

Report to:	Planning Committee
Date of Meeting:	19 June 2007
Report by:	Executive Director (Enterprise Resources)

Application No	CR/06/0263
Planning Proposal:	Erection of 16 Flats with Associated Parking and Landscaping.

1 Summary Application Information

- Application Type : Detailed Planning Application
- Applicant : David McKeown
- Location : Avenue Street
Rutherglen

2 Recommendation(s)

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

- (1) Grant Detailed Planning permission (Subject to conditions – based on the conditions attached)

2.2 Other Actions/Notes: None

The Planning Committee has delegated powers to determine this application

3 Other Information

- ◆ Applicant's Agent: James Baird Associates
- ◆ Council Area/Ward: 12 Rutherglen Central & North
- ◆ Policy Reference(s): **Cambuslang/Rutherglen Local Plan**
Policy RES 9 (Residential Land Use Policy).
Policy DC1 and Policy SLP6 (Development Control General).
Finalised South Lanarkshire Local Plan (After modification)
Policy ECON 1 (Industrial Land Use).
Policy DM 1 (Development Management).

- ◆ Representation(s):
 - ▶ 0 Objection Letters
 - ▶ 0 Support Letters
 - ▶ 0 Comments Letters

◆ Consultation(s):

Environmental Services

Roads and Transportation Services (North Division)

Roads & Transportation Services H.Q. (Flooding)

Scottish Water

Planning Application Report

1 Application Site

- 1.1 On the west side of Avenue Street at the corner where it meets Riverford Road and Farme Castle Court, the application site is rectangular in shape, extends to 1865 square metres or thereby, is level and at present contains a vacant single storey portal steel frame building that has previously been used for steel fabrication or conservatory manufacturing. In this connection the building has a functional design and appearance and is set back within the site such that a service yard/external storage area exists at the front of the building beside Avenue Street and the site's vehicular access/egress.
- 1.2 Surrounding the site there are two storey cottage flats opposite on the other side of Avenue Street whilst to the north east there is a modern residential estate (Farme Castle Estate) built by Wimpey Homes in the late 1990's. To the south however there is an area of public open space with children's play area (Barnflat Street) with trees along the sites mutual boundary, the southern side of Barnflat Street having three storey tenemental properties. A small refurbished industrial estate (Baronald Street) exists to the north of the site, although this is at a lower level.

2 Proposal(s)

- 2.1 It is now proposed to demolish the existing industrial building and redevelop the site for residential purposes. In detail this will involve:
- The erection of 16 flats in two three story blocks of modern design and appearance. In this connection the largest block will be erected parallel with the sites frontage with Avenue Street and will contain 10 flats - a vehicular access pend is also proposed at the southern end of the block in order to provide access to off street parking. The other block will have six units and will be positioned at right angles to the first block with a frontage facing the 'internal' access road.
 - 32 car parking spaces with a turning area will be provided primarily adjacent to the site's western and northern boundaries.
 - A landscape 'buffer' strip will be formed at the sites western end in order to provide appropriate screening between the site and the neighbouring industrial properties.
- 2.2 When the application was first lodged 18 flats were proposed.

3 Background

3.1 Local Plan Status

The adopted Cambuslang/Rutherglen Local Plan identifies the site as being within a residential land use area. (Policy RES9). This designation however in the Finalised South Lanarkshire Local Plan (after modifications) identifies the site as being within an industrial area, Policy ECON 1 being applicable.

3.2 Relevant Government Advice/Policy

None directly applicable given the nature and location of the proposal. In general terms however, Scottish Planning Policy 1 (The Planning System) and the 1997 Planning Act advises that the determination of planning applications should be made in accordance with the provisions of the development plan unless material considerations indicate otherwise. In addition Scottish Planning Policy 3 (Planning for Housing) encourages the re-use and redevelopment of Brownfield sites for housing in preference to Greenfield and advises that densities in urban locations

close to good transport links, can, subject to appropriate design etc, be higher than normal.

3.3 **Planning History**

There have been no previous planning applications for the site within the last five years.

4 **Consultation(s)**

- 4.1 **Roads and Transportation Services** – Originally recommended that the application be refused primarily as there was insufficient parking and the proposal was deficient in a number of ways in terms of Roads Guidelines. With the submission of revised drawings however now offer no objections subject to appropriate conditions.

Response: Noted. The revised drawings which amongst other matters, reduced the number of units proposed from 18 to 16, have addressed the various roads related concerns.

- 4.2 **Roads and Transportation HQ** – Development appears to be served by a large combined sewer network with little prospect of taking surface water to a water course. In addition advise that flooding has previously occurred in the Farme Cross area.

Response: Noted. With respect to the flooding comments the level of the site in terms of the adjoining industrial estate is such that the difference in level will offer a high degree of protection. Indeed whilst flooding has previously occurred in the locality of the site there is no record of the site or immediately adjacent houses having been affected by flood water.

- 4.3 **Environmental Services** - Offer comments relative to noise associated with construction activity, site's relationship with neighbouring industrial premises, possibility of asbestos in building, and ground contamination.

Response: Where appropriate and necessary, and should the application be determined favourably, conditions can be imposed on consent that will address these aspects in a satisfactory manner.

- 4.4 **Scottish Water** - No adverse comments. Developer however should establish contact to clarify all available options.

Response: Noted. The developer has been advised accordingly.

5 **Representation(s)**

- 5.1 Statutory neighbour notification was undertaken. No third party representations have been received.

6 **Assessment and Conclusions**

- 6.1 The application site at Avenue Street has a location “at the cross road” between residential and industrial land uses and this position is reflected in both the adopted and Finalised Draft Local Plans where the site has different land use classifications – residential in the adopted Local Plan and industrial in the Finalised SLLP. Clearly this has to be considered but for the reasons advanced below, I am of the opinion that the provisions of the adopted Local Plan are of greater significance, should be afforded greater weight and that the residential status should prevail.

- 6.2 The site has a frontage with Avenue Street which is residential in character and to retain the site as industrial would result in a non conforming land use using a residential street for vehicular access etc. In this connection Avenue street provides linkages to both Riverford Road and Farme Castle Court both of which are also residential in nature. Clearly the dominant land use centred on Avenue Street is residential and this is of prime importance.
- 6.3 The industrial area to the north west is at a lower ground level such that there is no direct linkage between the sites. This level difference is significant and in my opinion this results in a robust, suitable and easily identifiable boundary between the industrial area and Avenue Street. Indeed the change of level along with the proposed landscaped strip should help provide future occupiers with an outlook and level of amenity that is commensurate with a residential environment and will prevent occupants having a direct line of sight towards the industrial units. In addition the separation distance is also advantageous towards the establishment and preservation of an acceptable residential environment.
- 6.4 The Council for a number of years has encouraged the reintroduction of housing to the Farme Cross area in order to assist the regeneration process and establish a sustainable community. In this respect consent was issued for the neighbouring Wimpey development a number of years ago and this has been a successful development, and more recently, residential consent has been issued to Barratt Homes for the erection of flats adjacent to Dalmarnock Road. This proposal will help increase the housing supply in the locality which in turn should help the vitality of the area. In addition, the loss of this site, having regard to its size and location will not have a material impact on the availability of industrial land in the Farme Cross area.
- 6.5 Having regard therefore to the terms of policy RES9 in the Adopted Local Plan the proposal relates appropriately to the surrounding area, will not impact adversely on the character and amenity of the surrounding residential properties, accommodates appropriate off street parking and will not impact adversely on the access to and from the site for vehicles or pedestrians. Consequently, I am satisfied that it satisfies the criteria set out for developments within such areas.
- 6.6 With regard to the detailed design of the proposed development, I am also satisfied that its scale, massing and proposed materials reflect and where appropriate take account of the adjacent buildings and surrounding streetscape. Consequently the proposal also accords with the guidance set out in policies DC1 and SLP6 of the approved Local Plan.
- 6.7 The proposal complies fully with the provisions of the adopted Cambuslang/Rutherglen Local Plan and all other material considerations, including the observations of the various consultees, are favourable. The absence of third party representations whilst not conclusive, also suggests a qualified acceptance of the proposal by those nearest the site.
- 6.8 Overall I am of the view that the issue of consent, with appropriate conditions to address the issues raised by the consultees, is fully justified and appropriate given all material planning considerations. Accordingly I would recommend that consent subject to the recommended conditions be issued.

7 Reasons for Decision

- 7.1 The proposal complies with policy RES9 of the adopted Local Plan and accords with the terms of policies DC1 and SLP6 in the Local Plan.

Iain Urquhart
Executive Director (Enterprise Resources)

12 June 2007

Previous References

- ◆ None

List of Background Papers

- ▶ Application Form
 - ▶ Application Plans
 - ▶ Neighbour notification certificate dated 4th August 2006
 - ▶ Cambuslang/Rutherglen Local Plan 2002
 - ▶ South Lanarkshire Local Plan (Finalised Draft) 2006 (with Modifications)
 - ▶ Fax dated 5th September 2006 to agent
 - ▶ Letter dated 14th December 2006 from agent
 - ▶ E-mail dated 15th February 2007 to agent
 - ▶ Letter dated 2nd March 2007 from agent
 - ▶ Memo dated 7th March 2007 to Divisional Engineer, Roads and Transportation Services.
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- ▶ Consultations
- | | |
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| Roads & Transportation Services H.Q. (Flooding) | 11/09/2006 |
| Scottish Water | 25/08/06 |
| Roads and Transportation Services (North Division) | 30/03/2007 |
| Environmental Services | 15/08/06 |

Contact for Further Information

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

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CONDITIONS

- 1 That the development hereby permitted shall be started within five years of the date of this permission.
- 2 That the development shall be carried out strictly in accordance with the plans hereby approved and no change to the design or external finishes shall take place without the prior written approval of the Council as Planning Authority.
- 3 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.
- 4 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 requirements.
- 5 That development shall not commence until a noise report examining the design of the building in relation to adjoining land uses has been submitted to and approved by the Council as Planning Authority. This report if necessary shall identify any measures required to ensure that there is minimal noise impact on future residents given the close proximity of the site to non residential land uses and any measures identified by the said report shall be implemented prior to the development being occupied and shall thereafter be retained in accordance with the approved scheme to the satisfaction of the Council as Planning Authority.
- 6 That before the development starts, a report from a professionally qualified source describing the soil and ground conditions prevailing over the application site (including details of the nature, concentration and distribution of any contaminants), shall be submitted to and approved by the Council as Planning Authority and the development shall not be commenced until such action as is recommended by this report to remove or render harmless any such contaminants, has been implemented and completed to the full specification and entire satisfaction of the Council. The developer shall give the Council at least 7 working days notice in writing prior to the commencement of any decontamination works on the site.
- 7 That prior to the demolition of the existing building within the site a report from a professionally qualified detailing the possible nature, concentration and distribution of any asbestos within the building shall be submitted to and approved by the Council as Planning Authority and demolition shall not commence until such action as is recommended by this report to remove or render harmless any such asbestos, has been implemented and completed to the full specification and entire satisfaction of the Council. The developer shall give the Council at least 7 working days notice in writing prior to the commencement of any asbestos removal work at the site.

- 8 Prior to development commencing on site, a scheme of dust suppression shall be submitted to and approved in writing by the Council as Planning Authority. The scheme shall thereafter be implemented in accordance with a programme to be agreed in writing with the Council as Planning Authority.
- 9 That before the development hereby approved is completed or brought into use, a visibility splay of 2.5 metres by 35 metres measured from the road channel shall be provided on both sides of the vehicular access and everything exceeding 1.05 metres in height above the road channel level shall be removed from the sight line areas and thereafter nothing exceeding 1.05 metres in height shall be planted, placed or erected within these sight lines.
- 10 The surface of vehicular access shall be so trapped and finished in hardstanding as to prevent any surface water or deleterious material from running onto or entering the public highway.

REASONS

- 1 To accord with the provisions of the Town and Country Planning (Scotland) Act 1997.
- 2 In the interests of amenity and in order to retain effective planning control.
- 3 In the interests of amenity and in order to retain effective planning control.
- 4 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.
- 5 To minimise noise disturbance to adjacent occupants.
- 6 To ensure the site is free of contamination and suitable for development.
- 7 To ensure the building is free of asbestos.
- 8 To minimise the risk of nuisance from dust to nearby occupants.
- 9 In the interest of road safety
- 10 In the interest of public safety

For information only

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