are detailed in Section 4 above.

It is considered that some of the points of objection are not valid material considerations in the determination of this application. Additionally, as the application is for outline planning permission, it should be noted that the applicant is seeking to establish the principle of residential development on this land. As a consequence, details including the design, mass, scale, finishes, and layout of the development would require to be the subject of a further application for approval of reserved matters or full planning permission, should the current application be granted outline planning permission. Several of the points of objection relate to matters of detail. It is considered that the points of objection are not of sufficient weight to justify refusal of the application.

Planning History

6.4 Full planning permission was granted on 14 June 1990 for the erection of four detached dwellinghouses within the current application site (Ref. No. CD/90/062).

6.5 Full planning permission was granted on 13 August 1990 for the erection of two semi-detached dwellinghouses on the current application site (Ref. No. CD/90/144). This permission expired on 13 August 1995 and was never implemented.

6.6 Outline planning permission was refused on 27 September 1991 for the erection of five dwellinghouses on part of the current application site (Ref. No. CD/91/083). This application was refused on the basis that the applicants failed to respond to requests for additional information in respect of the layout of the site, which was below the standard considered acceptable and would have resulted in a significant reduction in both the amenity of the previously approved dwellings and in the setting of the adjacent Listed Building. Additionally, it was considered that the proposal constituted an ill-planned and piecemeal development which gave no consideration to the possible comprehensive development of the remainder of the site.

6.7 Full planning permission was granted on 1 April 1992 for the erection of three dwellinghouses on part of the current application site (Ref. No. CD/91/341). This permission expired on 1 April 1997 and was never implemented.

6.8 Planning permission was granted on 11 May 1992 for the erection of six dwellinghouses on the current application site (Ref. No. CD/91/342). This permission expired on 11 May 1997 and was never implemented.

6.9 An application for full planning permission was withdrawn on 12 March 1993 for the erection of five dwellinghouses on part of the current application site (Ref. No. CD/93/029). The application was withdrawn as the application replicated a previous application which was granted full planning permission (Ref. No. CD/91/342) and was still valid at the time of application CD/93/029.

7. FINANCIAL AND LEGAL IMPLICATIONS

7.1 Legal implications will arise as a consequence of the proposed development through the requirement for a Section 75 Agreement under the Town and Country Planning (Scotland) Act 1997, with regard to the requirements contained within section 8.3 of this report.

8. CONCLUSIONS

8.1 As indicated in Section 5 of the report, the application is considered to accord with the terms of 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 in Section 6 of the report, there are other material considerations relevant to the determination of this application but these material considerations are not considered to be of sufficient weight to justify refusal of this application.

8.2 The sensitive nature of the site surroundings, the general prominence of the site, and the contribution of the current site to the setting of Dalmellington Conservation Area and Kirk o' the Covenant category B listed building are important considerations in shaping the design, finishes, mass, scale, layout, and landscaping, of any future development proposals for the site. Conditions can be attached to any outline planning permission granted to ensure :-

- v. That the height of any proposed dwellinghouses within the site shall be limited to single or one-and-a-half storeys in order to lessen the visual impact of the proposed development; and
- vi. an appropriate scheme of landscaping incorporating existing tree cover where possible is incorporated as part of the development to soften the visual impact of the proposed development and preserve the character of the site; and

- vii. an appropriate layout, mass, scale, design and finishes of housing within the site complementary to the adjacent Dalmellington Conservation Area and accordant with the Councils design guidance and relevant Local Plan policies; and
- viii. the incorporation of a Sustainable Urban Drainage System to deal with surface and roof water run-off.

8.3 It is considered that the application should be approved subject to a Section 75 Agreement under the Town and Country Planning (Scotland) Act 1997 to include the following obligations on the part of the developer:

Section 75 Agreement

- (iv) The securing of suitable access to the site from Knowehead and the B741 public road on land outwith the applicants control; and
- (v) The provision and maintenance of visibility splays at the junction of the access with the B741 public road, in the interests of public safety, on land outwith the applicants control; and
- (vi) The protection and/or diversion of any existing public utility apparatus located in the road and/or road verge.

9. RECOMMENDATION

9.1 It is recommended that the application be approved subject to the conditions listed on the attached sheet and that 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 applicant in respect of the matters described in Section 8.3 of this 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 will not require to be referred to the Development Services Committee because there will be no significant departure from Council policy.

Alan Neish
Head of Planning and Building Control
29 May 2003
RD/HM
FV/DVM

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. Full planning permission reference CD/90/062.
8. Full planning permission reference CD/90/144.
9. Outline planning permission reference CD/91/083.
10. Full planning permission reference CD/91/341.
11. Full planning permission reference CD/91/342.
12. Full planning permission reference CD/93/029.

Any person wishing to inspect the background papers listed above should contact Mr Robert Duncan on 01563 555483.

Implementation Officer: Dave Morris

Form TP24A

EAST AYRSHIRE COUNCIL

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

Application no: 03/0130/OL

Location	Knovehead, Dalmellington
Nature of Proposal:	Proposed residential development (in outline)
Name and Address of Agent	Arctec Designs 23 Dallas Place Troon KA10 6JE

DPO's Ref: [Robert Duncan]
PPO's Ref: []

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

1. 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 dwellinghouses;
 - (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) Existing and proposed site levels and proposed finished floor levels.

REASON – The approval is in outline only.

2. Further to the terms of condition 1(b) above, the details to be submitted under condition 1 above shall provide for a comprehensively well designed scheme which in terms of its design and materials is compatible with the local architecture and surrounding townscape, particularly when viewed over longer distances and from within the Dalmellington Conservation Area.

REASON – To ensure that the development does not conflict with its setting and surroundings in the interest of visual amenity and the character and appearance of the area

3. Further to the terms of condition 1(b) above, the details to be submitted under condition 1 above shall provide for the height of all buildings on the site to be restricted to one or one-and-half-storeys.

REASON - To ensure that the development does not conflict with its setting and surroundings in the interest of visual amenity and the character and appearance of the area

4. Further to the terms of condition 1(h) above, no trees shall be felled, lopped, have roots cut, or be the subject of any other works without the prior written consent of the Council as 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

5. Further to the terms of condition 1(h) above, a landscaping scheme allowing for the incorporation of existing tree cover and including the treatment of the boundary of the site shall be submitted as part of any detailed development proposal for the site.

REASON - To ensure that the development does not conflict with its setting and surroundings in the interest of visual amenity and the character and appearance of the area

6. Further to the terms of condition 1(d) above, the roads, footways and lighting up to and within the development site shall have been completed to a standard suitable for adoption by the Roads Authority prior to any work being undertaken within the site in order to ensure that the proposed development is served by an acceptable public road system.

REASON – In the interests of road safety

7. Further to the terms of condition 1(d) above, internal parking for residents and visitors must be to the standards contained within the East Ayrshire Council Roads Development Guide 1996.

REASON – To ensure that adequate car parking provision is available in relation to the approved development and thereby to secure the interests of road safety and residential amenity.

8. Further to the terms of condition 1(c) above, the details submitted under condition 1 shall include a Sustainable Urban Drainage System to treat and minimise surface water run-off within the site. The details to be submitted confirm the proposed maintenance arrangements for the SUD system

REASON – In order to attenuate and reduce surface water leaving the site in the interests of amenity and good planning.

➤ **NOTES TO APPLICANT**

1. The developer shall make early contact with Scottish Water and the Scottish Environment Protection Agency to confirm their 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.

2. 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
THE MAP IS AVAILABLE FOR VIEWING AT THE COUNCIL'S
PLANNING OFFICE IN LUGAR. FOR INFORMATION ON
VIEWING PLEASE CONTACT (01563) 555320.**