

	<h1>Report</h1>	<b>Agenda Item</b>  <h1>6</h1>
---	-----------------	--------------------------------------

Report to:	<b>Planning Committee</b>
Date of Meeting:	<b>10 March 2009</b>
Report by:	<b>Executive Director (Enterprise Resources)</b>

Application No	EK/08/0487
Planning Proposal:	Erection of four dwellinghouses

## 1 Summary Application Information

- Application Type : Detailed Planning Application
- Applicant : Admiral Homes (Scotland) Ltd
- Location : Vacant land at Whitemoss Grove  
East Kilbride  
G74 3ED

## 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 attached conditions)

### 2.2 Other Actions/Notes

The Planning Committee has delegated powers to determine this application

## 3 Other Information

- ◆ Applicant's Agent: DTA Chartered Architects
- ◆ Council Area/Ward: 08 East Kilbride Central North
- ◆ Policy Reference(s): **East Kilbride and District Local Plan (adopted 2003)**  
Policies DC1 and SLP6 – Development Control General, Policy RES5 – Residential Amenity  
  
**Finalised South Lanarkshire Local Plan (as modified)**  
Policy RES6 – Residential Land Use Policy, ENV11 – Design Quality, ENV29 – New Development Design, ENV30 – New Housing Development, DM1 – Development Management, DM5 – Sub-Division of Garden Ground

◆ Representation(s):

▶	0	Objection Letters
▶	0	Support Letters
▶	0	Comments Letters

◆ Consultation(s):

Environmental Services

Calderwood Community Council

Leisure Services (Arboriculture)

Roads & Transportation Services H.Q. (Flooding)

Scottish Water

Power Systems

British Telecom

S.E.P.A. (West Region)

TRANSCO (Plant Location)

Enterprise Resources - Estates

Roads and Transportation Services (East Kilbride)

## **Planning Application Report**

### **1 Application Site**

- 1.1 The application site relates to the garden curtilage of Whitemoss House and extends to 0.28 hectares. The site is within the residential area of East Kilbride and is located on land between Whitemoss Grove and the Kingsway. The access to the site is from Whitemoss Grove, which is a single lane, private road connected to Maxwellton Avenue to the north. To the south, Whitemoss Grove forms the access route to the nearby leisure facilities (bowling club, pavilion, tennis court etc.) and the John Wright Leisure Centre and associated facilities to the east. There are a number of ornamental, garden trees within the site and also existing hedges and trees on the site boundaries to the east and north.

### **2 Proposal(s)**

- 2.1 It is proposed to erect four dwellings within the grounds of Whitemoss House, three to the north and one to south of the existing dwelling. Three house types are proposed, all of which are two-storey with integral double garages and hipped roofs. House type A has a floor space of approximately 320 square metres, house type B approximately 350 square metres and house type C approximately 300 square metres (all including integral garages). All four houses are to have direct vehicle access to Whitemoss Grove. Proposed materials are render, precast features, concrete tiles, upvc windows and 1.8 metre high timber fencing.

### **3 Background**

#### **3.1 Local Plan Status**

The application site is within a residential area, as defined in the East Kilbride and District Local Plan (adopted plan) and Finalised South Lanarkshire Local Plan (finalised plan), therefore policies RES5 and RES6 apply respectively. The principle of a residential development is therefore acceptable, subject to an assessment of design, amenity and road safety. Policies DC1 and SLP6 of the adopted plan and policies ENV11, ENV29, ENV30, DM1 and DM5 of the finalised plan all relate to detailed design, amenity and road safety matters.

#### **Planning history**

- 3.2 EK/06/0209 – Erection of dwellinghouse (refused 5/7/06). EK/07/0372 - Erection of dwellinghouse and garage (withdrawn 11/2/07).

### **4 Consultation(s)**

- 4.1 **SLC Environmental Services** – have raised no objections, subject to the imposition of conditions and informatives.

**Response:** Noted, appropriate conditions can be imposed on any consent issued.

- 4.2 **Calderwood Community Council** – have not commented to date.

**Response:** Noted

- 4.3 **Leisure Services (Arboriculture)** – have not commented to date.

**Response:** Noted

- 4.4 **Roads & Transportation Services H.Q. (Flooding)** – have no objections subject to the imposition of conditions.

**Response:** Noted, appropriate conditions can be imposed to any consent issued.

- 4.5 **Scottish Water** – have no objections.

**Response:** Noted.

- 4.6 **Power Systems** – have no objections.  
**Response:** Noted.
- 4.7 **British Telecom** – have no objections.  
**Response:** Noted.
- 4.8 **S.E.P.A. (West Region)** – have no objections.  
**Response:** Noted.
- 4.9 **TRANSCO (Plant Location)** – have no objections.  
**Response:** Noted.
- 4.10 **Enterprise Resources – Estates** – have no objections.  
**Response:** Noted.
- 4.11 **Roads and Transportation Services (East Kilbride)** – have no objections subject to conditions relating to the upgrade of the access road.  
**Response:** The improvements sought would require land outwith the applicant's control and it would therefore be unrealistic to attach the suggested conditions to any consent granted. Given that this private road already serves two existing houses and the leisure facilities to the south, it is considered that it would be unreasonable to refuse the application on this basis alone when it meets all of the relevant planning policies.

## **5 Representation(s)**

Following statutory neighbour notification, no letters of representation have been received.

## **6 Assessment and Conclusions**

- 6.1 The determining issues in consideration of this application are its compliance with development plan policy and any other material considerations.
- 6.2 Policy SLP6 of the adopted East Kilbride and District Local Plan states, in respect of sub-division of garden ground, that there will be a general presumption against the development of a new house (or houses) within the curtilage of an existing house unless all of the following criteria can be met:
- a) The proposed house plot(s) and that remaining to the existing house are comparable with those nearby in terms of size, shape and amenity (i.e. the proposal accords with the established pa
  - b) The proposed house will have a proper road frontage of comparable size with those of surrounding curtilages.
  - c) The proposed vehicular access is of an adequate standard and will not have adverse implications for traffic safety or amenity (in terms of potential noise or privacy problems)
  - d) The proposed development will not cause an unacceptable reduction in privacy to existing houses and will, itself, enjoy a degree of privacy comparable with surrounding dwellings.
  - e) All existing features such as trees, hedges walls, fences and buildings that contribute to the character of the area will be retained and not adversely affected by the development.
  - f) Adequate parking for both the proposed and existing house must be provided within the site and must not be harmful to the established character and amenity of the area.
  - g) The proposed house must be of a scale and massing sympathetic to the

character and pattern of the development in the area and must not result in a development that appears cramped, squeezed in or visually intrusive.

- h) The proposal must not jeopardise or be prejudicial to any further desirable development in the vicinity.

6.3 Similarly Policy DM5 of the Finalised South Lanarkshire Local Plan lists 11 criteria to be met in relation to this type of development, including those outlined above. The three additional criteria are as follows:

- The garden space allocated to the proposed house(s) and remaining for the existing house should be sufficient for the recreational, amenity and drying needs of the occupants.
- The proposed development will not overshadow adjacent properties to a degree which results in a loss of amenity or itself be adversely affected by overshadowing.
- The proposal will not result in an adverse effect on built heritage and/or nature conservation interests.

6.4 Policies ENV11, ENV29, ENV30 and DM1 of the Finalised Plan set out general criteria to be met in relation to design, amenity and safety matters.

6.5 In design terms, it is considered that the application site can accommodate four dwellings of the size proposed, without adversely affecting the visual amenity of the local area. The application site lies adjacent to an area of woodland, a leisure centre and a busy, main road therefore there is no easily definable visual character to the area. Furthermore, the nearby houses vary in style and size. The existing Whitemoss House is a large, traditional, detached dwelling and the proposed properties are similar in size, style, footprint and materials. The spacing between the dwellings and their position relative to the road is also considered to be acceptable and in compliance with the Council's Residential Development Guide. The proposed properties would also be fairly well screened by existing trees on the periphery of the site to the west and north.

6.6 In relation to residential amenity, each dwelling, including the existing house, will have sufficient, private garden ground commensurate with the size of the dwelling and in compliance the Council's Residential Development Guide. All dwellings have a rear garden depth of over ten metres. In respect of privacy, a first floor, east facing window of plot no.4 does is located approximately 17 metres from Whitemoss Cottage. I am satisfied, however that no loss of amenity will occur, given the oblique angle involved and the position of the existing boundary fence to the front of Whitemoss Cottage. I am also satisfied that that no overshadowing will occur to the detriment of amenity. With regard to road safety, all dwellings will have a direct vehicle access to Whitemoss Grove and off-street parking provision, including turning space and is considered acceptable. It is further considered that there will be sufficient visibility for vehicles exiting each plot, due to the relatively low speed of vehicles travelling on Whitemoss Grove and the low levels of traffic that use this route.

6.8 In summary, the proposed development is considered acceptable in terms of potential impacts on visual amenity, residential amenity and road safety. Furthermore no objections or adverse comments have been received from local residents. The proposal therefore complies with the relative policies outlined above and it is recommended that planning permission be granted.

## **7 Reasons for Decision**

- 7.1 The proposed residential development is considered acceptable and will have no adverse impact on visual amenity, residential amenity or road safety. The proposal therefore complies with policies DC1, SLP6 and RES5 of the East Kilbride and District Local Plan (adopted 2003) and policies RES6, ENV11, ENV29, ENV30, DM1 and DM5 of the Finalised South Lanarkshire Local Plan (as modified).

**Iain Urquhart**  
**Executive Director (Enterprise Resources)**

**3 March 2009**

### **Previous References**

- ◆ Planning Application EK/06/0209 – Erection of dwellinghouse
- ◆ Planning Application EK/07/0372 – Erection of dwellinghouse and garage

### **List of Background Papers**

- ▶ Application Form
- ▶ Application Plans
- ▶ Consultations
  - TRANSCO (Plant Location) 03/11/2008
  - Roads and Transportation Services (East Kilbride) 27/2/2009
  - Scottish Water 31/10/2008
  - Power Systems 12/11/2008
  - Roads & Transportation Services H.Q. (Flooding) 11/11/2008
  - Environmental Services 14/11/2008
  - British Telecom 10/11/2008
  - Enterprise Resources - Estates 07/11/2008
  - S.E.P.A. (West Region) 08/12/2008
- ▶ Representations
  - None

### **Contact for Further Information**

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

Alan Pepler, Planning Officer, Civic Centre  
Ext. 6652 (Tel :01355 806652 )  
E-mail: [Enterprise.ek@southlanarkshire.gov.uk](mailto:Enterprise.ek@southlanarkshire.gov.uk)

**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 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.
- 5 That before any of the dwellinghouses situated on the site upon which a fence is to be erected is occupied, the fence or wall for which the permission of the Council as Planning Authority has been obtained under the terms of Condition 4 above, shall be erected and thereafter maintained to the satisfaction of the Council.
- 6 That before any work commences on the site, a scheme of landscaping shall be submitted to the Council as Planning Authority for written approval and it shall include:(a) an indication of all existing trees and hedgerows plus details of those to be retained and measures for their protection in the course of development; (b) details and specification of all trees, shrubs, grass mix, etc.; (c) details of any top-soiling or other treatment to the ground; (d) sections and other necessary details of any mounding, earthworks and hard landscaping; (e) proposals for the initial and future maintenance of the landscaped areas; (f) details of the phasing of these works; and no work shall be undertaken on the site until approval has been given to these details.
- 7 That the approved landscaping scheme shall be completed to the satisfaction of the Council as Planning Authority during the first available planting season following occupation of the building(s) or completion of the development hereby approved, whichever is the sooner, and shall thereafter be maintained and replaced where necessary to the satisfaction of the Council.
- 8 That the proposed development shall not commence on site without written approval from Scottish Water stating that all sewers for the development have been designed in accordance with Scottish Water standards/criteria.
- 9 That the development shall not commence on site without written approval from the Scottish Environmental Protection Agency (SEPA) stating that their requirements have been met if there is discharge of surface water planned directly from the site to a watercourse. If the discharge is to a Scottish Water foul or surface drain the proposals should be to Scottish Water's requirements.

- 10 The applicant shall ensure that an adequate surface water drainage system is installed within the development site without detriment to properties, within or outwith the development site and shall take account of additional surface water run-off from adjacent higher ground. Surface water from the site must be treated in accordance with the principles of the SUDS Manual (C697) which was published by CIRIA in march 2007.
- 11 Prior to the commencement of development on site, an energy statement which demonstrates that on-site zero and low carbon energy technologies contribute at least an extra 15% 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 15% 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.
- 12 The approved on-site zero and low carbon energy technologies shall be fully installed and operational prior to the occupation of any approved buildings and shall thereafter be maintained and shall remain fully operational in accordance with the approved maintenance programme, unless otherwise agreed in writing by the Council as Planning Authority.
- 13 That prior to the commencement of development on site a report addressing the issue of noise shall be compiled by a competent person assessing the suitability of the site for residential development and submitted to the Planning Authority for approval. The report must include information relating to any noise insulation proposals required to reduce noise affecting both the internal and external environments of the proposed development and where appropriate, should include reference to PAN 56.
- 14 That no trees within the application site shall be lopped, topped, pollarded or felled, and no shrubs or hedges shall be removed from the application site without the prior written consent of the Council as Planning Authority.
- 15 That the existing trees to be retained must be protected in accordance with methods as set out in BS5837/2005 during and until completion of all site operations and building works.

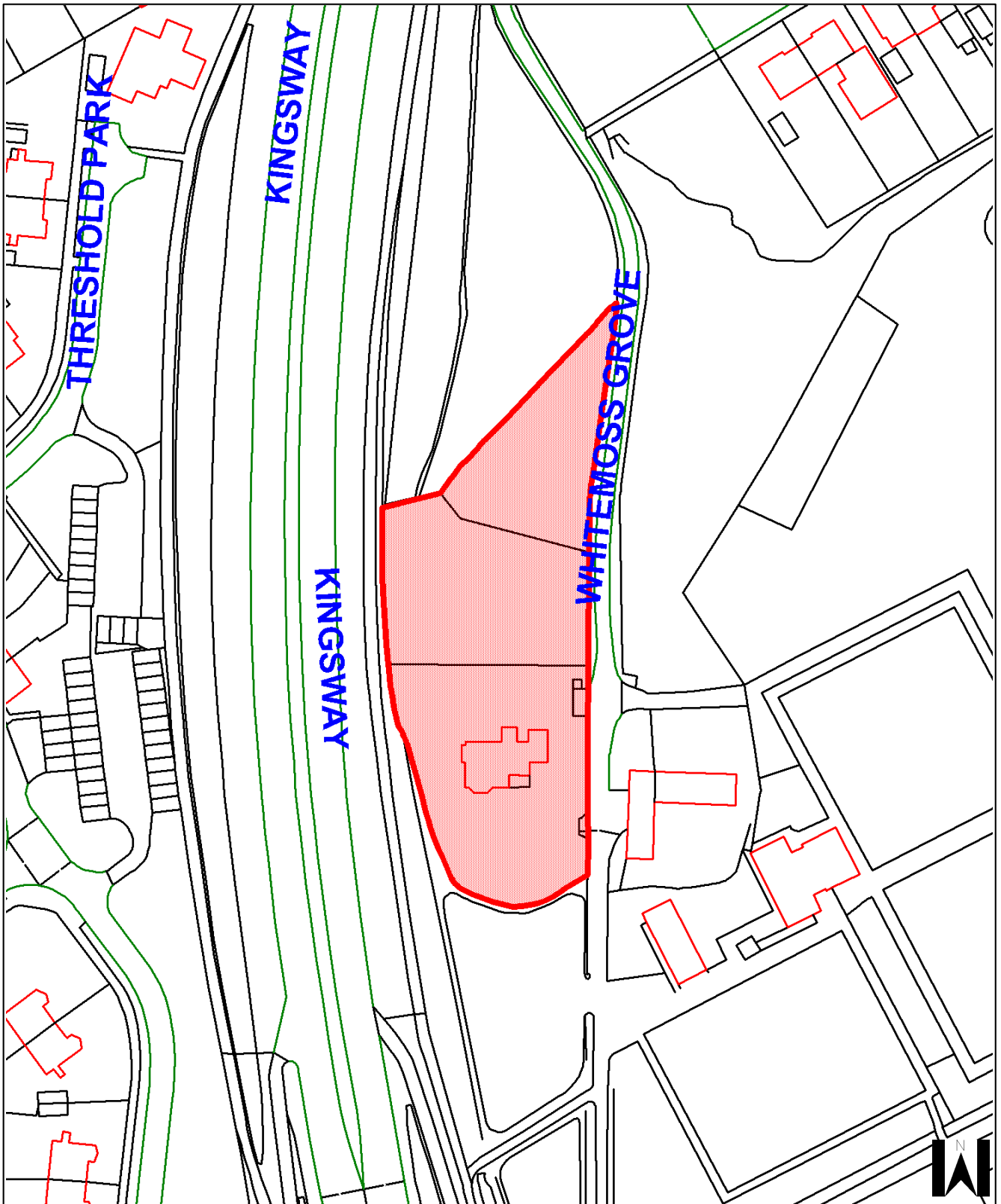


## REASONS

- 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 These details have not been submitted or approved.
- 5 In order to retain effective planning control
- 6 In the interests of the visual amenity of the area.
- 7 In the interests of amenity.
- 8 To demonstrate that a satisfactory means of waste and surface water drainage can be achieved.
- 9 To demonstrate that a satisfactory means of waste and surface water drainage can be achieved.
- 10 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.
- 11 To secure a reduction in carbon dioxide emissions.
- 12 To secure the timeous implementation of on-site zero and low carbon energy technologies.
- 13 To ensure that the future occupiers are not subject to noise disturbance.
- 14 To ensure the protection and maintenance of the existing trees and other landscape features within the site.
- 15 To ensure that adequate steps are taken to protect existing trees on the site throughout the period of the proposed building operations.

For information only

For information only



This map is based upon Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office.  
© Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.  
South Lanarkshire Council, Licence number 100 020730. 2005