

EAST AYRSHIRE COUNCIL

CENTRAL LOCAL PLANNING COMMITTEE: 13 OCTOBER 2000

**00/0445/FL: PROPOSED ERECTION OF 8 NO DWELLINGHOUSES
AT NURSERY AVENUE, KILMARNOCK
BY KLIN CONTRACTS LTD**

EXECUTIVE SUMMARY SHEET

1. DEVELOPMENT DESCRIPTION

1.1 This is a full planning application for 8no dwellinghouses at the above location. The dwellinghouses comprise 5 detached two-storey properties of three bedroom accommodation, 1 detached two-storey dwellinghouse of four bedroom accommodation and attached single garage and 2 single storey bungalows of 2 bedroom accommodation.

1.2 This present application essentially amends the layout and house types of the southern area of the development site which was approved under a previous application (99/0541/FL) on 10 December 1999 for the erection of 34 dwellinghouses. The access road was granted planning permission with Phase 1 of the development as was the landscaped buffer zone between the northern part of the development and the bus depot. As with Phase 1, this area and the other public open spaces approved under Phase 2 are to be maintained by a private factor. The eight plots access off a cul-de-sac within the site. The main access road has speed tables at each access point .

1.3 The house designs are in keeping with those in Phases 1 and 2 of the development. The developer is proposing to use a variety of hipped and gable roofs finished in red or grey concrete roof tiles with contrasting ridge/hip detail. The elevations will comprise buff brick with red brick detail or red brick with buff brick detail.

2. RECOMMENDATION

2.1 The application should be approved subject to the conditions on the enclosed sheet.

3. SUMMARY OF ANALYSIS

3.1 The proposed development complies with both the Ayrshire Joint Structure Plan and the Finalised East Ayrshire Local Plan Finalised Version in that the site is located within the built-up area and is identified for residential purposes. In environmental terms the development is acceptable having regard to the design and layout of residential properties in the surrounding area.

3.2 The proposal does not adversely impact on the levels of public open space previously approved to meet the Council's policy standards. As stated above, the private open space is marginally less than the required policy standards. The shortfall is not such as to merit adverse consideration.

3.3 In conclusion it is considered that the proposal is satisfactory in terms of the local plan. The layout, design, access and service provision is acceptable and the proposed landscaping scheme will be acceptable and complimentary to the surrounding area.

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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Report by Head of Planning and Building Control

1. PURPOSE OF REPORT

1.1 The purpose of this report is to present for consideration, a full planning application which is to be considered by the Local Planning Committee under the scheme of delegation because the application is a larger application which accords with the Development Plan and is of area significance.

2. APPLICATION DETAILS

2.1 **Site Description:** The application site is approximately 0.026 hectares in area and is located within the urban boundary of Kilmarnock. The site forms part of a larger development site which was formerly part of the Western Bus Depot. The site is relatively flat and is bounded to the north by the first and second phases of the residential development, to the south by New Mill Road beyond which is the Trademark Cash and Carry and to the east and west lie residential properties.

2.2 **Proposed Development:** This is a full planning application for 8no dwellinghouses at the above location. The dwellinghouses comprise 5 detached two-storey properties of three bedroom accommodation, 1 detached two-storey dwellinghouse of four bedroom accommodation and attached single garage and 2 single storey bungalows of 2 bedroom accommodation.

2.2.1 This present application essentially amends the layout and house types of the southern area of the development site which was approved under a previous application (99/0541/FL) on 10 December 1999 for the erection of 34 dwellinghouses. The access road was granted planning permission with Phase 1 of the development as was the landscaped buffer zone between the northern part of the development and the bus depot. As with Phase 1, this area and the other public open spaces approved under Phase 2 are to be maintained by a private factor. The eight plots access off a cul-de-sac within the site. The main access road has speed tables at each access point .

2.2.2 The house designs are in keeping with those in Phases 1 and 2 of the development. The developer is proposing to use a variety of hipped and gable roofs finished in red or grey concrete roof tiles with contrasting ridge/hip detail. The elevations will comprise buff brick with red brick detail or red brick with buff brick detail.

3. CONSULTATIONS AND ISSUES RAISED

3.1 East Ayrshire Council Roads Division have advised that there are no objections subject to conditions. The access road formed part of the 1st and 2nd phases of development and any conditions included and that time should remain in force.

Noted.

3.2 West of Scotland Water have advised that :-

- i. There is a public sewer to which a connection may be made. The developer should satisfy himself through site investigation if necessary, that relative levels are such as will allow the development to be connected at reasonable gradient.
- ii. The developer must make separate application to West of Scotland Water for permission to connect to the public sewerage system.
- iii. A totally separate drainage system will be required.
- iv. The proposed development is served by both foul and surface water services and the owner should ensure that any new internal and external pipework is connected to the correct drain or sewer.
- v. Branch connections for both foul and surface water sewers have been laid to serve this development and should be utilised.
- vi. Contact should be made with this Office (35 Glenburn Road, Prestwick) to discuss how the proposed development would be best served with a public water supply.

If Members choose to grant consent appropriate advisory notes can be attached to any consent.

3.3 Piersland/Bentinck Community Council and the Coal Authority have not responded to their consultation letters.

Noted.

3.4 Legal Services and Scottish Power have advised that they have no comments to make regarding the proposed development.

Noted

3.5 Transco have advised that the developer should contact them prior to starting work on site.

A note can be attached to any planning consent if granted to advise the applicant to contact Transco.

3.6 East Ayrshire Council Environmental Health and Waste Management have no objection subject to the following comments. Site construction works should not cause any nuisance to existing housing adjacent to site, ie from excessive noise, dust or any abnormal shift workings. They trust that prior to any commencement of construction works, the applicants will confirm that there is no residual site contamination remaining from the former site use. They believe

that some general site works may have been undertaken after the demolition of the old vehicle servicing and maintenance sheds.

Planning consent was previously granted for the erection of 34 houses on this and the surrounding development site. No conditions were attached to that planning consent restricting the times of construction works and it would be unreasonable to attach such a condition to this planning application which is essentially a change in the house types and housing layout. A ground contamination report has been submitted as part of the Building Warrant and whilst there are some areas containing contaminants these have been addressed and they have not caused a problem in the development of the site thus far.

4. REPRESENTATIONS RECEIVED

4.1 No letters of representation were received.

5. DEVELOPMENT PLAN STATUS

5.1 The Ayrshire Joint Structure Plan (1999) states that priority must be given to new development on land which falls within the urban boundaries of existing settlements. In respect of this current proposal, the site is centrally located within the urban boundary of Kilmarnock and is therefore in compliance with Policy G1 of the Ayrshire Joint Structure Plan.

5.2 The East Ayrshire Local Plan Finalised Version is the document against which the Council has resolved to base its day to day decisions. The plan will form the prime material consideration and main policy base. Policy RES1 states that the Council will encourage and support the residential development of sites identified for housing purposes within the local plan. The document specifies that the overall site is zoned for residential purposes to accommodate a maximum of 49 houses on 1.29 hectares.

The proposed development is consistent with this policy.

5.3 The overall scheme of which this application forms a part, is further required to meet specified public and private open space standards which are laid down in the local plan. Policy Res 18 requires developers to provide areas of recreational and amenity open space as set out in Schedule 3 of the Local Plan. Policy Res 21 requires all developers to observe the minimum private open space criteria and standards detailed in Schedule 4 of the Local Plan.

The levels of open space are generally in accordance with policy and there have been ongoing discussions with the applicants in respect of the layout and design of the site. As a result of said discussions, whilst there is sufficient public open space, the private garden ground of two of the eight plots, is marginally at variance with policy. The overall quality of development having regard to the surrounding area, is, however acceptable.

5.4 Other significant relevant planning policies include the following, and whilst these have been noted, it is those contained in the Finalised East Ayrshire Local Plan which have been agreed for determination purposes by Council and to which the greatest weight should be attached.

Kilmarnock Local Plan: Industrial Land Policies
Finalised Kilmarnock and Loudoun District Plan: Industrial Land Policies.

The planing applications for Phase 1 and 2 have been previously assessed against these policies. This present application essentially amends the house types previously approved under Planning Application No: 99/0541/FL.

6. OTHER PLANNING CONSIDERATIONS

6.1 Planning permission (ref: 98/0534/FL) was granted by the Central Local Planning Committee for Phase 1 of the development comprising 15no dwellinghouses and access road.

The applicants are presently constructing the dwellinghouses which will be completed in the short term.

6.2 Phase 2 of the development (Ref: 99/0541/FL) was subsequently granted for 34 dwellinghouses by the Central Local Planning Committee.

The present application for eight houses essentially amends the house types and housing layout in respect to the southern area of that site.

7. FINANCIAL AND LEGAL IMPLICATIONS

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

8. CONCLUSION

8.1 The proposed development complies with both the Ayrshire Joint Structure Plan and the East Ayrshire Local Plan Finalised Version in that the site is identified for residential purposes. In environmental terms, the development is acceptable having regard to the design and layout of residential properties in the surrounding area.

8.2 The proposal does not adversely impact on the levels of public open space previously approved to meet the Council's policy standards. As stated above, the private open space is marginally less than the required policy standards. The shortfall is not such as to merit adverse consideration.

8.3 In conclusion, it is considered that the proposal is satisfactory in terms of the local plan. The layout, design, access and service provision is acceptable and the proposed landscaping scheme will be acceptable and complimentary to the surrounding area.

9. RECOMMENDATION

9.1 The application should be approved subject to the conditions on the enclosed sheet.

Alan Neish
Head of Planning and Building Control

4 October 2000

(FMF/IMB)

FV/DVM

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LIST OF BACKGROUND PAPERS

1. Application Form and Plans.
2. Statutory Certificates.
3. Finalised East Ayrshire Local Plan.
4. Previous Planning Applications.
5. Finalised Kilmarnock and Loudoun District Plan.
6. Kilmarnock Local Plan.

Anyone wishing to inspect the above papers please contact Fiona Finlay on 01563 576768.

Implementation Officer: Dave Morris

EAST AYRSHIRE COUNCIL
TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

00/0445/FL

Site of Proposal:	Nursery Avenue KILMARNOCK KA1 3DT
Natural of Proposal:	Proposed Erection of 8no Dwellinghouses
Name & Address of Applicant:	Klin Contracts Ltd 27 John Finnie Street KILMARNOCK KA1 1BL
Name & Address of Agent:	ARM Architects 10 Payne Street PORT DUNDAS Glasgow G64 0LF

DPOs Reference: FMF/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 submitted on 26 June 2000 as revised by the amended plans received by the Planning Authority on 21 September 2000.

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

2. Notwithstanding the plans hereby approved, no dwellinghouses shall be occupied until the road is completed to base course level and the road drainage system installed. The road-wearing surface shall be completed within 6 months of the occupation of the first dwellinghouse or by an alternative date to be agreed in writing by the Planning Authority.

REASON In the interests of residential amenity.

3. Nursery Avenue and Mackinlay Place where they abut the housing development site shall be kept clear of mud and other deposited materials at all times by means of mechanical brushing as appropriate.

REASON In the interests of road safety.

4. Notwithstanding the submitted plans details of the design and construction of all fences and walls to be erected on the site shall be submitted to and approved by the Planning Authority before any development commences on the site.

REASON In the interests of visual amenity.

5. Before any of the dwellinghouses situated on the site upon which a fence is to be erected are occupied, the fence or wall for which the permission of the Planning Authority has been obtained under the terms of Condition 4 above, shall be erected and thereafter maintained to the satisfaction of the said Authority.

REASON In the interests of amenity.

6. Before any development commences on site or before any materials are ordered or brought to the site, details or samples of all materials to be used as external finishes on the development shall be submitted to and approved by the Planning Authority.

REASON In the interests of amenity.

7. Prior to the commencement of works on site, a scheme of landscaping shall be submitted to and approved by the Planning Authority. Such details as are submitted shall include the identity of the factor appointed to co-ordinate the landscape maintenance and details of the programme for future landscape maintenance.

REASON In the interests of the visual amenity of the area.

8. The landscaping scheme required in terms of Condition 6 above, shall be completed to the satisfaction of the Planning Authority prior to the completion of the development hereby approved or occupation of the first dwellinghouse whichever is the sooner and thereafter shall be maintained and replaced where necessary to the satisfaction of the said Authority.

REASON In the interests of the visual amenity of the area.

Notes:

1. West of Scotland Water Authority have advised the following. The developer should contact West of Scotland Water Authority at 35 Glenburn Road, Prestwick, prior to starting work on site:-

There is a public sewerage system to which a connection may be made. The developer should satisfy himself, by site investigation if necessary, that relative levels are such as will allow the development to be connected at a reasonable gradient.

The developer must make a separate application to West of Scotland Water for permission to connect to the public sewerage system.

The proposed development is served by both foul and surface water sewers and the owner should ensure that any new internal or external pipework is connected to the correct drain or sewer.

Branch connections for both foul and surface water sewers have been laid to serve this development and should be utilised.

Contact should be made with this office to discuss how the proposed development would be best served with a public water supply.

2. A copy of Transco's record plan is attached. The developer is advised to contact their Glasgow Operations' Office prior to starting work on site.
3. Scottish Power's record plan is attached. The developer is advised to contact Scottish Power prior to starting work on site.
4. Any damage caused to the surrounding roads and footpaths by the construction traffic associated with this development will require to be repaired at the developer's expense.
5. Prior to the commencement of development on site, the applicant should satisfy her/himself as to the suitability of the site for construction purposes.

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**DUE TO ORDNANCE SURVEY REGULATIONS AND COPYRIGHT
THE MAP IS AVAILABLE FOR VIEWING AT THE COUNCIL'S
PLANNING OFFICE IN KILMARNOCK. FOR INFORMATION ON
VIEWING PLEASE CONTACT (01563) 576790.**

AGENDA