

EAST AYRSHIRE COUNCIL

NORTHERN AREA LOCAL PLANNING COMMITTEE: 01 SEPTEMBER 2000

**00/0492/FL: PROPOSED ALTERATIONS TO LAYOUT OF PLOTS 38-49,
54 AND 31-34 (RE-MIXED AND RE-NUMBERED 101-105)
AT PHASE D, TOPONTHANK, KILMARNOCK
BY BEAZER HOMES LTD**

EXECUTIVE SUMMARY SHEET

1. DEVELOPMENT DESCRIPTION

1.1 The application proposes the erection of 17no two storey detached dwellinghouses. The proposal re-mixes the approved house types which have previously been approved under Planning Consent 99/0839/FL.

2. RECOMMENDATION

2.1 It is recommended that the application is approved subject to the condition on the attached sheet.

3. SUMMARY OF ANALYSIS

3.1 The proposal does not change the overall number of units, is acceptable in terms of building design and site layout and is considered to be a high quality development which accords with the policy designations and Section 75 Agreement in place. The application, however, should be subject to a condition relating to external construction materials.

**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 determination a full planning application, which is to be considered under the scheme of delegation as it is a larger application which accords with the Development Plan.

2. APPLICATION DETAILS

2.1 **Site Description:** The application site comprises 17 plots within the 7.0 acre site currently being developed for residential purposes. The land is currently vacant ground, formerly agricultural land which is overgrown and has been partially used as a compound for previous residential development at Toponthank. The site abuts the ongoing Barratts housing development site and existing residential properties at Shetland Drive.

2.2 **Proposed Development:** The application proposes the erection of 17no two storey detached dwellinghouses. The proposal re-mixes the approved house types which have previously been approved under Planning Consent 99/0839/FL.

3. CONSULTATIONS AND ISSUES RAISED

3.1 West of Scotland Water has commented that a complete new drainage and sewerage system will be required, but there are no impediments to development.

Noted.

3.2 The Coal Authority has stated that there is no evidence of past, present or future workings in the vicinity of the application site.

Noted.

3.3 East Ayrshire Council Roads Division has no comments to make on the proposal.

Noted.

3.4 SEPA has not responded to date, although they commented on Planning Consent 99/0839/FL that there are no objections to the proposal provided that foul drainage and surface water are correctly connected to the drainage system.

These matters have been addressed by the comments of West of Scotland Water in paragraph 3.2 above.

3.5 North West Kilmarnock Community Council have not replied at the time of writing.

Noted.

4. REPRESENTATIONS RECEIVED

4.1 No objections have been received.

5. DEVELOPMENT PLAN STATUS

5.1 The East Ayrshire Local Plan (Finalised Version) allocates this site as a residential opportunity and the specific policy in the Development Plan relating to this site is Policy RES1.

5.2 The proposal satisfies the requirements of the relevant Policy HU1 of the former Kilmarnock and Loudoun District Plan, which has been superseded by the East Ayrshire Council Local Plan. The former plan embraced design criteria and the requirement to comply with a Section 75 Agreement relating to this site. The Section 75 sought to achieve a high quality development in relation to density and landscaping. The application complies with the requirements of the Section 75 Agreement and is therefore acceptable.

6. OTHER PLANNING CONSIDERATIONS

6.1 There are no other planning considerations.

7. FINANCIAL AND LEGAL IMPLICATIONS

7.1 The wider Toponthank site and therefore this application site is covered by a Section 75 Agreement under the Town and Country Planning (Scotland) Act 1997. This is a legally binding agreement between East Ayrshire Council

and Tay Homes (Scotland) Ltd, the landowner; however no variation of the agreement will be required.

8. CONCLUSION

8.1 The proposal does not change the overall number of units, is acceptable in terms of building design and site layout and is considered to be a high quality development which accords with the policy designations and Section 75 Agreement in place. The application, however, should be subject to a condition relating to external construction materials.

9. RECOMMENDATION

9.1 It is recommended that the application is approved subject to the condition on the attached sheet.

Alan Neish
Head of Planning and Building Control

23 August 2000
(HB/MMM)

FV/DVM

LIST OF BACKGROUND PAPERS

1. Application forms and plans.
2. Statutory Notices/Certificates.
3. Consultation replies.
4. Correspondence from/to the applicant.
5. Kilmarnock Finalised Kilmarnock and Loudoun District Plan/East Ayrshire Council Local Plan (Finalised Version).
6. Previous Planning Application: 99/0839/FL.
7. Other: Planning Agreement relative to Planning Application 98/0348/OL.

Anyone wishing to inspect the above papers please contact Hamish Buttle on 01563 576772.

Implementation Officer: Dave Morris

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EAST AYRSHIRE COUNCIL

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

00/0492/FL

Site of Proposal: Phase D Plots 38-49 & 101-105
Toponthank Phase D
KILMARNOCK

Natural of Proposal: Proposed alteration to Layout of Plots 38-49,
Plots 54 and 31-34 Re-mixed and Re-numbered
101-105

Name & Address of Applicant: Beazer Homes Ltd
1 Napier Park
Wardpark North
CUMBERNAULD G68 0BH

Name & Address of Agent:

DPOs Reference: HB/MMM

The above FULL application should be granted subject to the following condition.

1. Details/samples of the facing, roofing and surfacing materials to be used shall be submitted to and approved by the Planning Authority before any development commences on the site.

REASON In the interests of visual amenity.

TP24ToponthankPhaseDKilmarnock6

**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