

# Report

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| Report to:       | <b>Planning Committee</b>                                      |
| Date of Meeting: | <b>5 September 2023</b>  |
| Report by:       | <b>Executive Director (Community and Enterprise Resources)</b> |

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|--|---|
| <b>Reference no:</b>                   | P/23/0301   |
| <b>Proposal:</b>                       | Erection of 1.5 storey dwellinghouse with associated works                                      |
| <b>Site Address:</b>                   | 8A Abbeygreen, Lesmahagow, ML11 0DB   |
| <b>Applicant:</b>                      | Mr and Mrs B Hood   |
| <b>Agent:</b>                          | Axiom Design Services   |
| <b>Ward:</b>                           | 04 Clydesdale South   |
| <b>Application Type:</b>               | Full Planning Permission  |
| <b>Advert Type:</b>                    | Affect setting of a Listed Building – Carlisle Gazette 19 July 2023 and Site Notice 15 May 2023 |
| <b>Development Plan Compliance:</b>    | Yes   |
| <b>Departures:</b>                     | None  |
| <b>Recommendation:</b>                 | Grant subject to conditions   |
| <b>Legal Agreement:</b>                | Not required  |
| <b>Direction to Scottish Ministers</b> | Not required  |

## **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. The application site relates to an area of land to the rear of the former Royal Bank of Scotland building at 8 Abbeygreen, Lesmahagow. The former bank is a Category B-listed building, with the application site itself comprising of open soft-landscaped grounds which were formally associated with the bank building.
- 2.2. The application site is bound by Bloomfield Road to the south and Wellwood Road to the west and is separated from the roads by an existing stone boundary wall and by existing landscaping including a number of mature trees. The majority of the site is relatively level and extends to approximately 0.07 hectares. The site is located on the edge of the designated local centre, however, most of the adjacent properties are residential in terms of their current use.

## **3. Description of Proposed Development**

- 3.1. The proposal involves the erection of a 1.5 storey dwellinghouse, the formation of a new vehicular access onto Wellwood Road and the provision of a driveway to the front and side. The house would have an H-shaped footprint and a pitched roof. A small front dormer is proposed for the centre of the front elevation and a rear two storey gable featuring a Juliet balcony is proposed serving the main bedroom, with a second Juliet balcony proposed for the side elevation, serving the other upper floor bedroom. The proposed finishing materials include concrete roof tiles, rendered walls with a stone finish to the central entrance, powder coated windows and uPVC rainwater goods.
- 3.2. Bin storage provision would be to the side of the house with the garden ground beyond this area also to the side of the house, as well as to the rear. The existing stone boundary wall is to be lowered to 900mm along Wellwood Road and Bloomfield Road to accommodate the access.

## **4. Relevant Planning History**

- 4.1. Planning permission in principle was granted for the erection of a dwellinghouse on the site in 2019 (P/19/0613). A detailed application for the erection of a dwellinghouse was submitted in 2020 (P/20/1755) but was later withdrawn by the applicant. In 2021 detailed consent was approved for the erection of a 1.5 storey dwellinghouse (P/21/0509). The approved dwelling was of a different design to that proposed in this application.

## **5. Supporting Information**

- 5.1. **Design and Planning Statement** - this outlines the proposed design of the development.

## **6. Consultations**

- 6.1. Roads Development Management Team – No objections subject to the inclusion of conditions relating to the numbers of off-street parking spaces, the provision of an electric vehicle charging point, the provision of an appropriate visibility splay and suitable surfacing.  
Response: Noted.
- 6.2. Environmental Services – No comments.  
Response: Noted.

- 6.3. Scottish Water – There is sufficient capacity for water in the area to service the development.

Response: Noted.

## **7. Representations**

- 7.1. Following the statutory period of neighbour notification and advertisement, a total of 25 representations have been received (20 objections, 5 support). The issues raised are summarised as follows:-

### Road safety, vehicular access and parking

- ◆ Concern regarding restricting access to existing properties on Wellwood Road including safety, emergency vehicle access and turning space provision
- ◆ Lack of visibility
- ◆ Concern regarding the existing level of insufficient on-street parking
- ◆ Parking and access will be more difficult whilst construction works take place
- ◆ Objection to the access, not to the proposed house itself
- ◆ Parking restrictions could be used to improve access
- ◆ Construction traffic
- ◆ Increased traffic congestion
- ◆ Road safety

### Drainage

- ◆ There have been local drainage issues and the proposed development will affect capacity

### Impact upon the environment and nature

- ◆ Significant disruption to nature and the environment in the area recently
- ◆ Building works would impact upon the existing trees and wildlife habitats within the application site

### Support

- ◆ Support for rejuvenating the neighbourhood
- ◆ Proposal fits well with neighbouring houses
- ◆ Sufficient parking provision

### Matters raised which are not material planning considerations

- ◆ Property values may be impacted by parking congestion or by the erection of this proposed house

- 7.2. The above issues are considered in the assessment below. These letters are available for inspection 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 and National Planning Framework 4.

### 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 7 - Historic assets and places
- ◆ Policy 14 - Design, quality and place
- ◆ Policy 15 - Local Living and 20 minute neighbourhoods
- ◆ Policy 16 - Quality homes

#### 8.3 South Lanarkshire Local Development Plan 2 (2021)

The application site and associated proposals are affected by the following policies contained in the South Lanarkshire Local Development Plan 2 (SLLDP2):-

#### SLLDP2 Volume 1 Policies

- ◆ Policy 1 – Spatial Strategy
- ◆ Policy 2 - Climate Change
- ◆ Policy 3 – General Urban Areas and Settlements
- ◆ Policy 5 - Development Management and Placemaking
- ◆ Policy 9 - Network of Centres and Retailing
- ◆ Policy 14 - Natural and Historic Development

#### SLLDP2 Volume 2 Policies

- ◆ Policy DM1 - New Development Design
- ◆ Policy NHE3 - Listed Buildings

#### South Lanarkshire Council (SLC) Supporting Planning Guidance

None

### **9. Guidance**

9.1. None applicable.

### **10. Assessment and Discussion**

10.1. Full planning permission is sought for the Erection of 1.5 storey dwellinghouse with associated works at 8A Abbeygreen, Lesmahagow, ML11 0DB. The main issues to be addressed in the determination of this application includes the acceptability in principle of the proposed development, its layout, siting and design, 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.

#### 10.2. Principle of Development

The application site is located within the settlement boundary. NPF4 Policy 15 – Local Living and 20 Minute Neighbourhoods supports development proposals that will contribute to local living and consideration will be given to the existing settlement pattern and to the level and quality of interconnectivity of the proposed development to local shops, services, parks and sustainable modes of transport. Policy 16 – Quality Homes sets out the conditions by which new homes will be supported. This includes supporting new homes within existing settlement boundaries where the proposal is consistent with the development plan spatial strategy and with other relevant policies including local living and 20-minute neighbourhoods. SLLDP2 Policy 11 – Housing supports housing developments on identified sites, subject to a range of house sizes and types being provided and subject to the proposals according with the other relevant policies in the development plan. The site is also located on the edge of the designated local centre, and SLLDP2 Policy 9 – Network of Centres and Retailing is therefore relevant. This policy seeks to support a network of Strategic, Town and

Local Centres to provide retail and other local services. In local centres an appropriate mix of uses that will meet the economic and social need of the community is supported.

10.3. In this instance, the site has not been identified as a specific housing site, however, it is located within the settlement and is sited on the edge of the designated local centre. As it is located within the settlement boundary, the principle of building a dwellinghouse at this site is acceptable in principle as it would constitute appropriate infill development and the site is in close proximity to the local shops, services and transport links on and around Abbeygreen, contributing successfully to local living principles. The use of this site for residential use would have no negative impact upon the function of the local centre. As such, the proposal is considered to accord with NPF4 Policies 15 and 16 and SLLDP2 Policy 9. It is further in accordance with Policies 1, 3 and 5 of the SLLDP2 as it appropriately directs development to urban areas.

10.4. Climate Change

NPF4 Policy 1 - Tackling the Climate and Nature Crises and NPF4 Policy 2 - Climate Mitigation and Adaptation together aim to ensure that proposals for new development must, where possible, seek to minimise and mitigate against the effects of climate change. In addition, SLLDP2 Policy 2 - Climate Change states that proposals for new development must, where possible, seek to minimise and mitigate against the effects of climate change. The sites' location within the settlement and its close proximity to local services and transportation links are such that the proposal can be considered to be sustainably located, and while the proposal would involve some loss of mature landscaping, the overall impact upon the local environment would not be significant. As such, the proposal is considered to comply with the provisions of Policies 1 and 2 of NPF4 and Policy 2 of the SLLDP2.

10.5. Layout, Siting and Design

NPF4 Policy 14 – Design, Quality and Place requires development proposals to be designed to improve the quality of an area and supports proposals where they are consistent with the six qualities of successful places; healthy, pleasant, connected, distinctive, sustainable, and adaptable. SLLDP2 Policies 5 - Development Management and Placemaking and DM1 - New Development Design state that development proposals should take account of and be integrated within the local context and built form. New development should also have no significant adverse impacts on the local community.

10.6. The proposed dwellinghouse would be effectively 1.5 stories in height, finished with a pitched roof. The overall size, scale and design would suitably integrate with the local area and the noted choices of external finishing materials are broadly acceptable, with the final details able to be controlled by the inclusion of a suitably worded condition given the setting of the proposed building. There are some more modern design elements such as the Juliet balconies to the side and rear elevations, and the large, glazed doors to the rear, but overall, the proposal is reflective of the character of the area. The proposed layout provides a suitable vehicular access and three off-street parking spaces as well as adequate garden amenity space and bin storage. The proposed layout, scale and design would also not introduce any significant amenity issues in terms of overlooking or overshadowing neighbouring properties. As such, the proposal complies with NPF4 Policy 14 and with SLLDP2 Policies 5 and DM1.

10.7. Other issues

The adjacent former bank building is a Category B-Listed Building, and there is a potential that development at this site may affect the character or setting of the Listed Building. NPF4 Policy 7 – Historic Assets and Places seeks to protect and enhance historic environment assets and places. Specifically, development proposals affecting

the setting of a Listed Building should preserve its character, and its special architectural or historic interest. SLLDP2 Policies 14 – Natural and Historic Environment and NHE3 – Listed Buildings similarly seek to protect these historic assets and require development affecting a Listed Building or its setting, as a first principle, to seek to preserve the building and its setting and any features of special architectural interest which it has.

10.8. The proposed dwellinghouse would be located within the grounds of this Listed Building and in relative proximity, however, it would be positioned towards the rear of the site. Given its proposed setting, layout, form, and the topography of the area, it would not significantly impact upon the setting or character of the Listed Building or upon any special architectural features. Sections of the existing rear boundary wall adjacent to Wellwood Road will require to be removed and lowered in height to accommodate the development, however, the partial removal of this wall will not significantly impact upon the adjacent Listed Building. As such, the proposal is considered to comply with NPF4 Policy 7 and SLLDP2 Policies 14 and NHE3.

10.9. Technical Matters

Concerns have been expressed regarding the proposed driveway location and the access, turning and parking situation in the local area. Roads and Transportation Services have offered no objections, subject to the inclusion of relevant conditions and advisory notes. The concerns about on-street parking and access are noted, but it is also noted that Wellwood Road contains a number of existing driveways, and the concerns raised already exist. The proposal contains sufficient space for sufficient off-street parking to accommodate the proposed house, and so it should not add to the demand for on-street parking. Therefore, it is considered that the additional driveway will not significantly impact upon the availability of on-street parking. Sufficient visibility at the driveway can also be conditioned to ensure that there is no significant impact upon public or road safety. On balance, the proposed additional house and associated access and parking can be adequately accommodated and is therefore acceptable in terms of the above policies.

10.10. Scottish Water raise no objection to the proposal, and the small-scale nature of the single dwellinghouse and its urban location within the settlement is not considered to give rise to any adverse environmental impacts. As such, the proposal is considered to satisfy technical matters.

10.11. A number of letters of representation refer to the potential impact of the development on property values. For clarification, the impact of a proposal on property values is not a material planning consideration and it therefore cannot be taken into consideration when determining a planning application.

## **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 details and specification 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 development shall thereafter be carried out in accordance with the approved details to the satisfaction of 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 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. The development shall thereafter be carried out in accordance with the approved details to the satisfaction of the Council as Planning Authority.

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

04. That, unless otherwise agreed in writing with the Council as Planning Authority, provision shall be made for electrical charging points within the development for motor vehicles and mobility scooters. Prior to any works commencing on site, details of the proposed arrangements shall be submitted and agreed in writing with the Council as Planning Authority.

Reason: To ensure the provision of appropriate facilities on site.

05. That before the development is completed or brought into use, all of the parking spaces shown in Drawing HHP3/A1/102 on the approved plans shall be laid out, constructed to the specification of the Council as Roads and Planning Authority.

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

06. That before the development hereby approved is completed or brought into use, the new vehicular access so far as it lies within the boundaries of the road abutting the site, shall be constructed in accordance with the specification of the Council as Roads and Planning Authority.

Reason: In the interests of traffic and public safety.

07. That before the development is completed or brought into use, the first 2m of the driveway shall be so trapped and finished in hardstanding as to prevent any surface water or deleterious material from running onto or entering the road.

Reason: In the interests of traffic safety and to prevent deleterious material entering the road.

08. That before the development hereby approved is completed or brought into use, a visibility splay of 2 metres by 20 metres measured from the road channel shall be provided to the left of vehicular access 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 to either the left or right of the vehicular access.

Reason: In the interests of traffic and public safety.

## **12 Reason for Decision**

- 12.1. The proposal raises no significant amenity, environmental or infrastructure issues, and it would have no significant adverse impact upon the setting of the adjacent Listed Building. The proposal therefore complies with Policies 1, 2, 7, 14, 15 and 16 of the National Planning Framework 4 and Policies 2, 3, 5, 9, 14, DM1 and NHE3 of the adopted South Lanarkshire Local Development Plan 2. There are no other material considerations which would justify the refusal of planning permission.

**David Booth**

**Executive Director (Community and Enterprise Resources)**

**Date: 28 August 2023**

## **Background Papers**

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

[P/23/0301 | Erection of 1.5 storey dwellinghouse with associated works | 8A Abbeygreen Lesmahagow ML11 0DB \(southlanarkshire.gov.uk\)](#)

## **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.

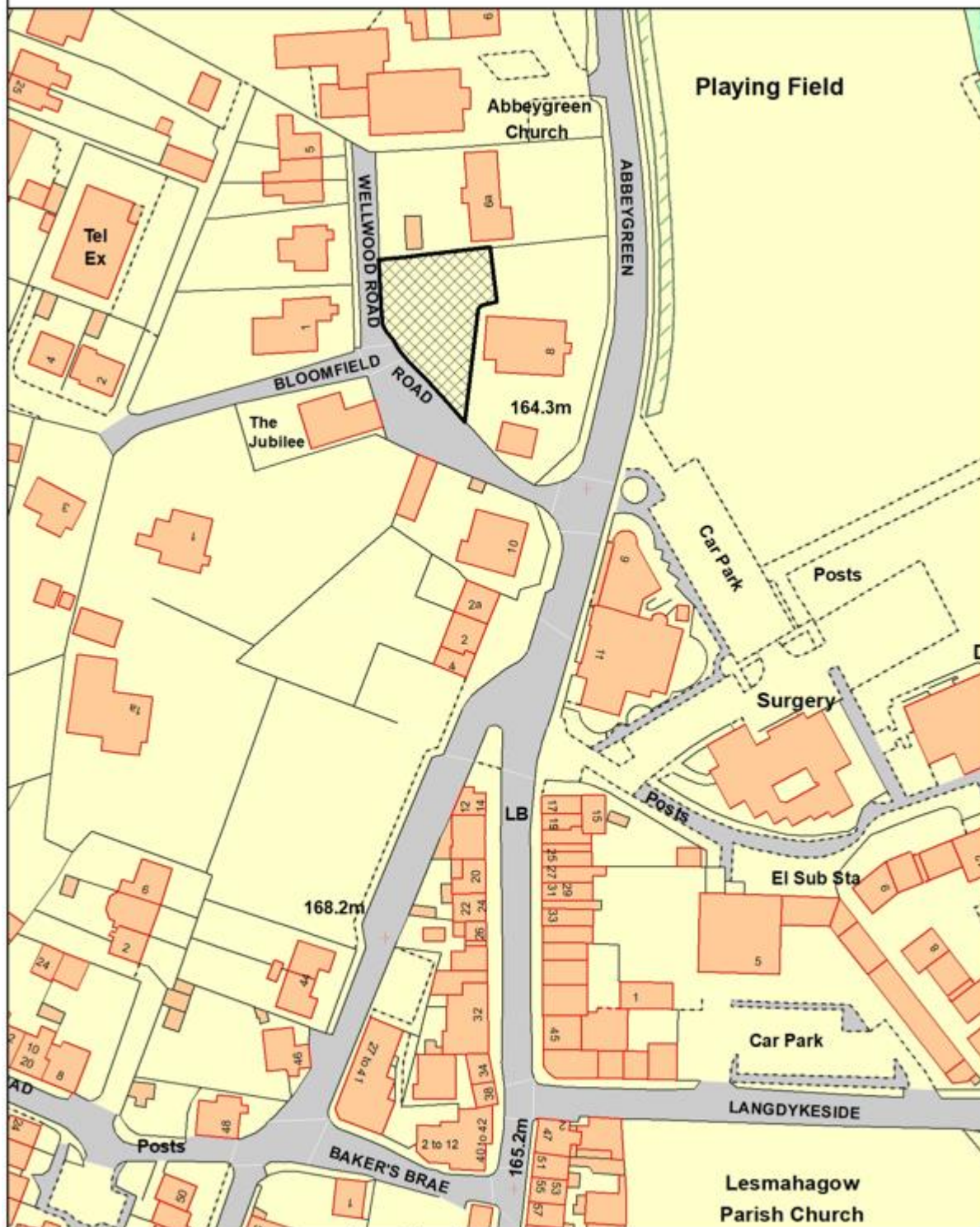
## **Contact for Further Information**

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

Tel: 01698 454867

E-mail: [planning@southlanarkshire.gov.uk](mailto:planning@southlanarkshire.gov.uk)





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Scale:  
1:1,250  
Date:  
18/07/2023



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