



Council Offices, Almada Street
Hamilton, ML3 0AA

Monday, 06 November 2023

Dear Councillor

Planning Committee

The Members listed below are requested to attend a meeting of the above Committee to be held as follows:-

Date: Tuesday, 14 November 2023
Time: 10:00
Venue: Hybrid - Committee Room 1, Council Offices, Almada Street, Hamilton, ML3 0AA

The business to be considered at the meeting is listed overleaf.

Yours sincerely

Cleland Sneddon
Chief Executive

Members

Richard Nelson (Chair), Gerry Convery (Depute Chair), Joe Fagan (ex officio), Alex Allison, Ralph Barker, Archie Buchanan, Ross Clark, Margaret Cowie, Maureen Devlin, Colin Dewar, Gladys Ferguson-Miller, Elise Frame, Alistair Fulton, Celine Handibode, Mark Horsham, Ross Lambie, Martin Lennon, Monique McAdams, Lesley McDonald, Davie McLachlan, Norman Rae, John Ross, Graham Scott, David Shearer, Helen Toner, David Watson

Substitutes

Walter Brogan, Robert Brown, Mathew Buchanan, Margaret Cooper, Poppy Corbett, Allan Falconer, Grant Ferguson, Graeme Horne, Martin Hose, Julia Marrs, Ian McAllan, Kenny McCreary, Bert Thomson

BUSINESS

1 Declaration of Interests

- 2 **Minutes of Previous Meeting** 5 - 6
Minutes of meeting of the Planning Committee held on 3 October 2023 submitted for approval as a correct record. (Copy attached)

Item(s) for Decision

- 3 **Application P/20/1657 for Erection of 5 Detached Bungalows with Associated Parking and Formation of Access Road at Land at Main Street, Symington, Biggar** 7 - 22
Report dated 2 November 2023 by the Executive Director (Community and Enterprise Resources). (Copy attached)
- 4 **Application P/23/0179 for Erection of 3 Houses at Land 20 Metres North of 4 Church Street, Uddingston** 23 - 32
Report dated 2 November 2023 by the Executive Director (Community and Enterprise Resources). (Copy attached)
- 5 **Application P/23/0632 for Erection of Extensions to Existing Care Home to Create Additional Floorspace with Associated External Alterations at 60 Wellhall Road, Hamilton** 33 - 40
Report dated 2 November 2023 by the Executive Director (Community and Enterprise Resources). (Copy attached)
- 6 **Application P/23/0866 for Re-engineering of Bus Station to Provide 4 Bus Stop Locations, 2 Bus Layover Areas, 4 Bus Shelters, Bike Store, Lighting, CCTV, a Real Time Information Board and New Paving at Lanark Bus Station, St Vincent Place, Lanark** 41 - 48
Report dated 2 November 2023 by the Executive Director (Community and Enterprise Resources). (Copy attached)
- 7 **Application P/23/1070 for Extension of Existing Feed Bins (Retrospective) at Roadhead Farm, Shieldhill Road, Quothquan, Biggar** 49 - 56
Report dated 2 November 2023 by the Executive Director (Community and Enterprise Resources). (Copy attached)
- 8 **Planning Appeal Decisions – April to October 2023** 57 - 60
Report dated 2 November 2023 by the Executive Director (Community and Enterprise Resources). (Copy attached)

Urgent Business

- 9 **Urgent Business**
Any other items of business which the Chair decides are urgent.

For further information, please contact:-

Clerk Name:	Stuart McLeod
Clerk Telephone:	07385 370 117
Clerk Email:	stuart.mcleod@southlanarkshire.gov.uk

PLANNING COMMITTEE

2

Minutes of meeting held via Confero and in Committee Room 1, Council Offices, Almada Street, Hamilton on 3 October 2023

Chair:

Councillor Richard Nelson

Councillors Present:

Councillor Alex Allison, Councillor Ralph Barker, Councillor Archie Buchanan, Councillor Ross Clark, Councillor Gerry Convery (Depute), Councillor Margaret Cowie, Councillor Maureen Devlin, Councillor Colin Dewar, Councillor Gladys Ferguson-Miller, Councillor Celine Handibode, Councillor Mark Horsham, Councillor Ross Lambie, Councillor Lesley McDonald, Councillor Davie McLachlan, Councillor Julia Marrs (*substitute for Councillor Elise Frame*), Councillor Norman Rae, Councillor John Ross, Councillor Graham Scott, Councillor David Shearer, Councillor Helen Toner

Councillors' Apologies:

Councillor Joe Fagan (ex officio), Councillor Elise Frame, Councillor Alistair Fulton, Councillor Martin Lennon, Councillor Monique McAdams, Councillor David Watson

Attending:

Community and Enterprise Resources

F Carlin, Head of Planning and Regulatory Services; B Darroch, Planning and Building Standards Manager (East); F Jack, Team Leader, Development Management Team, Roads and Transportation Services

Finance and Corporate Resources

M Cannon, Legal Services Adviser; S Jessup, Administration Assistant; S McLeod, Administration Officer

1 Declaration of Interests

Councillor(s)	Item(s)	Nature of Interest(s)
Lambie	Application P/23/0858 for Installation of 16 Pedestrian Lighting Columns in Village Green at Coalburn Village Green, Coalburn Road, Coalburn, Lanark	Agent

2 Minutes of Previous Meeting

The minutes of the meeting of the Planning Committee held on 5 September 2023 were submitted for approval as a correct record.

The Committee decided: that the minutes be approved as a correct record.

3 Application P/21/2176 for Erection of 4 Detached Houses with Associated Car Parking and Landscaping at Land at St Isidore's RC Church, Lindsaylands Road, Biggar

A report dated 22 September 2023 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/21/2176 by the Trustees of the Diocese of Motherwell for the erection of 4 detached houses with associated car parking and landscaping at land at St Isidore's RC Church, Lindsaylands Road, Biggar.

There followed a discussion on the application during which officers responded to members' questions on aspects of the report.

The Committee decided: that planning application P/21/2176 by the Trustees of the Diocese of Motherwell for the erection of 4 detached houses with associated car parking and landscaping at land at St Isidore's RC Church, Lindsaylands Road, Biggar be granted subject to the conditions specified in the Executive Director's report.

Councillor Clark left the meeting during consideration of this item of business

4 Application P/23/0797 for Erection of Outbuilding (Retrospective) at 11 Drumgray Drive, Cambuslang

A report dated 22 September 2023 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/23/0797 by W Afzal for the erection of an outbuilding (retrospective) at 11 Drumgray Drive, Cambuslang.

The Committee decided: that planning application P/23/0797 by W Afzal for the erection of an outbuilding (retrospective) at 11 Drumgray Drive, Cambuslang be granted subject to the condition specified in the Executive Director's report.

5 Application P/23/0858 for Installation of 16 Pedestrian Lighting Columns in Village Green at Coalburn Village Green, Coalburn Road, Coalburn, Lanark

A report dated 22 September 2023 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/23/0858 by Hargreaves Land for the installation of 16 pedestrian lighting columns at Coalburn Village Green, Coalburn Road, Coalburn, Lanark.

The Committee decided: that planning application P/23/0858 by Hargreaves Land for the installation of 16 pedestrian lighting columns at Coalburn Village Green, Coalburn Road, Coalburn be granted subject to the condition specified in the Executive Director's report.

Councillor Lambie, having declared an interest in this item, withdrew from the meeting during its consideration

6 Urgent Business

There were no items of urgent business.

Report

3

Report to:	Planning Committee
Date of Meeting:	14 November 2023
Report by:	Executive Director (Community and Enterprise Resources)

Reference no:	P/20/1657
Proposal:	Erection of five detached bungalows with associated parking and formation of access road
Site Address:	Land at Main Street Symington Biggar ML12 6LJ
Applicant:	Pine Valley Homes
Agent:	DTA Chartered Architects Limited
Ward:	03 Clydesdale East
Application Type:	Full Planning Permission
Advert Type:	Non-notification of neighbours and Development Contrary to the Development Plan: Lanark Gazette 2 nd December 2020
Development Plan Compliance:	Partly contrary to Development Plan
Departures:	N/A
Recommendation:	Grant subject to conditions
Legal Agreement:	N/A
Direction to Scottish Ministers:	N/A

1. Reason for Report

- 1.1. This application is being presented to the Planning Committee for determination as it has received more than 5 objections, as detailed in paragraph 3.5 (b) of the Decision Making Process April 2015.

2. Site Description

- 2.1. The application site is located at the western edge of Symington and is currently vacant having been most recently used as a builder's yard. The proposed development site extends beyond the northern boundary of the former yard and includes a strip of agricultural land.
- 2.2. An open water course runs along the southern boundary before entering a culvert which continues in an eastward direction below Main Street.
- 2.3. Originally the site was occupied by a farmhouse and steading. However, most of these structures were demolished in the late 1990s after the site was acquired by a construction company. A hay/storage shed was left in place and used by the construction business until its removal in 2015/2016.
- 2.4. The site is bounded to the south by a single storey dwelling and Tinto Primary School, to the north by a single storey dwelling and agricultural land. Main Street is located to the east, along with further dwellings and the access into Symington Tinto AFC football ground. Further agricultural land is located to the west of the site.

3. Description of Proposed Development

- 3.1. Planning Permission is sought for 5 three-bedroom bungalows with associated parking and garden space. The proposals include traditional design features such as piend roofs and front bay windows. Two of the bungalows (Plots 1 and 2) will face onto Main Street, whilst a private access will serve the three remaining bungalows (Plots 3-5). Along the northern and western boundaries of Plots 3-5 a hedgerow interspersed with trees is proposed and individual trees will be planted to the rear of Plots 1 and 2.
- 3.2. A Sustainable Urban Drainage System (SUDS) would serve the development and include soakaways wrapped in permeable membrane to manage and treat surface water runoff from roofs and roads.

4. Relevant Planning History

- 4.1. Planning Application P/18/0699 for 6 dwellings was withdrawn in December 2018 and Planning Application P/19/0739 for 4 semi-detached dwellings was withdrawn in July 2019. Both these applications were withdrawn because the applicant was unable to demonstrate that the potential flood risk associated with development of the site could be addressed to the satisfaction of SEPA and the Council as Flooding Authority.

5. Supporting Information

- 5.1. In support of the planning application, the applicant has submitted:-

- ◆ Flood Risk Assessment Reports
- ◆ Soakaway Calculations
- ◆ Percolation Test Results
- ◆ Drainage Details
- ◆ Culvert Site Inspection Report
- ◆ Legal Agreement – Visibility Splay

6. Consultations

- 6.1. Scottish Environmental Protection Agency (SEPA) - Initially SEPA objected to the proposals due to a lack of information on flood risk grounds. Following the submission of additional information, SEPA confirmed that they had no objection to the proposals on flood risk grounds.
Response - Noted.
- 6.2. Scottish Water – No objection to the proposal although the applicant is required to contact their Asset Impact Team prior to any works commencing on site.
Response – Noted.
- 6.3. Environmental Services – No objections, subject to advisory notes in respect of construction noise, pest control, nuisance, and contamination.
Response - Noted. Appropriate conditions would be attached to any decision issued.
- 6.4. West of Scotland Archaeology Service (WOSAS) – Do not object to the proposal subject to a condition requiring an archaeological watching brief to be undertaken.
Response - Noted.
- 6.5. Symington Community Council – Do not object to the proposed development. However, it does recognise that nearby residents have raised the following issues:-

- ◆ Flooding
- ◆ Road safety and pedestrian safety
- ◆ Site boundary
- ◆ Housing density
- ◆ Proximity of development to the neighbouring primary school

Response - Noted.

- 6.6. Roads Development Management – No objection subject to appropriate visibility splays and parking being provided to serve the development. Appropriate pedestrian and drainage provisions would also be required along with a suitable access.
Response - Noted. Suitable conditions would be attached to any consent issued.
- 6.7. Roads Flood Risk Management – No objection subject to the inclusion of conditions relating to flood risk and drainage.
Response - Noted. Suitable conditions would be attached to any consent issued.

7. Representations

- 7.1. Following the statutory period of neighbour notification and advertisement for non-notification of neighbours and Development Contrary to the Local Plan in the local press, a total of 43 objections and two representations have been received. The issues raised are summarised as follows:-

Objections/Representations:-

Amenity

- ◆ Overdevelopment of the site as it will not fit in with the layout and existing dwellings on Main Street.
- ◆ The layout would be a departure from the established linear layout with houses facing Main Street.
- ◆ Proximity to and overlooking of nearby primary school.
- ◆ Loss of privacy in the surrounding area.

- ◆ The potential for outbuildings to be constructed in rear gardens will impact on the light entering neighbour properties.

Land Use Concerns

- ◆ The site boundary encroaches onto agricultural land.
- ◆ The proposal is contrary to both National and Local Plan policy which protects prime agricultural land.

Impact on Natural and Historic Environment

- ◆ Natural habitats, trees and foliage were destroyed when the site was cleared, all without permission or notifying SEPA.
- ◆ An arboricultural impact assessment should be undertaken to assess the impact on trees and what mitigation will be in place during construction.
- ◆ Impact upon natural heritage conservation.

Roads Related Matters

- ◆ Poor visibility – negative impact on pedestrian safety and close to school, nursery and park.
- ◆ Street furniture should be put in place alerting public to presence of an access to a housing development.
- ◆ Increase in traffic in the vicinity of the school.
- ◆ Lack of adequate pavements in the surrounding area.
- ◆ In freezing conditions standing water will add to the risk of freezing overnight and the formation of ice.
- ◆ Access road is not wide enough for two cars.
- ◆ The new football pitch being built nearby will generate more traffic resulting in congestion near Tinto Primary School.

Flood Risk and Drainage

- ◆ Water culvert has not been improved, maintained and is in a poor condition.
- ◆ Hard surfaces required for dwellings and parking would remove natural drainage opportunities.
- ◆ Development will exacerbate flooding by adding more hard surfaces and faster run off rates and add extra surface water at points where flooding already occurs.
- ◆ The conclusion of the flood risk assessment is completely at odds with an earlier flood assessment which concluded that the proposed development is not feasible unless the layout is substantially altered or mitigation measures relating to the culvert are proposed.
- ◆ The drain on the road opening to this site is inadequate for the level of water it has to cope with presently, adding a new build will only increase run off rates causing increased water on the road and pavement.
- ◆ The 1 in 200 storm event has a water level of 221.283 – South Lanarkshire Council policy is for floor levels 600mm above the 1 in 200 flood level which should have a finished floor level of 221.883 almost 400mm higher than currently indicated.

Other Matters Raised

- ◆ The village has various brownfield sites for development that are yet to be utilised.
- ◆ Accuracy of the plan is questioned as it is considered there is only sufficient space for one plot.

- ◆ Bin store site – where will it now be sited. It was on plans as directly next to garden boundary causing smells and insects/wasps in summer to invade.

7.2. The above issues are considered in the assessment below and full copies are available to view on the planning portal.

8. Development Plan

8.1. Under Section 25 of the Town and Country Planning (Scotland) Act 1997, all applications must be determined in accordance with the development plan unless material considerations indicate otherwise.

National Planning Framework 4

8.2. National Planning Framework 4 (NPF4) is Scotland's national spatial strategy for Scotland. It sets out spatial principles, regional priorities, national developments, and national planning policy. NPF4 supports the planning and delivery of sustainable places, liveable places, and productive places.

National Planning Framework 4 Policies

- ◆ Policy 1 - Tackling the climate and nature crises
- ◆ Policy 2 - Climate mitigation and adaptation
- ◆ Policy 4 - Natural places
- ◆ Policy 5 - Soils
- ◆ Policy 9 - Brownfield, vacant and derelict land
- ◆ Policy 14 - Design, quality and place
- ◆ Policy 15 - Local living and 20 minute neighbourhoods
- ◆ Policy 16 - Quality homes
- ◆ Policy 17 - Rural homes
- ◆ Policy 22 - Flood risk and water management

South Lanarkshire Local Development Plan 2 (2021)

8.3. The South Lanarkshire Local Development Plan 2 (SLLDP2) was formally adopted on 9 April 2021. For the purposes of determining planning applications the Council will, therefore, assess proposals against the policies contained within the adopted SLLDP2. In this regard the application site and associated proposals are affected by the following policies contained in the SLLDP2:-

SLLDP2 Volume 1 Policies

- ◆ Policy 2 - Climate Change
- ◆ Policy 3 - General Urban Areas and Settlements
- ◆ Policy 4 - Green Belt and Rural Area
- ◆ Policy 5 - Development Management and Placemaking
- ◆ Policy 14 - Natural and Historic Development
- ◆ Policy 16 - Water Environment and Flooding

SLLDP2 Volume 2 Policies

- ◆ Policy DM1 - New Development Design
- ◆ Policy GBRA7 - Small Scale Settlement Extensions (Rural Area only)
- ◆ Policy NHE10 - Prime Agricultural Land
- ◆ Policy NHE16 - Landscape
- ◆ Policy SDCC2 - Flood risk

South Lanarkshire Council (SLC) Supporting Planning Guidance

- ◆ Residential Design Guide 2011
- ◆ Electric Vehicle Charging Point Supporting Guidance 2022

9. Guidance

9.1. None

10. Assessment and Discussion

10.1. Principle of Development

The site straddles the settlement boundary of Symington, with the footprint of the proposed houses being within the urban area of and the rear garden areas of three of the plots being located in the area defined as Rural Area. It is located in close proximity to Main Street and a variety of facilities are available within 1km or less of the site and include shopping, education facilities, open space, sports and recreation facilities. There is also access to bus connections and various employment opportunities.

- 10.2. Policy 3 in SLLDP2 covers the land within the settlement boundary and provides a policy position in relation to development within the urban area. It does not specifically allocate sites for housing, however, it does state that the principle of residential development on appropriate sites is acceptable. The area beyond the settlement boundary is affected by Policy 4 where the Council seeks to protect the amenity of the countryside while supporting small scale development in the right places that is appropriate in land use terms.
- 10.3. NPF4 Policy 16 seeks to encourage, promote and facilitate the delivery of more high quality, affordable and sustainable homes, in the right locations. It details that homes on land not allocated for housing in the LDP shall only be supported in limited circumstances, as set out in part (f). This includes proposals involving small scale opportunities within an existing settlement boundary. NPF4 Policy 9 Brownfield, vacant and derelict land and empty buildings seeks to ensure that development proposals result in the sustainable reuse of brownfield land.
- 10.4. NPF4 Policy 17 is relevant in that the garden areas of three of the plots are outwith the settlement boundary. Proposals for new homes in the Rural Area will be supported where the development is suitably scaled, sited and designed to be in keeping with the character of the area; the development should also accord with one of five scenarios including the re-use of brownfield land or a redundant building or is a site allocated in the LDP.
- 10.5. The development of the land within the settlement boundary is considered to comply with policy in both SLLDP2 and NPF4 in that it represents a small-scale opportunity located primarily within an existing settlement boundary which satisfies part iii of the policy and is consistent with the principles of local living and 20 minute neighbourhoods satisfying part ii. A condition requiring an agreed timescale for build out will be applied to any permission granted in line with part (i).
- 10.6. There will only be a small encroachment beyond the settlement boundary and there will be no visible construction in this area which will be restricted to garden use. Therefore, the character of the rural area will not be eroded. The development can be integrated into the edge of Symington without adversely affecting amenity and character. This part of the proposal complies with SLLDP2 in that it is located adjacent to the existing settlement boundary. While technically it fails to accord with NPF4 in considering the small scale nature of this part of the proposal in the context of the wider area, the objectives of NPF4 Policy 17 would not be undermined.
- 10.7. Overall, it is considered that the principle of development is acceptable on this site and the proposal complies with Policy 15, 16 and 17 of NPF4 and Policy 3 and 4 of SLLDP2.

10.8. Climate Change

NPF4 Policy 1, NPF4 Policy 2 and SLLDP2 Policy 2 aim to ensure that proposals for new development must, where possible, seek to minimise and mitigate against the effects of climate change. SLLDP2 Policy SDCC7 - Low and Zero Carbon Emission from New Buildings, also requires a further 10% reduction on emissions beyond that contained in the Building Regulations. NPF4 Policy 19 Heating and Cooling requires that buildings occupied by people (i.e. dwellings) ensure sustainable temperature management utilising passive methods where possible.

10.9. The site is well located for services within the existing settlement, where the majority of the daily needs could be achieved by walking, wheeling or cycling. The dwellings themselves shall be required to comply with the Scottish Building Standards. However, that aside, further conditions shall be imposed to ensure electric car charging at each dwelling. A condition requiring further details on including low and zero carbon technologies shall be imposed on any permission granted. The site layout has positioned the main living area to face either south/southeast, to allow for sustainable temperature management. In addition, the proposal will have no significant adverse impact on the water or soil environment, flood risk, air quality, biodiversity and/or green networks. Therefore, overall the proposal is considered, on balance, to meet the terms of NPF4 Policy 1 and Policy 2 and SLLDP2 Policy 2 and SDCC7.

10.10. Layout, Siting and Design

NPF4 Policy 14 Design Quality and Place and SLLDP2 Policy 5 Development Management and Placemaking and Policy DM1 New Development Design seeks to ensure well designed development that makes for successful places and considers the impact on residential amenity.

10.11. The proposal consists of five detached bungalows. Two of which would be positioned to the front of the site, facing onto Main Street. Although narrower than the house frontages in the immediate vicinity, the house design is appropriate to its surroundings and rather than detracting from the local character, will add interest and variation whilst meeting demand for housing. The designs include hipped roofs and bay windows, representing a modern interpretation of traditional properties. It is considered that the proposals are appropriate in terms of scale, siting and design for the surrounding area.

10.12. Although there would be other properties adjacent to the site, it is not considered that there would be a loss of residential amenity. Nor is the volume of traffic from five properties considered to be a significant issue. The proximity to bus routes to Lanark and Biggar will ensure that an alternative form of transport is available rather than solely relying on car journeys. In consideration the proposed development complies with Policy 14 Design, quality and place of NPF4.

10.13. There is suitable space at each dwelling for access, parking, bin storage and garden ground. Given the location of the site within Symington, there is good quality recreation facilities in the surrounding area. There are also opportunities for informal play within the site.

10.14. The proposal meets the terms of NPF4 Policy 12, 14 and 21 and SLLDP2 Policy 5 and DM1.

10.15. Natural and Historic Environment

NPF4 Policy 3 Biodiversity under part (c) details that all local developments shall include appropriate measures to conserve, restore and enhance biodiversity. The Development with Nature Guidance is pertinent in this case. The guidance encourages a mitigation hierarchy to be applied – avoid, minimise, restore and offset

to achieve a net positive biodiversity impact. NPF4 Policy 4 Natural Places requires that where proposals are likely to have an impact on a protected species (eg. bats), steps must be taken to establish its presence and a level of protection then afforded. SLLDP2 Policy NHE9 Protected Species, carries similar aims. The proposal will not have a significant impact upon landscape features, protected habitats, or species. Some scrub trees to the front will be removed, however, replacement planting will be undertaken elsewhere in the site as compensation. There are no archaeological designations on the site and the West of Scotland Archaeology Service (WOSAS) has not objected subject to an archaeological watching brief condition. The proposal meets the terms of NPF4 Policy 3 and 4 and SLLDP2 Policy NHE9 and NHE13.

10.16. NPF4 Policy 5 Soils advises that development proposals should only be supported where they are designed and constructed appropriately. The proposal is considered to comply with this policy.

10.17. Technical Matters (Flood Risk and Drainage)

SLLDP2 Policy SDCC 3 Sustainable Urban Drainage seeks to ensure the provision of suitable drainage arrangements within a development. NPF4 Policy 22 Flood risk and water management details that proposals shall not increase the risk of surface water to others or themselves. Additionally, all rain and surface water should be managed through SUDS and form part of the proposed/existing, blue/green infrastructure and areas of impermeable surfaces are to be minimised.

10.18. SLLDP2 Policy 16 'Water Environment and Flooding' states that any development proposal which will have an unacceptable impact on the water environment will not be permitted. SLLDP2 Policy SDCC2 'Flood Risk' states that the storage and conveyance capacity of the functional floodplain should be safeguarded. In addition, new development should achieve a minimum freeboard allowance of 600mm, and 1 metre (where it is adjacent to a watercourse) to take account of the uncertainties involved in flood design and physical imponderables such as post construction settlement or wave action.

10.19. A comprehensive Flood Risk Assessment has been submitted as supporting information. The site has previously been occupied by buildings. The Flood Risk Assessment has entailed the development of a robust hydraulic model for the local area. Acceptable pedestrian and emergency vehicle access will be provided and the proposed development will have a neutral impact on any flooding and will not increase flood risk to any neighbour properties or potentially increase the probability of flooding elsewhere. The impact of the proposed development in flood terms is considered to be acceptable and a condition will ensure that the properties are constructed at an appropriate level.

10.20. A Sustainable Urban Drainage System (SUDS) will be installed to deal with surface water run-off from the roofs and access roads and driveways. The drainage system was designed following ground percolation tests and soakaway calculations and will ensure existing surface water run-off does not exceed that of the post development – the flow will be managed in a controlled manner. Run-off will be directed to soakaways wrapped in permeable membrane to treat run-off from roofs and road.

10.21. Conditions are proposed which will require the repair of defects around the culvert entrance prior to the commencement of the housing development. Other conditions proposed relate to the implementation of a culvert and burn management plan, primarily focused on the regular clearance of debris.

10.22. It is considered that the proposal complies with the objectives and purpose of NPF4 Policy 22 and SLLDP2 Policy 16 and SDCC2.

10.23. Technical Matters

SLLDP2 Policy DM16 Water Supply and Policy DM16 Foul Drainage, seek to ensure appropriate water supply and foul drainage arrangements. The application form details connections will be made to the existing public water and sewerage system. Therefore, the proposal meets the terms of Policy DM15 and DM16.

10.24. A suitable road design and layout are proposed. Roads and Transportation Services have not raised any traffic or public safety issues in their consultation response and conditions are proposed which will ensure maintenance of pedestrian and vehicle visibility at the entrance. Adequate parking and access can be provided. A six metre wide dropped kerb crossing with edging is proposed at the entrance which will highlight the access road to the three plots to the back. The six metre width will continue into the site for six metres, which is sufficient to avoid conflict with vehicles entering and leaving with adequate intervisibility further into the site. The two parking spaces assigned to each plot accord with recommended standards for three-bedroom dwellings.

10.25. A condition has been attached requiring approval of measures to facilitate the provision of full fibre broadband.

10.26. Conclusion

In conclusion, the proposal seeks planning permission for 5 dwellings. The site is well located within the settlement of Symington and is a suitable location for residential use. The proposed layout can be achieved without significant impact on surrounding amenity and the natural environment and the design complements the surrounding area. Overall, it is considered that the proposals comply with the provisions of the relevant policies within National Planning Framework 4 and the South Lanarkshire Local Development Plan 2.

11. Recommendation and Conditions

11.1. The Committee is asked to agree the following recommendation:-

Grant Planning Permission Subject to the following Conditions:-

01. That 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 Council as Planning Authority.

Reason: To ensure the development is satisfactory in appearance and to maintain the visual quality of the area.

02. That before development starts, full details of the design and location of all fences and walls, including any retaining walls to be erected on the site shall be submitted to and approved by the Council as Planning Authority.

Reason: To ensure the development is satisfactory in appearance and to maintain the visual quality of the area.

03. Prior to completion or first occupation of the dwelling houses hereby approved, whichever is the sooner; full details of the tree and hedge planting scheme, shown on the Site Plan as Proposed (Dr No: L(0-) 02 Rev H), shall be submitted to and approved in writing by the Council as Planning Authority. This will include planting and maintenance specifications, including cross-section drawings, use of guards or other protective measures and confirmation of location, species and sizes, nursery stock type, supplier and defect period. All tree planting shall be carried out in accordance with those details and at those times.

Reason: To enhance the natural heritage of the area.

04. That the approved hedgerow and tree planting shall be completed to the satisfaction of the Council as Planning Authority during the first available planting season following occupation of the dwellings or completion of the development hereby approved, whichever is the sooner.

Reason: In the interests of the visual amenity of the area.

05. That no development shall commence until details of surface water drainage arrangements and future maintenance of sustainable drainage apparatus have been submitted to and approved in writing by the Council as Planning Authority; such drainage arrangements will require to comply with the principles of sustainable urban drainage systems and with the Council's Developer Design Guidance (May 2020) and shall include the following signed appendices: C 'Sustainable Drainage Design Compliance certificate', D 'Sustainable Drainage Design Independent Check Certificate' and E 'Confirmation of Future Maintenance of Sustainable Drainage Apparatus' . The development shall not be occupied until the surface drainage works have been completed in accordance with the details submitted to and approved in writing by the Council as Planning Authority.

Reason: To ensure that the disposal of surface water from the site is dealt with in a safe and sustainable manner, to return it to the natural water cycle with minimal adverse impact on people and the environment and to alleviate the potential for on-site and off-site flooding.

06. Prior to the commencement of works on site, the applicant will require to submit a copy of the independent check certificate appendix B : Flood Risk Assessment Independent Check Certificate (refer to the Council's developer design guidance May 2020) duly signed by the relevant party.

Reason: To ensure that works proposed are not at risk of flooding and will not increase the likelihood of flooding elsewhere.

07. That no dwellinghouse shall be occupied until the developer provides a written agreement from Scottish Water that the site can be served by a water and sewerage scheme constructed to the specification and satisfaction of Scottish Water as the Water and Sewerage Authority.

Reason: To ensure that the development is served by an appropriate effluent disposal system and water supply.

08. That prior to the commencement of development, the applicant shall provide written confirmation from Scottish Water that the development does not affect their assets and, if it does, the applicant shall submit details for a diversion/relocation scheme approved by Scottish Water and that development shall not commence until the approved diversion/relocation scheme has been satisfactorily implemented.

Reason: To ensure that the development does not impact upon Scottish Water assets.

09. That prior to the commencement of work on site defective brick/stonework around the culvert entrance and grate shall be repaired to the satisfaction of the Council as Planning and Flooding Authority.

Reason: To ensure the water flow through the burn and connecting culvert is not impeded by obstructions.

10. Prior to commencement of works a culvert and burn management plan shall be submitted to and approved in writing by the Council as Planning and Flooding Authority. The management plan should include the following elements:-

- a) type and frequency of management operations to achieve an uninterrupted water flow along the burn and through the culvert;
- b) frequency of inspections;
- c) removal of debris, silt and other material at the culvert entrance and grate, in the burn and on the burn banking which could interrupt water flow and cause the banks of the burn to overflow;
- d) confirmation of cyclical management plan assessments and revisions to evaluate the plan's success and identification of any proposed actions.

Reason: To protect the site from flood risk and to ensure the water flow through the burn and connecting culvert is not impeded by obstructions.

11. Prior to the commencement of development, plans shall be submitted for the written approval of the Planning Authority which demonstrate that the finished floor levels of the approved dwellings shall be 600mm above the existing ground level. The development shall thereafter be completed in accordance with the approved level details.

Reason: To achieve a flood risk freeboard above the peak 1:200 years plus climate change flood event.

12. That before the development hereby approved is brought into use, the access shall be formed to plots 3, 4, and 5 and shall consist of a 6m wide vehicular dropped kerb crossing, with a heel kerb installed to the rear of the footway, to carriageway specifications to the satisfaction of the Planning Authority.

Reason: In the interests of traffic and public safety and to distinguish the private access from the public road.

13. That before the development hereby approved is completed or brought into use, the access to Plots 3, 4, and 5 shall be a minimum of 6m in width and the 6m width shall be continued over the first 6m and shall be hard surfaced, sealed and trapped over this length to prevent deleterious material being carried onto the road.

Reason: In the interests of traffic and public safety and to prevent deleterious material being carried onto the road.

14. That before the development hereby approved is brought into use, the driveway accesses shall be by means of a 6m wide vehicular dropped kerb crossing with a heel kerb installed to the rear of the footway to carriageway specifications, to the satisfaction of the Planning Authority.

Reason: In the interests of traffic and public safety and to distinguish the private access from the public road.

15. That before the development hereby approved is completed or brought into use, the first 2m of the driveways, measured from the edge of the heel kerb, shall be hard surfaced, sealed and trapped to prevent deleterious material being carried onto the road.

Reason: In the interests of traffic and public safety and to prevent deleterious material being carried onto the road.

16. That before the development hereby approved is completed or brought into use, visibility splays of 2.5 metres by 43 metres measured from the road channel shall be provided at the junction of Main Street and the access road and everything exceeding 0.9 metres in height above the road channel level shall be removed from the sight line areas.

Reason: In the interests of traffic and public safety.

17. That before the development hereby approved is completed or brought into use, visibility splays of 2.4 metres by 2.4 metres measured from the heel of the footway shall be provided on both sides of the driveways and vehicular access and everything exceeding 0.6 metres in height above the road channel level shall be removed from the sight line areas and thereafter nothing exceeding 0.6 metres in height shall be planted, placed or erected within these sight lines.

Reason: In the interests of public safety.

18. That before the dwellinghouses are occupied, all of the parking spaces shown on the approved plans shall be laid out, constructed and available for use.

Reason: To ensure the provision of adequate parking facilities within the site.

19. That prior to the formation of the footway along the site frontage, the road gully at the site entrance shall be relocated to the public road channel.

Reason: To reduce the risk of flooding at the site entrance.

20. The developer shall secure the implementation of an archaeological watching brief, to be carried out by an archaeological organisation acceptable to the Council as Planning Authority, during all ground disturbance. The retained archaeological organisation shall be afforded access at all reasonable times and allowed to record and recover items of interest and finds. A method statement for the watching brief shall be submitted by the applicant, agreed by the West of Scotland Archaeology Service and approved by the Council as Planning Authority prior to commencement of the watching brief. The name of the archaeological organisation retained by the developer shall be given to the Council as Planning Authority and to the West of Scotland Archaeology Service in writing not less than 14 days before development commences.

Reason: In order to safeguard any archaeological items of interest or finds.

21. Prior to commencement of the development hereby approved, details of measures to facilitate the provision of full fibre broadband to serve the development, including details of appropriate digital infrastructure and a timescale for implementation, shall be submitted to and approved in writing by the Council as Planning Authority, unless otherwise agreed in writing with the applicant. The approved measures shall thereafter be carried out in accordance with the agreed implementation timescale.

Reason: To ensure the provision of digital infrastructure to serve the development.

22. Prior to the commencement of development on site, an energy statement covering the new build element of the approved development which demonstrates that on-site zero and low carbon energy technologies contribute at least an extra 10% reduction in CO2 emissions beyond the 2007 building regulations carbon dioxide emissions standard, shall be submitted to and approved in writing by the Council as Planning Authority. The statement shall include:-

- a) the total predicted energy requirements and CO2 emissions of the development, clearly illustrating the additional 10% reduction beyond the 2007 building regulations CO2 standard;
- b) a schedule of proposed on-site zero and low carbon energy technologies to be included in the development and their respective energy contributions and carbon savings;
- c) an indication of the location and design of the on-site energy technologies; and
- d) a maintenance programme for the on-site zero and low carbon energy technologies to be incorporated.

Reason: To secure a reduction in carbon dioxide emissions.

23. That prior to the commencement of works, details, and locations of charging points for electrical cars, at a rate of one charging point per house plot, shall be submitted for the written approval of the Council as Planning Authority. Prior to the completion of the development the approved charging points shall be installed and available for use.

Reason: To ensure facilities for recharging electrical cars are available for the use of the residents.

24. That before the development hereby approved is completed or brought into use, visibility splays of 2.0 metres by 43 metres measured from the road channel shall be provided at the junction of the public road and the driveways, taking direct access onto Main Street (Plots 1 and 2) and everything exceeding 0.9 metres in height above the road channel level shall be removed from the sight line areas and thereafter nothing exceeding 0.9 metres in height shall be planted, placed or erected within these sight lines.

Reason: In the interests of traffic and public safety.

25. The development to which this permission relates shall be begun no later than the expiration of three years beginning with the date of grant of this decision notice.

Reason: To comply with Section 58(1) of the Town and Country Planning (Scotland) Act 1997 (as amended).

12. Reason for Decision

- 12.1. The proposal will have no adverse impact on residential amenity, the setting of Symington, agricultural land or landscape character and raises no road safety or flood risk concerns. The development complies with Policies 1, 2, 4, 5, 9, 14, 15, 16, 17 and 22 of National Planning Framework 4 and Policies 2, 3, 4, 5, 14, 16, DM1, GBRA7, NHE10, NHE16 and SDCC2 of South Lanarkshire Local Development Plan 2.

David Booth

Executive Director (Community and Enterprise Resources)

Date: 2 November 2023

Background Papers

[P/20/1657 | Erection of five detached bungalows with associated parking and formation of access road. | Land At Main Street Symington Biggar ML12 6LJ](#)

Corporate Considerations

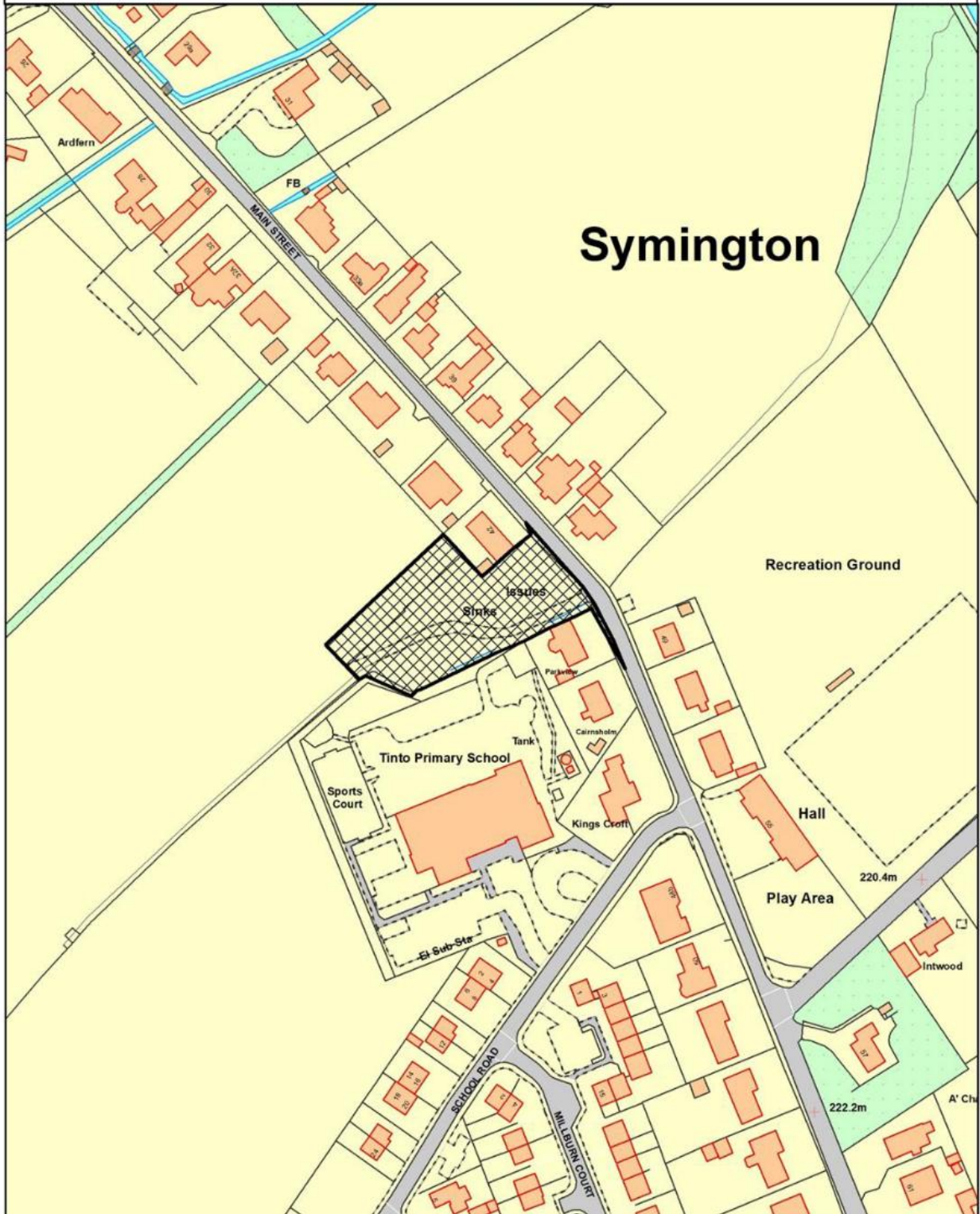
The report raises no impacts or risks in terms of equalities or financial implications. Any implications in terms of climate change, sustainability or the environment will have been considered above in terms of the relevant national and local policies.

Contact for Further Information

If you would like to inspect the background papers or want further information, please contact:-

Tel: 01698 454867

E-mail: planning@southlanarkshire.gov.uk



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Scale:
1:2,000
Date:
28/09/2023



South Lanarkshire Council
Community and Enterprise Resources
Planning and Regulatory Services

Report

4

Report to:	Planning Committee
Date of Meeting:	14 November 2023
Report by:	Executive Director (Community and Enterprise Resources)

Reference no:	P/23/0179
Proposal:	Erection of 3 no. dwellinghouses
Site Address:	Land 20 Metres North of 4 Church Street Uddingston
Applicant:	Mr Ken Fisher
Agent:	Barry McMullan
Ward:	16 – Bothwell and Uddingston
Application Type:	Full Planning Permission
Advert Type:	Affecting the character of a Conservation Area: Hamilton Advertiser 9 March 2023
Development Plan Compliance:	Yes
Departures:	N/A
Recommendation:	Grant subject to conditions
Legal Agreement:	N/A
Direction to Scottish Ministers	N/A

1. Reason for Report

- 1.1. This application is being presented to the Planning Committee for determination as it has received more than 5 objections, as detailed in paragraph 3.5 (b) of the Decision Making Process April 2015.

2. Site Description

- 2.1. The site relates to a plot of vacant land located to the rear of 4 and 6 Church Street, Uddingston. The site is adjacent to a mix of uses including residential, office space and a church and has a boundary with the Gardenside Avenue Conservation Area.
- 2.2. Currently the site is enclosed and contains a large area of hardstanding. The site was used as a haulage yard until approximately 2018 when the warehouse buildings were demolished.

3. Description of Proposed Development

- 3.1. The proposed development relates to the erection of three 2-storey dwellinghouses. The proposed houses will have a 70m² rectangular footprint; a cross gable roof finished in slate effect rooftiles, with a ridge height of 8.4m; external walls finished in natural stone cladding on the principal elevation and white wet dash render on the sides and rear; and vertically emphasised fenestration with sash-and-case front windows.
- 3.2. The houses are positioned so that rear gardens have depths between 9.6m and 12.5m and that windows are at least 18.0m from any existing facing windows. Provision is made within the overall site for 2 off-street parking spaces per house, vehicle turning, and bin storage. Access would be taken via the existing access onto Church Street.
- 3.3. The application has been revised several times since validation. The design has been amended in consideration of the architectural character surrounding the site, windows changed and removed in consideration of overlooking, and access/parking/turning arrangements altered.

4. Relevant Planning History

- 4.1. There are 4 previous applications on the site:-
- ◆ HM/98/0207 – Outline Planning Application – Approved
 - Residential development
 - ◆ HM/12/0278 – Detailed Planning Application – Withdrawn
 - Demolition of 2 sheds and erection of 3 dwellinghouses
 - ◆ HM/12/0364 – Detailed Planning Application – Approved
 - Demolition of 2 sheds and erection of 3 dwellinghouses
 - ◆ P/20/0676 – Detailed Planning Application – Withdrawn
 - Erection of dwellinghouse and 4 flats

5. Supporting Information

- 5.1. None.

6. Consultations

- 6.1. Roads Development Management - No objections subject to conditions.
Response: Noted.
- 6.2. Scottish Water
There is sufficient water and waste water capacity to service the development.
Response: Noted.

7. Representations

- 7.1. Following the statutory period of neighbour notification and advertisement, a total of 6 representations have been received (6 objections, 0 support). The issues raised are summarised as follows:-

Design

- ◆ Not in-keeping with surrounding area
- ◆ Materials proposed for the new houses
- ◆ Fenestration of the proposed buildings

Roads

- ◆ Blocking of access
- ◆ Low visibility splays
- ◆ Congestion
- ◆ Turning
- ◆ Visitor parking provision

Amenity Impacts

- ◆ Overshadowing
- ◆ Overlooking

Land Ownership

- ◆ Access in shared ownership with 4 Church Street and proprietor will not consent to the proposed use.

- 7.2. The above issues are considered in the assessment below and full copies are available to view on the planning portal. Please note that the issue of land ownership is a private legal matter and cannot be considered in the assessment of this planning application.

8. Development Plan

- 8.1. Under Section 25 of the Town and Country Planning (Scotland) Act 1997, all applications must be determined in accordance with the development plan unless material considerations indicate otherwise. The development plan comprises the South Lanarkshire Local Development Plan 2 and National Planning Framework 4.

8.2. National Planning Framework 4

National Planning Framework 4 (NPF4) is Scotland's national spatial strategy for Scotland. It sets out spatial principles, regional priorities, national developments, and national planning policy. NPF4 supports the planning and delivery of sustainable places, liveable places, and productive places.

National Planning Framework 4 Policies

- ◆ Policy 1 Tackling the climate and nature crisis
- ◆ Policy 2 Climate mitigation and adaptation
- ◆ Policy 3 Biodiversity
- ◆ Policy 7 Historic assets and places
- ◆ Policy 9 Brownfield, vacant and derelict land and empty buildings
- ◆ Policy 12 Zero waste
- ◆ Policy 13 Sustainable transport
- ◆ Policy 14 Design, quality and place
- ◆ Policy 15 Local living and 20 minute neighbourhoods
- ◆ Policy 16 Quality homes
- ◆ Policy 19 Heating and cooling

- ◆ Policy 21 Play, recreation and sport
- ◆ Policy 22 Flood risk and water management

8.3. South Lanarkshire Local Development Plan 2 (2021)

For the purposes of determining planning applications the Council will, therefore, also assess proposals against the policies contained within the adopted South Lanarkshire Local Development Plan 2 (SLLDP2). In this regard the application site and associated proposals are affected by the following policies contained in the SLLDP2.

SLLDP2 Volume 1 Policies

- ◆ Policy 2 Climate Change
- ◆ Policy 3 General Urban Areas and Settlements
- ◆ Policy 5 Development Management and Placemaking
- ◆ Policy 14 Natural and Historic Development

SLLDP2 Volume 2 Policies

- ◆ Policy SDCC3 Sustainable Drainage Systems
- ◆ Policy SDCC7 Low and Zero Carbon Emissions for New Buildings
- ◆ Policy DM1 New Development Design
- ◆ Policy DM15 Water Supply
- ◆ Policy DM16 Foul Drainage and Sewerage
- ◆ Policy NHE6 Conservation Areas

South Lanarkshire Council (SLC) Supporting Planning Guidance

- ◆ Residential Design Guide 2011
- ◆ Electric Vehicle Charging Point Supporting Guidance 2022

9. Guidance

- 9.1. NatureScot Developing with Nature Guidance is relevant to all local developments and provides advice and guidance on how to achieve Policy 3 Biodiversity of NPF4.

10. Assessment and Discussion

10.1. Principle of Development

The site is located within the general urban area of Uddingston, as defined by Policy 3 of SLLDP2 and has a boundary with Uddingston town centre. Consequently, a wide variety of shops, services, employment and transportation options are available within a short distance from the site.

- 10.2. Policy 9 of NPF4 supports the sustainable reuse of brownfield land, provided that biodiversity value and contamination are considered. The site has not naturalised and is unlikely to do so due to the hard surfacing and its location in a developed urban area. The site is not known or suspected to be contaminated. Consequently, redevelopment of the site can be supported by Policy 9 of NPF4.
- 10.3. Policy 3 of the SLLDP2 does not specifically allocate sites for housing, however, the principle of residential development is acceptable in an urban location. Policy 16 of NPF4 seeks to encourage, promote and facilitate the delivery of high quality, affordable and sustainable homes in the right locations. This site of 3 dwellings in the context of Uddingston is considered a small-scale opportunity within an existing settlement boundary satisfying part (iii). The site is consistent with local living and 20-minute neighbourhoods (including Policy 15 of NPF4) satisfying part (ii). A timing condition will be applied to any permission granted in line with part (i).

- 10.4. Overall, the principle of development is considered acceptable on this site and the proposal complies with Policies 15 and 16 of NPF4 and Policy 3 of the SLLDP2.
- 10.5. Climate Change
Policies 1 and 2 of NPF4 and Policy 2 of SLLDP2 relate to the climate crises and identify that all development should seek to minimise and mitigate the effects of climate change. Policy 13 of NPF4 promotes sustainable transport and aims to facilitate developments that prioritise walking, wheeling, cycling and public transport for everyday travel and reduce the need to travel unsustainably. Policy 19 of NPF4 states that new buildings should be designed to promote sustainable temperature management, and Policy SDCC7 of the SLLDP2 seeks that buildings reduce emissions beyond the requirements of building regulations.
- 10.6. The site is well located for services within the existing settlement, where the majority of daily needs could be achieved by sustainable travel means. Conditions should be imposed on any permission granted for the provision of electric vehicle charge points at each dwelling and the submission of further information in regard to low and zero carbon energy and heating technologies. Additionally, the Council has other mechanisms to promote sustainable development such as through the Building Standards Service. Furthermore, the proposal will redevelop a brownfield site without any significant adverse impact on the water or soil environment, flood risk, air quality, biodiversity and/or green networks. Therefore, on balance, the proposal is considered to meet the terms of Policies 1, 2, 13 and 19 of NPF4 and Policies 2 and SDCC7 of the SLLDP2.
- 10.7. Biodiversity
Policy 3 of NPF4 outlines that local developments should conserve, restore and enhance the biodiversity value of a site. As a brownfield site that is unlikely to naturalise without intervention, the development of dwellinghouses with garden ground is likely to improve biodiversity by increasing soil exposure which can subsequently be planted. Measures to specifically restore and enhance biodiversity (i.e. details of species specific planting) can be sought by condition.
- 10.8. Layout, Siting and Design
Policies 14 and 21 of NPF4 and Policies 5 and DM1 of the SLLDP2 relate to liveable places, placemaking and the quality of the design of a development. Policy 14 of NPF4 sets out that all development should be designed to improve the quality of an area and be consistent with the six qualities of a successful place: healthy, pleasant, connected, distinctive, sustainable, and adaptable. Policy 21 of NPF4 sets out that any dwelling occupied by children and young people shall incorporate well designed, good quality provision for play, recreation and relaxation which is proportionate to the development and existing provision in the area.
- 10.9. It is considered that in terms of scale, design and materiality that the proposed dwellinghouses will be sympathetic to the character and setting of the locale. The proposed external materials would replicate the traditional natural finishes of the surrounding area. Therefore, the development will not result in a detrimental impact on the character of the area, the streetscape or any adjacent properties.
- 10.10. The development has been subjected to a significant redesign since validation and the receipt of objections regarding the design. It is acknowledged that the original design was not in-keeping with the locale in terms of form, fenestration and materiality, however, the houses as currently proposed would sit sympathetically in their surroundings. Furthermore, the first floor side windows which could have directly

overlooked existing neighbours have been removed and the overall level of glazing has been reduced so that fenestration is in-keeping with the local style.

10.11. The proposed dwellings will introduce new structures to the rear of existing residential properties and will understandably impact those neighbours to a degree. However, minimum garden depths (10m) and distances between facing windows (18m) as set out in the Council's Residential Design Guide will be maintained. Some proposed windows fall short of 18m of separation from existing windows, however, the angle between them is such that the possibility of overlooking is negligible. The same is true for existing gardens to the sides of each plot, due to the staggering of buildings, the angle between first floor windows and gardens is such that it does not raise significant concern for overlooking. One representee expressed concern that Plot 3 would overshadow and enclose their rear garden, however, Plot 3 is located due north and will cast no shadow to this garden. The rear view of 4 Church Street will be impacted upon, however, a view is not a material planning consideration. A degree of overlooking and overshadowing is to be expected in dense residential areas, but it is not considered to be of a significantly detrimental degree in this instance.

10.12. Overall, it is considered that the proposed dwellinghouses would not have a significant detrimental impact on the amenity and character of the area, the streetscape, or any adjacent properties and will contribute to improving the quality of the site as a liveable and successful place. The proposed houses will also have good sized garden grounds which will be appropriate for children's play. Consequently, the proposal accords with the considerations of Policy 14 of NPF4 and Policies 5 and DM1 of the SLLDP2.

10.13. Conservation Area

Policy 7 of NPF4 and Policies 14 and NHE6 the SLLDP2 identify that the Council will seek to protect and enhance historic environment assets and places and that development proposals in or affecting a Conservation Area should only be supported where the character and appearance of the Conservation Area and its setting are preserved or enhanced. The site borders the Gardenside Avenue Conservation Area, however, after a significant redesign, it is considered that the design and materiality of the houses would not have a significantly detrimental affect on the character and appearance of the Conservation Area and its setting will be preserved. Consequently, the proposal accords with the provisions of Policy 7 of NPF4 and Policies 14 and NHE6 of the SLLDP2.

10.14. Technical Matters

Policy 12 of NPF4 identifies that proposals which generate waste including residential should make provision to maximise the reduction and separation of waste at source and for the storage and convenient access for the collection of waste. Provision has been made within the site for the storage of waste bins including recycling bins.

10.15. Policy 22 of NPF4 and Policy SDCC3 of the SLLDP2 relate to the water environment and sustainable urban drainage systems. These require that development proposals will not increase the risk of surface water flooding to others, or themselves be at risk, that they manage all rain and surface water through sustainable urban drainage systems (SUDS) and seek to minimise the area of impermeable surface. The site is not at risk of flooding and the site is proposed to be permeable except for the dwellings and the access. No details of a SUDS system have been provided, however, considering the site area and scale of development, it is considered that the site can accommodate a suitable SUDS system; details of which should be secured by condition.

10.16. Policies DM15 and DM16 of the SLLDP2 seek to ensure appropriate supply of waste water services. The application form details connections will be made to the existing public water and sewerage system. Therefore, the proposal meets the terms of Policy DM15 and DM16.

10.17. The parking standard for a 3-bedroom house is 2 off-street parking spaces. The site plan shows 2 spaces per house plus turning space. The Council's Roads Authority has responded that the parking arrangement is acceptable. The visibility splays fall short of the standard for a restricted urban road, however, the Roads Authority has investigated the issue and determined that a reduced splay is acceptable in this instance considering that the access is existing, will provide access to only 4 dwellings (3 proposed and no.4 Church Street), that traffic volumes on Church Street are low, and that there are no records of accidents on the street. The Roads Authority has recommended conditions to ensure the formation of the access and parking and that a traffic management plan be submitted prior to commencement of development. Furthermore, it is noted that an objection was raised stating that access to 4 Church Street would be blocked. Whilst there would be a degree of disruption during construction, the completed proposal would not cause any obstructions.

10.18. Conclusion

In conclusion, the proposal seeks planning permission for 3 dwellinghouses on a brownfield site off Church Street on the edge of Uddingston town centre. The site is well located and is a suitable location for residential use. The proposed houses can be accommodated on the site without significant adverse impact on surrounding amenity and the design complements the traditional architecture of the surrounding properties. Overall, it is considered that the proposals comply with the provisions of the relevant policies within National Planning Framework 4 and the South Lanarkshire Local Development Plan 2.

11. Recommendation and Conditions

11.1. The Committee is asked to agree the following recommendation:-

Grant Planning Permission Subject to the following Conditions:-

01. The development to which this permission relates shall be begun no later than the expiration of three years beginning with the date of grant of this decision notice.

Reason: To comply with Section 58(1) of the Town and Country Planning (Scotland) Act 1997 (as amended).

02. That 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 Council as Planning Authority.

Reason: To ensure the development is satisfactory in appearance and to maintain the visual quality of the area.

03. That no development shall commence until details of surface water drainage arrangements have been submitted to and approved in writing by the Council as Planning Authority; such drainage arrangements will require to comply with the principles of sustainable urban drainage systems and with the Council's Sustainable Drainage Design Criteria and shall include signed appendices as required. The development shall not be occupied until the surface drainage works have been

completed in accordance with the details submitted to and approved by the Council as Planning Authority.

Reason: To ensure that the disposal of surface water from the site is dealt with in a safe and sustainable manner, to return it to the natural water cycle with minimal adverse impact on people and the environment and to alleviate the potential for on-site and off-site flooding.

04. That before any development commences on site details and locations of electric vehicle charging points, at a rate of one 7kW charging point per house plot, shall be submitted for the written approval of the Council as Planning Authority. Prior to the completion of the development the approved charging points shall be installed, and available for use.

Reason: To ensure facilities for recharging electric vehicles are available for the use of the residents.

05. That before any development commences on site details of biodiversity measure(s) shall be submitted for the written approval of the Planning Authority. The biodiversity measure(s) shall thereafter be implemented prior to occupation or completion of the approved dwellings, whichever occurs first.

Reason: In order to ensure the provision of biodiversity measures which restore and enhance the site and surrounding area.

06. That notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(Scotland) Order 1992, (or any such order revoking or re-enacting that order), no window openings shall be inserted above ground floor level on the side elevation(s) of the dwellinghouses hereby approved.

Reason: To safeguard the amenity and privacy of nearby occupants.

07. That notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(Scotland) Amendment Order 2011 (or any such order revoking or re-enacting that order), no alterations shall be made to the external appearance of the dwellinghouses hereby approved without the prior written consent of the Council as Planning Authority.

Reason: To safeguard the visual amenity of the area.

08. That notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(Scotland) Amendment Order 2011 (or any such order revoking or re-enacting that order), no gates, fences, walls or other means of enclosure or any hard surfaces shall be erected or installed between the front of the dwellinghouse in Plot 1 of the approved plan ref. "AR23006 (PP) 001 G" and Church Street.

Reason: To ensure that no additional driveway is formed from Church Street and that the future development potential of 6 Church Street is not prejudiced.

09. That before the development is completed or brought into use, all of the parking spaces shown on Drawing AR23006 (PP) 001 Rev G of the approved plans shall be laid out and constructed to the specification of the Council as Roads and Planning Authority.

Reason: To ensure the provision of adequate parking facilities within the site.

10. That before the development hereby approved is completed or brought into use, the entire access road network serving the development shall be laid out and constructed in accordance with the specification of the Council as Roads and Planning Authority.

Reason: To ensure the provision of satisfactory access to the dwellings.

11. That prior to any works associated with the construction of the development commence, a Construction Traffic Management Plan shall be submitted to the Council as Roads and Planning Authority for approval. This should provide details of access and parking provision for staff and visitors, intended working hours, how deliveries of materials will be managed and stored and what wheel washing facilities will be provided to prevent mud being carried on to the adopted road.

Reason: in the interests of traffic and public safety as well as to preserve the amenity of the surrounding area.

12. Reason for Decision

- 12.1. The proposed dwellinghouses would redevelop a brownfield site which represent a small-scale opportunity within a settlement and is a sustainable location due to the availability of services and infrastructure. The design of the houses respects the local character and the site layout ensures that neighbouring amenity would not be significantly impacted. Technical matters have also been met or could be met through condition. Consequently, the proposal is considered to comply with Policies 1, 2, 3, 7, 9, 12, 13, 14, 15, 16, 19, 21, 22 of National Planning Framework 4 and Policies 2, 3, 5, 14, SDCC3, SDCC7, DM1, DM15, DM16, and NHE6 of the South Lanarkshire Local Development Plan 2.

David Booth

Executive Director (Community and Enterprise Resources)

Date: 2 November 2023

Background Papers

Further information relating to the application can be found online:

[P/23/0179 | Erection of 3no. dwellinghouses | Land 20M North Of 4 Church Street Church Street Uddingston](#)

Corporate Considerations

The report raises no impacts or risks in terms of equalities or financial implications. Any implications in terms of climate change, sustainability or the environment will have been considered above in terms of the relevant national and local policies.

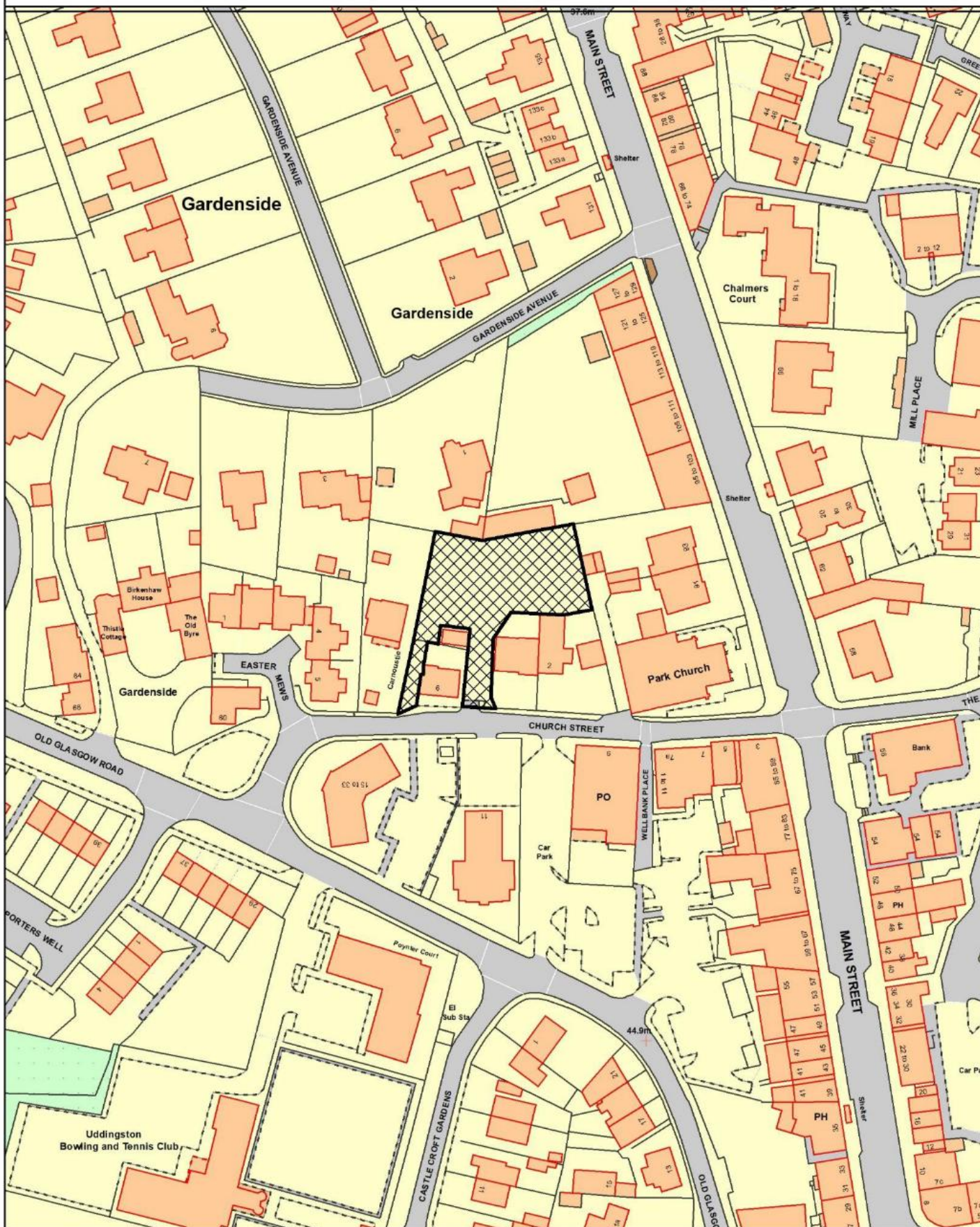
Contact for Further Information

If you would like to inspect the background papers or want further information, please contact:-

Tel: 01698 454867

E-mail: planning@southlanarkshire.gov.uk

P/23/0179 Land 20M North of 4 Church Street, Uddingston



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Scale:
1:1,500
Date:
05/10/2023



South Lanarkshire Council
Community and Enterprise Resources
Planning and Regulatory Services

Report

5

Report to:	Planning Committee
Date of Meeting:	14 November 2023
Report by:	Executive Director (Community and Enterprise Resources)

Reference no:	P/23/0632
Proposal:	Erection of extensions to existing care home to create additional floorspace with associated external alterations
Site Address:	60 Wellhall Road Hamilton ML3 9DL
Applicant:	Balmer Care Homes
Agent:	UNUM Partnership
Ward:	17 Hamilton North and East
Application Type:	Full Planning Permission
Advert Type:	Not applicable
Development Plan Compliance:	Yes
Departures:	Not applicable
Recommendation:	Grant subject to conditions
Legal Agreement:	Not applicable
Direction to Scottish Ministers	Not applicable

1. Reason for Report

- 1.1. This application is being presented to the Planning Committee for determination as it has received more than 5 objections, as detailed in paragraph 3.5 (b) of the Decision Making Process April 2015.

2. Site Description

- 2.1. The site is located within Hamilton and access to the site is taken from Wellhall Road via Millar Grove. The site sits within an urban area and is enclosed by housing on all sides. The existing care home has a dedicated access, drop-off and parking area, and a small amount of outdoor space.

3. Description of Proposed Development

- 3.1. Planning permission is sought for the erection of a variety of two storey extensions to the existing care home building. The extensions would be located on all elevations of the existing building in order to permit internal alterations which would allow the facility to be upgraded to the required standards. These improvements include the provision of larger bedrooms and associated facilities. An additional terrace would also be formed at ground level whilst the extended bedrooms would have patio doors, providing access to private external terraces.
- 3.2. The overall ground floor footprint of the extensions would be approximately 240sq.m. Externally, the extensions have been designed to reflect the appearance of the existing building through using a similar palette of materials including anthracite roof tiles, render, fibre cement panels and cast stone features. The existing residents garden, parking and drop-off area would be retained, with an additional 12 parking spaces being formed.

4. Relevant Planning History

- 4.1. Planning permission (Ref HM/09/0418) was granted for a 34 bed care home at this location in 2009, with the care home opening in 2011.

5. Supporting Information

- 5.1. The applicant has submitted the following information to support the application:-

- ◆ Design and Access Statement
- ◆ Transportation Statement
- ◆ Preliminary Ecological Appraisal
- ◆ Planning Statement

6. Consultations

- 6.1. Roads and Development (Transportation) – No objection as they are satisfied that the parking provision on site will be increased to provide 24 spaces.
Response – Noted, this can be achieved through the imposition of conditions.

7. Representations

- 7.1. Following the statutory period of neighbour notification and advertisement, a total of 10 representations have been received which object to the proposal. The issues raised are summarised as follows:-

Impact of Development

- ◆ Lack of adequate parking and that additional traffic will be generated.
- ◆ Overlooking/loss of privacy at nearby residential properties.
- ◆ Overshadowing of neighbouring residential properties.
- ◆ Water run-off may impact on neighbouring properties.

- ◆ Residents using the outdoor garden area will create noise disturbance at neighbouring properties.
- ◆ There is no need to install a pedestrian access gate on Hunston Avenue.
- ◆ There will be noise and disruption during the construction phase of the development.

7.2. The above issues will be considered in the assessment below and full copies are available to view on the planning portal.

8. Development Plan

8.1. Under Section 25 of the Town and Country Planning (Scotland) Act 1997, all applications must be determined in accordance with the development plan unless material considerations indicate otherwise.

8.2. National Planning Framework 4

National Planning Framework 4 (NPF4) is Scotland's national spatial strategy for Scotland. It sets out spatial principles, regional priorities, national developments, and national planning policy. NPF4 supports the planning and delivery of sustainable places, liveable places, and productive places.

National Planning Framework 4 Policies

- ◆ Policy 1 – Tackling the climate and nature crises
- ◆ Policy 2 – Climate mitigation and adaptation
- ◆ Policy 3 – Biodiversity
- ◆ Policy 4 – Natural places
- ◆ Policy 12 – Zero waste
- ◆ Policy 13 – Sustainable transport
- ◆ Policy 14 – Design, quality and place
- ◆ Policy 15 – Local living and 20 minute neighbourhoods
- ◆ Policy 19 – Heating and cooling
- ◆ Policy 22 – Flood risk and water management

8.3. South Lanarkshire Local Development Plan 2 (2021)

The South Lanarkshire Local Development Plan 2 (SLLDP2) was formally adopted on 9 April 2021. For the purposes of determining planning applications the Council will, therefore, assess proposals against the policies contained within the adopted SLLDP2. In this regard the application site and associated proposals are affected by the following policies contained in the SLLDP2:-

SLLDP2 Volume 1 Policies

- ◆ Policy 1 – Spatial Strategy
- ◆ Policy 2 – Climate Change
- ◆ Policy 3 – General Urban Areas and Settlements
- ◆ Policy 5 – Development Management
- ◆ Policy 14 – Natural and Historic Environment

SLLDP2 Volume 2 Policies

- ◆ Policy SDCC3 – Sustainable Drainage Systems
- ◆ Policy DM1 – Design
- ◆ Policy NHE13 – Trees and Woodland
- ◆ Policy NHE9 – Protected Species
- ◆ Policy DM15 – Water Supply
- ◆ Policy DM16 – Foul Drainage/Sewerage Provision
- ◆ Policy SDCC7 – Low and Zero Carbon Emission from New Buildings

9. Guidance

- 9.1. NatureScot Developing with Nature Guidance is relevant to all local developments and provides advice and guidance on how to achieve Policy 3 Biodiversity of NPF4.

10. Assessment and Discussion

10.1. Principal of Development

Planning permission is sought for the extension and associated alterations of an existing care home. The policies contained within National Planning Framework 4 (NPF4) and the South Lanarkshire Local Development Plan 2 (SLLDP2) are the main considerations in this case, listed above, together with an assessment of any other material planning considerations.

- 10.2. The site is located within the general urban area of Hamilton, as defined by Policy 3 of SLLDP2. A variety of facilities are available within 1km or less of the site and there is also access nearby to public transport connections.

- 10.3. A care home is an appropriate type of use within an urban area and the proposals to extend the facility do not raise any land use issues. The site is consistent with local living and 20 minute neighbourhoods (NPF4 Policy 15).

- 10.4. Overall, it is considered that the principle of altering and extending an existing care home is acceptable on this site and the proposal complies with Policy 15 of NPF4 and Policy 3 of SLLDP2.

10.5. Climate Change

NPF4 Policy 1, NPF4 Policy 2 and SLLDP2 Policy 2 aim to ensure that proposals for new development must, where possible, seek to minimise and mitigate against the effects of climate change. SLLDP2 Policy SDCC 7 - Low and Zero Carbon Emission from New Buildings, also requires a further 10% reduction on emissions beyond that contained in the Building Regulations. NPF4 Policy 19 Heating and Cooling requires that buildings occupied by people ensure sustainable temperature management utilising passive methods where possible.

- 10.6. The site is well located for services within the existing settlement. The proposed extensions would be required to go through the Scottish Building Standards. A condition requiring further details relating to low and zero carbon technologies shall be imposed on any permission granted. It is not considered that the proposal would have a significant adverse impact on the water or soil environment, flood risk, air quality, biodiversity and/or green networks. Therefore, overall, the proposal is considered, on balance, to meet the terms of NPF4 Policy 1 and Policy 2 and SLLDP2 Policy 2 and SDCC7.

10.7. Layout, Siting and Design

NPF4 Policy 14 Design Quality and Place and SLLDP2 Policy 5 Development Management and Placemaking and Policy DM1 New Development Design seeks to ensure well designed development that makes for successful places and considers the impact on residential amenity.

- 10.8. The proposal consists of a variety of small extensions to an existing care home in order that it can meet current care inspectorate guidelines. The proposed extensions would utilise appropriate finishing materials to match the existing building and are of an appropriate scale and design to ensure that they would not detract from the overall appearance of the building.

- 10.9. Whilst the care home is located within a residential area, it is not considered that the extensions would result in a significant increase in use of the premises as they would only permit a maximum increase of 4 beds within the facility. The impact on the surrounding area, as a result of this increase, is likely to be minimal. Due to the relationship of the existing building and the surrounding residential properties, it is not considered that any unacceptable overshadowing or overlooking would occur.
- 10.10. NPF4 Zero Waste Policy 12 details that suitable bin storage inclusive of recycling bins shall be shown on site. There is suitable space within the development site to accommodate the extensions and also ensure that additional parking is provided, along with suitable bin storage. The proposal meets the terms of NPF4 Policies 12, and 14 and SLLDP2 Policies 5 and DM1.
- 10.11. Biodiversity, Trees and Protected Species
The application relates to an existing care home within an urban area and there are no protected species on site and the development would not impact on any trees. Therefore, the proposals raise no issues in terms of biodiversity, trees or protected species and the proposal meets the terms of NPF4 Policies 3 and 4 and SLLDP2 Policies 14, NHE9 and NHE13.
- 10.12. Technical Matters
SLLDP2 Policy SDCC 3 Sustainable Urban Drainage seeks to ensure suitable sustainable urban drainage. NPF4 Policy 22 Flood risk and water management details that proposals shall not increase the risk of surface water to others or themselves. Additionally, all rain and surface water should be managed through SUDS and form part of the proposed/existing, blue/green infrastructure and areas of impermeable surfaces are to be minimised. The site is not at risk from river or surface water flooding. Appropriate drainage can be provided and a suitable condition would ensure that a SUDs scheme is implemented. The proposal meets the terms of SLLDP2 Policy SDCC3 and NPF4 Policy 22.
- 10.13. SLLDP2 Policy DM16 Water Supply and Policy DM16 Foul Drainage seeks to ensure appropriate water supply and foul drainage arrangements. The application form details that no new connections would be required to be made to the existing public water and sewerage system. Therefore, the proposal meets the terms of Policy DM15 and DM16.
- 10.14. A suitable parking layout is proposed which includes the creation of an additional 12 spaces. Roads and Transportation Services have been consulted and have not raised any safety concerns.
- 10.15. Other matters raised by representations include the installation of a pedestrian access gate, noise from the garden area and disruption during construction. The site is located within an urban area and it is not anticipated that any unacceptable issues will arise due to noise from residents in the garden area or from the creation of a pedestrian access, which is to be kept locked unless required in an emergency. Appropriate conditions and advisory notes will be used to minimise any disruption from the development during the construction phase.
- 10.16. Conclusion
The proposal seeks planning permission to extend and alter an existing care home. The site is well located within Hamilton and is a suitable location for a care home. The design and layout of the proposal would be acceptable and it is not considered that it would have an unacceptable impact on the amenity of the surrounding area. Overall,

it is considered that the proposals comply with the provisions of the relevant policies within National Planning Framework 4 and the South Lanarkshire Local Development Plan 2.

11. Recommendation and Conditions

11.1. The Committee is asked to agree the following recommendation:-

Grant Planning Permission Subject to the following Conditions:-

01. The development to which this permission relates shall be begun no later than the expiration of three years beginning with the date of grant of this decision notice.

Reason: To comply with Section 58(1) of the Town and Country Planning (Scotland) Act 1997 (as amended).

02. That prior to any works starting on site an energy statement shall be submitted for the written approval of the Planning Authority. The development shall then be completed in accordance with the approved details.

Reason: To secure the timeous implementation of renewable and/or low carbon energy technologies.

03. That prior to any works starting on site, details of biodiversity measure(s) shall be submitted for the written approval of the Planning Authority. The biodiversity measure(s) shall thereafter be implemented prior to occupation or completion of the approved development, whichever occurs first.

Reason: In order to ensure the provision of biodiversity measures which restore and enhance the site and surrounding area.

04. Prior to the commencement of development, details and samples of all materials to be used as external finishes on the development shall be submitted to and approved in writing by the Council as Planning Authority.

Reason: To ensure the development is satisfactory in appearance and to maintain the visual quality of the area.

05. That no development shall commence until details of surface water drainage arrangements have been submitted to and approved in writing by the Council as Planning Authority; such drainage arrangements will require to comply with the principles of sustainable urban drainage systems and with the Council's Sustainable Drainage Design Criteria and Soakaway Design Guidance - Technical Appendix May 2023 - and shall include signed appendices as required.

Reason: To ensure that the disposal of surface water from the site is dealt with in a safe and sustainable manner, to return it to the natural water cycle with minimal adverse impact on people and the environment and to alleviate the potential for on-site and off-site flooding.

06. That before the development hereby approved is completed or brought into use, 24 no. parking spaces shall be formed on site.

Reason: To ensure the provision of adequate parking facilities within the site.

07. That prior to the commencement of any works associated with the development, a Construction Traffic Management Plan shall be submitted to and approved in writing by the Council as Roads and Planning Authority and implemented thereafter. This document shall include details of access and a parking provision (including a parking plan) for staff and operatives, intended working hours, the management and storage of deliveries and the wheel washing facilities.

Reason: In order to retain effective planning control.

12. Reason for Decision

- 12.1. The application seeks detailed planning permission to extend and alter a care home. The proposal consists of a small-scale development well located within a settlement boundary. There is no significant adverse impact on amenity, public safety or the local environment. The proposal complies with Policies 1, 2, 3, 4, 12, 14, 15, 19 and 22 of National Planning Framework 4 (adopted 2023) and Policies 2, 3, 5, 14, SDCC3, DM1, NHE13, NHE9, DM15, DM16 and SDCC7 of South Lanarkshire Local Development Plan 2 (adopted 2021).

David Booth

Executive Director (Community and Enterprise Resources)

Date: 2 November 2023

Background Papers

Further information relating to the application can be found online:-

[P/23/0632 | Erection of extensions to existing care home to create additional floorspace with associated external alterations. | Well Hall 60 Wellhall Road Hamilton ML3 9DL \(southlanarkshire.gov.uk\)](#)

Corporate Considerations

The report raises no impacts or risks in terms of equalities or financial implications. Any implications in terms of climate change, sustainability or the environment will have been considered above in terms of the relevant national and local policies.

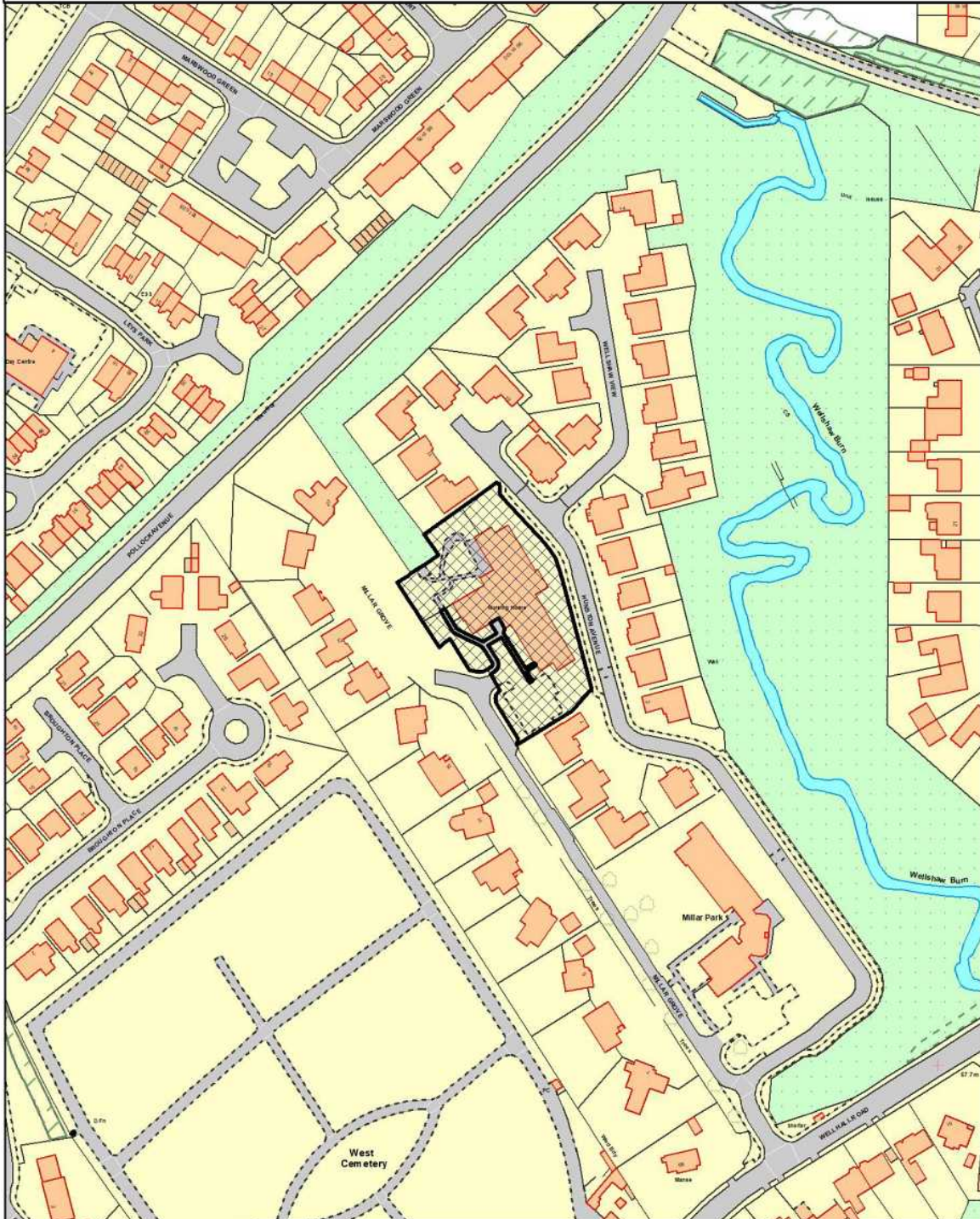
Contact for Further Information

If you would like to inspect the background papers or want further information, please contact:-

Tel: 01698 454867

E-mail: planning@southlanarkshire.gov.uk

P/23/0632 Well Hall, Wellhall Road, Hamilton



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Scale:
1:2,000
Date:
01/11/2023



South Lanarkshire Council
Community and Enterprise Resources
Planning and Regulatory Services

Report

6

Report to:	Planning Committee
Date of Meeting:	14 November 2023
Report by:	Executive Director (Community and Enterprise Resources)

Reference no:	P/23/0866
Proposal:	Re-engineering of bus station to provide 4 bus stop locations, 2 bus layover areas, 4 bus shelters, bike store, lighting, CCTV, a real time information board and new paving
Site Address:	Lanark Bus Station St Vincent Place Lanark ML11 7JS
Applicant:	South Lanarkshire Council
Agent:	N/A
Ward:	2 - Clydesdale North
Application Type:	Full Planning Permission
Advert Type:	Non notification of neighbours
Development Plan Compliance:	Yes
Departures:	N/A
Recommendation:	Grant subject to conditions
Legal Agreement:	N/A
Direction to Scottish Ministers	N/A

1. Reason for Report

- 1.1. This application is being presented to the Planning Committee for determination as it has received more than 5 objections, as detailed in paragraph 3.5 (b) of the Decision Making Process April 2015.

2. Site Description

- 2.1. The application site is located within the town centre of Lanark and relates to the existing bus station and parking areas associated with the adjacent rail station. To the east of the application site lies Morrisons supermarket, to the west lies a vacant building (formerly occupied by the DWP) and disabled parking. To the south is a fish and chip shop and St Vincent Place, one of the main routes through Lanark. Within the wider area there is a mix of residential, retail and community uses.

3. Description of Proposed Development

- 3.1. The proposal involves incorporating and altering existing rows of parking for the rail station to form 4 bus stances. The alterations would provide parallel parking for 2 standard bus stops and 2 coach stops, with associated shelters. The entrance would be re-designed to include a pedestrian island. There would also be a layover area for 2 buses, with potential electric vehicle charging. Other associated works include provision of a bike store, lighting, CCTV, real time information boards and new paving.

4. Relevant Planning History

- 4.1. None relevant.

5. Supporting Information

- 5.1. The applicant has submitted the following information to support the application:-

- ◆ Design Statement
- ◆ Equality Impact Statement
- ◆ Scheme Feasibility Study

6. Consultations

- 6.1. Environmental Services – No objections, standard informatives requested.
Response – Noted.
- 6.2. Roads and Development (Transportation) – No objection to the proposal.
Response – Noted
- 6.3. Strathclyde Partnership for Transport (SPT) – No objections.
Response – Noted.
- 6.4. Network Rail - No objection to the proposal.
Response – Noted.

7. Representations

- 7.1. Following the statutory period of neighbour notification and advertisement, a total of 14 representations have been received (10 objections, 2 comments and 2 support). The issues raised are summarised as follows:-

Interchange

- ◆ Lack of toilets to serve interchange
- ◆ Lack of covered/safe waiting area
- ◆ Request real time tracking for buses at the interchange
- ◆ Knock down adjacent vacant building and form an internal waiting area
- ◆ Lack of pick-up and drop-off

- ◆ Lack of demand for additional bus stop and plenty within town closer to homes/workplaces
- ◆ Car parking is required for disabled access
- ◆ Loss of parking adjacent to the rail station
- ◆ Distance from new park and ride to rail is unsuitable for those with mobility issues, who cannot access a blue badge.

7.2. The above issues will be considered in the assessment below and full copies are available to view on the planning portal.

7.3. Various comments have been raised which are not relevant material planning considerations to this application. This includes impact on the adjacent Morrisons car park which is a matter for the relevant private parties to resolve. Furthermore, comments on the operations of the bus services and park and ride are not material to the consideration of this planning application

8. Development Plan

8.1. Under Section 25 of the Town and Country Planning (Scotland) Act 1997, all applications must be determined in accordance with the development plan unless material considerations indicate otherwise.

8.2. National Planning Framework 4

National Planning Framework 4 (NPF4) is Scotland's national spatial strategy for Scotland. It sets out spatial principles, regional priorities, national developments, and national planning policy. NPF4 supports the planning and delivery of sustainable places, liveable places, and productive places.

National Planning Framework 4 Policies

- ◆ Policy 1 Tackling the climate and nature crises
- ◆ Policy 2 Climate mitigation and adaptation
- ◆ Policy 3 Biodiversity
- ◆ Policy 7 Historic assets and places
- ◆ Policy 12 Zero waste
- ◆ Policy 13 Sustainable transport
- ◆ Policy 14- Design quality and place
- ◆ Policy 27 City, town, local and commercial centres
- ◆ Policy 31 Culture and creativity

8.3. South Lanarkshire Local Development Plan 2(2021)

For the purposes of determining planning applications the Council will, therefore, also assess proposals against the policies contained within the adopted South Lanarkshire Local Development Plan 2 (SLLDP2). In this regard the application site and associated proposals are affected by the following policies contained in the SLLDP2:-

SLLDP2 Volume 1 Policies

- ◆ Policy 2 Climate Change
- ◆ Policy 5 Development Management
- ◆ Policy 9 Strategic Town Centre
- ◆ Policy 14 Natural and Historic Environment

SLLDP2 Volume 2 Policies

- ◆ Policy SDCC3 Sustainable Drainage Systems
- ◆ Policy DM1 Design
- ◆ Policy NHE1 New Lanark World Heritage Site
- ◆ Policy NHE6 Conservation Areas

- ◆ None relevant

9. Guidance

- 9.1. Nature Scot Developing with Nature Guidance is relevant to all local developments and provides advice and guidance on how to achieve Policy 3 Biodiversity of NPF4.

10. Assessment and Discussion

10.1. Principle of Development

The site is located in the Strategic Town Centre of Lanark. NPF4 Policy 27 City, town, local and commercial centres seeks to encourage, promote and facilitate development in city and town centres, to adapt to long-term economic, environmental and societal changes and encourage town centre living. The aim is to ensure that town centres are accessible locations. SLLDP2 Policy 9 Network of Centres seeks to ensure strategic town centres, such as Lanark, have a mix of commercial and community focal points. NPF4 Policy 13 Sustainable transport seeks to encourage, promote and facilitate developments that prioritise walking, cycling and public transport for everyday travel. The policy details that proposals to improve or enhance public transport infrastructure shall be supported.

- 10.2. Overall, it is considered that the principle of development is acceptable on this site and the proposal complies with NPF4 Policy 27, NPF4 Policy 13 and SLLDP2 Policy 9.

10.3. Climate Change

NPF4 Policy 1, NPF4 Policy 2 and SLLDP2 Policy 2 aim to ensure that proposals for new development must, where possible, seek to minimise and mitigate against the effects of climate change. The proposal shall improve and enhance an existing public transport interchange and is sustainably located. The proposal will have no significant adverse impact on the water or soil environment, flood risk, air quality, biodiversity and/or green networks. Therefore, the proposal is considered, on balance, to meet the terms of NPF4 Policy 1 and NPF4 Policy 2 and SLLDP2 Policy 2.

10.4. Layout, Siting and Design

NPF4 Policy 14 Design Quality and Place and SLLDP2 Policy 5 Development Management and Placemaking and Policy DM1 New Development Design seeks to ensure well designed development that makes for successful places. The proposal is sited within the Conservation Area where NPF4 Policy 7 Historic places and assets and SLLDP2 Policy 14 and Policy NHE3 Conservation Area are applicable.

- 10.5. The submitted feasibility scheme demonstrates an assessment and consideration of issues across the provision of public transport in Lanark town centre, namely at the interchange. The document details various iterations of proposals to resolve identified issues. The feasibility scheme sought to make improvements through the re-engineering of the bus station, including use of additional land used for parking, to ensure 4 stances were retained (there are 5 stances currently). This is coupled with other projects: a park and ride (completed on Ladyacre Road around 200m from the site) and provision of disabled parking (completed around 60m west of the site).

- 10.6. It is considered that the proposals as a whole suggest a suitable layout and design for its location and the surrounding area. The level access and natural stone flag will improve the visual amenity of the bus interchange. The loss of car parking has been alleviated by the formation of the nearby park and ride facility, with an overall increase in parking provision. It is noted that concerns have been raised for those with mobility concerns that do not qualify for blue badge parking provisions. However, the re-

engineering works seek to improve the access and egress for the bus itself, provide safe crossing and pedestrian access around the interchange, more suitable for those with mobility issues. The proposals shall result in an accessible, pleasant, connected, distinctive, sustainable development that meets the changing needs of the community. The proposal meets the terms of NPF4 Policy 14 and SLLDP2 Policy 5 and Policy DM1.

- 10.7. NPF4 Zero Waste Policy 12 details that suitable bin storage, inclusive of recycling bins should be provided. Bins have not been detailed on the plans, however, this matter can be addressed through an appropriate planning condition. The proposal meets the terms of Policy 12.

10.8. Other matters

NPF4 Policy 3 Biodiversity under part (c) details that all local developments shall include appropriate measures to conserve, restore and enhance biodiversity. The Developing with Nature Guidance is pertinent in this case. The guidance encourages a mitigation hierarchy to be applied - avoid, minimise, restore and offset to achieve a net positive biodiversity impact.

11. Recommendation and Conditions

- 11.1. The Committee is asked to agree the following recommendation:-

Grant Planning Permission Subject to the following Conditions:-

01. The development to which this permission relates shall be begun no later than the expiration of three years beginning with the date of grant of this decision notice.

Reason: To comply with Section 58(1) of the Town and Country Planning (Scotland) Act 1997 (as amended).

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

Reason: To ensure the development is satisfactory in appearance and to maintain the visual quality of the area.

03. That prior to any work starting on site, details of a programme indicating the phasing of the construction works and provision of alternative arrangements for the operation of the bus interchange shall be submitted to the Council for approval, and no work shall begin until the phasing scheme and alternative arrangements has been approved in writing. Following approval, the development shall be implemented in accordance with the approved scheme.

This programme shall include details of:-

- ◆ phasing of constructions works
- ◆ traffic management
- ◆ the circulation of vehicles and pedestrians in and around the site
- ◆ temporary bus stops inclusive of turning arrangements
- ◆ full accessibility audit of temporary bus stops

Reason: In order to ensure suitable interim arrangements.

04. That prior to the commencement of any works starting on site, a Road Safety Audit shall be submitted to and approved in writing by the Council as Roads and Planning Authority and implemented thereafter.

Reason: In the interests of traffic and public safety.

05. Prior to the commencement of development, the following details shall be submitted to and approved in writing by the Planning Authority:-

- i. Sectional drawings detailing the proposed ground levels and any ramps, kerbs or steps proposed at the interface between the bus station and the railway station at the northwest corner of the site.
- ii. A site plan showing the location of the provided sections and the precise location of the cycle storage.
- iii. Design details for the proposed cycle storage.

For the avoidance of doubt, the submitted details shall ensure that a clear and level access is maintained between the bus station and the railway station.

Thereafter, the development shall be undertaken in accordance with the approved details.

Reasons: In order to ensure that a clear and level access is maintained between the bus station and the railway station in the interests of public safety and in providing access for all to public transport infrastructure.

12. Reason for Decision

- 12.1. The proposal relates to the re-engineering of a bus station to improve the customer experience for all, inclusive of those with mobility issues, and pedestrian movement within the site. The proposal will provide a modern high-quality transport interchange and encourage public transport as a sustainable transport alternative to the private car. The proposal complies with the relevant Policies of National Planning Framework 4 and SLLDP2. It is recommended that planning permission is granted.

David Booth

Executive Director (Community and Enterprise Resources)

Date: 2 November 2023

Background Papers

Further information relating to the application can be found online:

[P/23/0866 | Re-engineering of bus station to provide 4 bus stop locations, 2 bus layover areas, 4 bus shelters, bike store, lighting, CCTV, a real time information board and new paving | Lanark Bus Station St Vincent Place Lanark ML11 7JS](#)

Corporate Considerations

The report raises no impacts or risks in terms of equalities or financial implications. Any implications in terms of climate change, sustainability or the environment will have been considered above in terms of the relevant national and local policies.

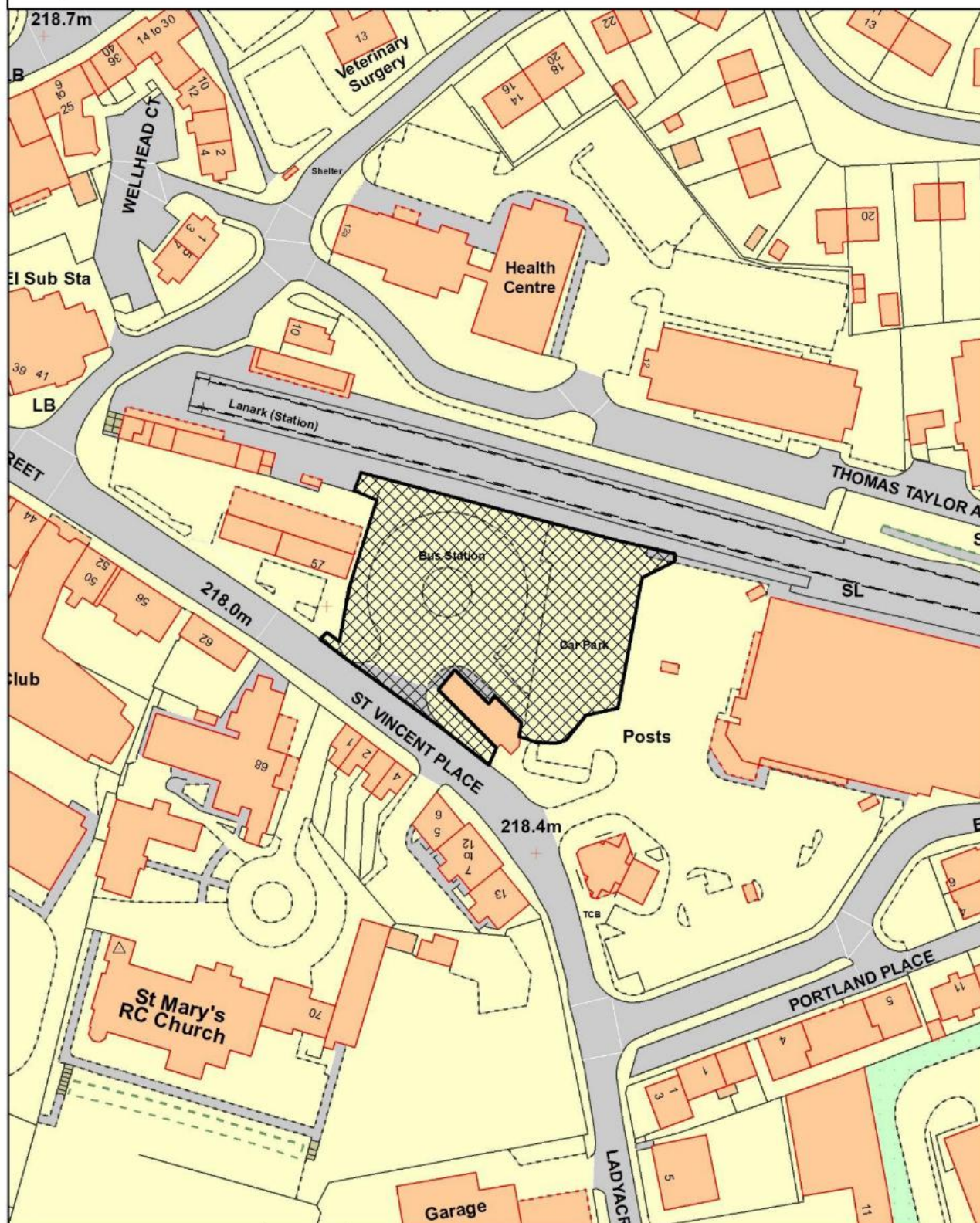
Contact for Further Information

If you would like to inspect the background papers or want further information, please contact:-

Tel: 01698 454867

E-mail: planning@southlanarkshire.gov.uk

P/23/0866 Lanark Bus Station



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Scale:
1:1,250
Date:
27/09/2023



South Lanarkshire Council
Community and Enterprise Resources
Planning and Regulatory Services

Report

7

Report to:	Planning Committee
Date of Meeting:	14 November 2023
Report by:	Executive Director (Community and Enterprise Resources)

Reference no:	P/23/1070
Proposal:	Extension of existing feed bins (retrospective)
Site Address:	Roadhead Farm Shieldhill Road Quothquan Biggar ML12 6ND
Applicant:	Mr Geoff Hewitt
Agent:	BHC Ltd
Ward:	03 Clydesdale East
Application Type:	Full Planning Permission
Advert Type:	Advertised under Schedule 2 of The Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (As Amended)
Development Plan Compliance:	Yes
Departures:	N/A
Recommendation:	Grant subject to conditions
Legal Agreement:	N/A
Direction to Scottish Ministers	N/A

1. Reason for Report

- 1.1. The application is required to be determined by the Planning Committee under Clause 4.1 of the Decision-Making Process 2015: any application which has attracted more than five objections.

2. Site Description

- 2.1. Situated approximately 225 metres west of the settlement boundary of Quothquan, the site is an existing farm and feed operation accessed via Shieldhill Road directly to the north of Quothquan Village Hall and the ruins of the former Quothquan church and graveyard. Roadhead Farm is a large farm and feeds facility and the application site comprises the area of the feed bins and the access route out to Shieldhill Road.
- 2.2. The farm is generally surrounded by agricultural land to the west, south and east with Quothquan to the west. The closest building after the village hall is the residential property at Gatefoot, on the same side of Shieldhill Road as the farm and around 170m from the feed bins which are the subject of this application. The farm lies within the Upper Clyde Valley and Tinto Special Landscape Area as set out in the adopted South Lanarkshire Local Development Plan 2 (SLLDP2).

3. Description of Proposed Development

- 3.1. The proposal is seeking consent in retrospect for the erection of additional feed bins adjacent to existing bins and silos at Roadhead Farm. The new feed bins are enclosed in a steel framed structure clad in single skin corrugated steel cladding panels. The structure is an increase on the building approved under permission P/20/1246 and increases the floor area by 249m², with a ridge height of approximately 20.3 metres.
- 3.2. The submitted drawings also show the formation of a hardstanding in the farm yard outside the new building, which measures 160m² (8m x 20m). No other changes are proposed to the existing site.

4. Relevant Planning History

- 4.1. Roadhead Farm has a long history of planning applications related to its long-term use as a cattle farm. In 2005, the partial use of the existing farm as a feed business was consented (CL/05/0360). Since that time there have been subsequent applications for additional agricultural buildings which increased the farm's operational capacity (CL/11/0437, CL/16/0248, CL/17/0174, P/18/0633, P/18/0801, P/19/0675) both in terms of cattle and feed production. In 2020, an application was submitted for the erection of an agricultural shed to house feed bins (P/20/1246) and this was approved in November 2020. The current application is for additional feed bin capacity next to those previously approved in 2020. It was submitted following investigations by Council Officers following complaints from nearby residents that the construction ongoing on site exceeding the scope of what was permitted under application P/20/1246.

5. Supporting Information

- 5.1. The application was submitted with location and plans and elevational drawings of the feed bin buildings including CGIs showing the appearance of the structure in 3D.

6. Consultations

- 6.1. West of Scotland Archaeological Service - Highlighted the proximity to the ruins of Quothquan church and graveyard, however, have advised that the long-established farm and previous disturbance which has taken place in the relatively small site area mean that archaeological work is not required for this application.
Response - Noted.

7. Representations

- 7.1. Following the statutory period of neighbour notification and advertisement, 6 letters of representation objecting to the application have been received from separate third parties with a neutral comment being submitted by Quothquan and Thankerton Community Council. The issues raised are summarised as follows:-

- ◆ Increase in traffic
- ◆ Road Safety – traffic speeds
- ◆ Road Safety – inadequate access
- ◆ Late night / early morning activity
- ◆ Noise disturbance
- ◆ Light pollution
- ◆ Impact on visual amenity
- ◆ Intensification of the use to an industrial scale

The above issues will be considered in the assessment below and full copies are available to view on the planning portal.

8. Development Plan

- 8.1. Under Section 25 of the Town and Country Planning (Scotland) Act 1997, all applications must be determined in accordance with the development plan unless material considerations indicate otherwise. The development plan comprises the South Lanarkshire Local Development Plan 2 (adopted 29 March 2021) and National Planning Framework 4 (which was laid before the Scottish Parliament on 8 November 2022 and adopted by Scottish Ministers on 13 February 2023).

Section 24(3) of the 1997 Act confirms that if there is an inconsistency between NPF4 policies and a Local Development Plan which was adopted before 13 February 2023, then the policies in NPF4 prevail.

National Planning Framework 4

- 8.2. National Planning Framework 4 (NPF4) is Scotland's national spatial strategy for Scotland. It sets out spatial principles, regional priorities, national developments, and national planning policy. NPF4 supports the planning and delivery of sustainable places, liveable places, and productive places.

National Planning Framework 4 Policies (2023)

- ◆ Policy 1 - Tackling the Climate and Nature Crises
- ◆ Policy 2 - Climate Mitigation and Adaptation
- ◆ Policy 29 - Rural Development

South Lanarkshire Local Development Plan 2 (2021)

- 8.3. The South Lanarkshire Local Development Plan 2 (SLLDP2) was formally adopted on 9 April 2021. For the purposes of determining planning applications the Council will, therefore, assess proposals against the policies contained within the adopted SLLDP2.

SLLDP2 Volume 1 Policies

- ◆ Policy 2 - Climate Change
- ◆ Policy 4 - Green Belt and Rural Area
- ◆ Policy 5 - Development Management and Placemaking

SLLDP2 Volume 2 Policies

- ◆ Policy DM1 - New Development Design
- ◆ Policy GBRA1 - Rural Design and Development
- ◆ Policy GBRA2 – Business proposals in the Green Belt and Rural Area

9. Guidance

9.1. None.

10. Assessment and Discussion

10.1. Introduction

The main issues to be addressed in the determination of this application are the acceptability in principle of the proposed development, the impact upon amenity and an assessment of technical matters. The policies contained within National Planning Framework 4 and the South Lanarkshire Local Development Plan 2 are the main consideration in this case, together with an assessment of any other material planning considerations raised during the application process.

10.2. Principle of Development

Full planning permission is sought retrospectively for the erection of an extension to existing feed bins at Roadhead Farm, which is located west of the settlement of Quothquan. The farm partially diversified into a feed production, storage and distribution business in 2005 and has expanded incrementally since that point. In 2020, an application for a clad feed bins structure was approved.

10.3. During the implementation of that permission residents raised concerns about the scale and the planning enforcement team subsequently established that the works taking place went beyond the scale of what had previously been approved. This application is to regularise the discrepancy and, therefore, the principle of development hinges on the acceptability of the additional feed bins and structure in the wider context of the site.

10.4. Policy 29 Rural Development of NPF4 advises that development proposals which contribute to the viability, sustainability and diversity of the local rural economy will be supported including the diversification of existing businesses and the creation of production and processing facilities for local produce and materials. In that regard, the proposed feed bins to supplement the existing feed mill part of Roadhead Farm would directly accord with Policy 29 of NPF4.

10.5. Policy GBRA2 of SLLDP2 advises that extensions to existing rural businesses are considered appropriate within the Rural Area. In this instance, the provision of feed bins within the site was considered acceptable in the assessment of application P/20/1246 and the additional 249m² of additional feed bin floorspace in this application is also considered appropriate given the scale of the site.

10.6. Climate Change

Policies 1 and 2 of NPF4 identify that: development shall take account of the global climate and nature crises; and that development should minimise emissions and be adapted to take account of current and future climate risks. In addition, Policy 2 – Climate Change in SLLDP2 states that all new development proposals should seek to minimise and mitigate against the effects of climate change. In this instance, the proposal is only for additional feed bin capacity at an existing rural farm and feed business. The site is not at risk of flooding and there would be no adverse impacts on biodiversity, soils or air quality of the blue/green network as a result of the proposal.

Design

- 10.7 Policy DM1 of SLLDP2 requires new development to respect the local context and be appropriate to the character and topography of the site in terms of layout, scale, proportion, massing and appearance of buildings, structures and landscaped and hard surfaced areas.
- 10.8 The proposed feed bins and steel-clad structure are considered appropriate in scale and appearance for the large-scale farming and feed enterprise that takes place on site. The materials are appropriate for a rural setting and accord with the other agricultural buildings which have been constructed on site in the last decade or so.

Impact Upon Amenity

The proposed feed bins will increase the capacity of the animal feed operation, however, the noise associated with this process, outwith the period of construction, is not anticipated to differ significantly from that generated by the existing operations on site. Conditions regarding noise levels and mitigating light pollution are already in place on the feed mill use as part of planning permission CL/05/0360 and, as such, it is not considered necessary or appropriate to duplicate those conditions on this application. The traffic generated by the existing use and the expansion of the business over the last decade is outwith the scope of this application and likewise issues of traffic safety and road users on Shieldhill Road failing to respect statutory speed limits are outwith the scope of this application for feed bin storage.

Other Concerns Raised

- 10.10 Consultees raise no objections to the proposal. With regards to issues raised by objectors that have not been referenced above, the creation of a new vehicle access through an adjacent field, referenced by the Community Council as already under construction, is not part of this development proposal and is outwith the scope of this application. Should this access be outwith permitted development rights and require permission, its merits, and any consequential impacts upon traffic movements or adjacent archaeological heritage assets would be considered in any associated application.

Conclusion

- 10.11. The proposal, subject to appropriate conditions, accords with national and local policies regarding the expansion of a rural business. The scale and nature of the proposals, when compared to the scale of the wider farm and feed operation, naturally limit the impact they can have on the amenity of the surrounding area. Issues of noise and light pollution have been addressed via continuing conditions on previous consents. It is therefore recommended that approval is granted subject to conditions.

11. Recommendation and Conditions

- 11.1. The Committee is asked to agree the following recommendation:-

Grant Planning Permission Subject to the following Conditions:-

01. The development to which this permission relates shall be begun no later than the expiration of three years beginning with the date of grant of this decision notice.

Reason: To comply with Section 58(1) of the Town and Country Planning (Scotland) Act 1997 (as amended).

02. That before any cladding materials are brought to the site, details and samples of all materials to be used as external finishes on the development shall be submitted to and approved by the Council as Planning Authority. The external cladding shall thereafter be installed as approved.

Reason: To ensure that the accommodation does not become occupied by long-term or permanent residents without the express grant of planning permission and to ensure compliance with local plan policy.

03. Any lighting installed upon the new structure or within the yard to illuminate the new hardstanding shall accord with the measures to prevent light spillage already imposed by condition 13 of planning permission CL/05/0360.

Reason: Reason: In the interests of traffic safety and visual amenity.

12. Reasons for Decision

- 12.1 The proposal complies with Policies 1, 2 and 29 of National Planning Framework 4 (adopted 2023) and Policies 2, 4 and 5 of the South Lanarkshire local Development Plan and is appropriate at this existing rural business. There are no material considerations which would justify the refusal of planning permission.

David Booth

Executive Director (Community and Enterprise Resources)

Date: 2 November 2023

Background Papers

Further information relating to the application can be found online:

[P/23/1070 | Extension of existing feed bins \(retrospective\). | Roadhead Farm Shieldhill Road Quothquan Biggar ML12 6ND \(southlanarkshire.gov.uk\)](#)

Corporate Considerations

The report raises no impacts or risks in terms of equalities or financial implications. Any implications in terms of climate change, sustainability or the environment will have been considered above in terms of the relevant national and local policies.

Contact for Further Information

If you would like to inspect the background papers or want further information, please contact:-

Tel: 01698 454867

E-mail: planning@southlanarkshire.gov.uk

[illegible]

LANARKSHIRE

South Lanarkshire Council
Community and Enterprise Resources
Planning and Regulatory Services

Report

8

Report to:	Planning Committee
Date of Meeting:	14 November 2023
Report by:	Executive Director (Community and Enterprise Resources)

Subject	Planning Appeal Decisions – April to October 2023
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1. Purpose of Report

1.1 The purpose of the report is to:-

- ♦ advise Committee of decisions that have been made by the Scottish Government's Department of Planning and Environmental Appeals Division during the period 1 April to 31 October 2023 in relation to South Lanarkshire Council

2. Recommendation(s)

2.1 The Committee is asked to approve the following recommendation(s):-

- (1) that Committee note the decisions that have been issued by the Scottish Government's Department of Planning and Environmental Appeals; and
- (2) that Committee note that twice yearly updates on ongoing decisions will be presented to future meetings of the Planning Committee.

3. Background

- 3.1 Members will be aware that applicants whose planning applications are refused by the Planning Committee have a right to appeal that decision to the Scottish Ministers within three months of the date of the decision. The Appeals are processed by the Department of Planning and Environmental Appeals and, in most cases, a Reporter is appointed by the Scottish Ministers to undertake the Appeal.
- 3.2 Applicants are also able to ask the Council for a Screening Opinion to determine whether an Environmental Impact Assessment (EIA) is required in connection with a development proposal. Where the Council decides an EIA is required the applicant has the right to request a Screening Direction from Scottish Ministers.
- 3.3 It is considered appropriate to bring this report to Committee to update members on the outcome of these decisions and a link to each of the Cases on the Scottish Government DPEA website can be found in the report.

4 Planning Appeals

- 4.1 Since April 2023, three applications refused by South Lanarkshire Council have been the subject of an appeal to Scottish Ministers and a decision has been issued. The following sets out each of the proposals.

- 4.2 Change of use of after school care facility to class 1 retail use and associated external alterations at 20 Argyle Drive, Hamilton (application reference P/21/2167) - [Scottish Government - DPEA - Case Details \(scotland.gov.uk\)](#)

This application was refused by the Planning Committee on 22 November 2022 against officer recommendation on the grounds of public safety, due to insufficient parking provision, including for the receipt of deliveries to the unit.

The Reporter found that the amenity of local residents would be adversely affected by the proposed parking and servicing arrangements and dismissed the appeal.

- 4.3 Formation of two house plots at Lockhart Mill Farm near Lanark (application reference P/22/1789) - [Scottish Government - DPEA - Case Details \(scotland.gov.uk\)](#)

The application was refused by Planning Committee on 9 May 2023 on the grounds that the proposal was contrary to a number of local and national policy considerations.

The Appointed Reporter dismissed the appeal agreeing that the proposal failed to accord with policies in the adopted South Lanarkshire Local Development Plan 2 (SLLDP2) and National Planning Framework 4 (NPF4).

- 4.4 Erection of dwellinghouse at Peel Road, Thorntonhall (application reference P/22/1122) - [Scottish Government - DPEA - Case Details \(scotland.gov.uk\)](#)

The application was refused by Planning Committee on 9 May 2023 on the grounds the proposal was contrary to national and local development planning policy.

The Reporter found the proposal did not satisfy the requirements of NPF4 or the SLLDP2 and dismissed the appeal.

- 4.5 Erection of five dwellinghouses with associated works at Fence Terrace, Tillietudlem (application reference P/22/1507) - [Scottish Government - DPEA - Case Details \(scotland.gov.uk\)](#)

This application was refused by Planning Committee on 6 June 2023 as being contrary to a number of local and national policy considerations.

The Reporter dismissed the appeal stating that the proposals did not accord with the provisions of the development plan and that there were no material considerations that would justify granting planning permission.

5. Screening Direction

- 5.1 Leisure Development at Kersewell Mains Farm, Carnwath - [Scottish Government - DPEA - Case Details \(scotland.gov.uk\)](#)

The Council issued a Screening Opinion on 9 May 2023 that an Environmental Impact Assessment was required in relation to the variation of a condition associated with a proposed development at Kersewell Mains Farm which included a 200 bed hotel, log cabins, golf course and equestrian activities.

The applicant subsequently requested a 'Screening Direction' from Scottish Ministers. A decision letter was issued on 11 August 2023 which stated that the development would have a significant effect on the environment and an EIA was required. In addition, it was considered that the baseline environmental conditions that existed when the development was first approved in 2005 would have significantly changed.

6. Next Steps

- 6.1 At the time of the preparation of this report a further 6 planning appeals have been made against decisions made by the Council and a further report will be presented to the Planning Committee to provide an update on appeal decisions made up to 31 March 2024.

7. Employee Implications

- 7.1 There are no employee implications.

8 Financial Implications

- 8.1 The resource commitment and financial costs for the Planning Authority in relation to the Planning Appeals process must be borne from existing budgets and resources and no external funding is provided for this activity.

9. Climate Change, Sustainability and Environmental Implications

- 9.1 The planning system will have an increasingly key role in addressing the climate change agenda. Investing additional income in resources within the planning service will contribute to meeting these aims.

10. Other Implications

- 10.1 There would be a reputational risk if this was not undertaken as this action has previously been specified in the Council's Planning Performance Framework.

11. Equality Impact Assessment and Consultation Arrangements

- 11.1 The content of this report is not relevant to the Council's equalities duties and, therefore, no impact assessment is required.
- 11.2 There was no requirement to undertake any consultation in terms of the information contained in the report.

David Booth

Executive Director (Community and Enterprise Resources)

2 November 2023

Link(s) to Council Values/Priorities/Outcomes

- ◆ Accountable, effective, efficient and transparent
- ◆ Ambitious, self-aware and improving

Previous References

- ◆ Planning Committee report on application P/21/2167 – 22 November 2022 - associated planning appeal decision [Scottish Government - DPEA - Case Details \(scotland.gov.uk\)](https://scotland.gov.uk/Topics/Planning/Planning%20Appeals/2022/P212167)
- ◆ Planning Committee report on application P/22/1789 – 9 May 2023 - associated planning appeal decision [Scottish Government - DPEA - Case Details \(scotland.gov.uk\)](https://scotland.gov.uk/Topics/Planning/Planning%20Appeals/2023/P221789)
- ◆ Planning Committee report on application P/22/1122 – 9 May 2023 - associated planning appeal decision [Scottish Government - DPEA - Case Details \(scotland.gov.uk\)](https://scotland.gov.uk/Topics/Planning/Planning%20Appeals/2023/P221122)
- ◆ Planning Committee report on application P/22/1507 – 6 June 2023 – associated planning appeal decision [Scottish Government - DPEA - Case Details \(scotland.gov.uk\)](https://scotland.gov.uk/Topics/Planning/Planning%20Appeals/2023/P221507)

List of Background Papers

- ◆ Screening Direction issued by Scottish Ministers – Leisure development at Kersewell Mains Farm near Carnwath [Scottish Government - DPEA - Case Details \(scotland.gov.uk\)](https://scotland.gov.uk/Topics/Planning/Planning%20Appeals/2023/P221507)

Contact for Further Information

If you would like to inspect the background papers or want further information, please contact:-

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