

Report

Report to:	Planning Committee
Date of Meeting:	12 July 2005
Report by:	Executive Director (Enterprise Resources)

Application No	CR/04/0113
Planning Proposal:	Erection of Extension and Conversion of Nursing Home to Form 8 Flats, Erection of 9 Detached Dwellinghouses, Formation of Parking Areas and Associated Alterations

1 Summary Application Information

- Application Type : Detailed Planning Application
- Applicant : Balvaird Homes Ltd
- Location : Cathkin House
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 Conditions Listed)

2.2 Other Actions/Notes

The Committee has the delegated powers to determine this application.

3 Other Information

- ◆ Applicant's Agent: Wilson Design Associates
- ◆ Council Area/Ward: 65 Fernhill
- ◆ Policy Reference(s): Cambuslang/Rutherglen Local Plan 2002
Policy RES9 – Residential Land Use
Policy SLP6 – Development Control General;
Policy ENV8 – Management of Natural and Built Heritage
ENV1 – Tree Protection and Management

- ◆ Representation(s):
 - ▶ 1 Objection Letter

◆ Consultation(s):

Environmental Services

Roads and Transportation Services (North Division)

Leisure Services (Arboriculture)

Rutherglen Community Council

Coal Authority Mining Reports Office

Planning Application Report

1 Application Site

- 1.1 Close to the southern edge of Cathkin Rutherglen, surrounded by housing on all sides, the application site extends to 1.66 hectares or thereby, and contains, centrally positioned within the site, Cathkin House, a Category B Listed Building which is presently used as a nursing home for the elderly. The house itself was originally built in 1799, and since then has been the subject of a number of extensions. Nevertheless, it is of classical design and appearance, principally 2 storeys with a slate pitched roof, and due to it being built on a slope, it has a full basement storey at the rear (north elevation).
- 1.2 The site itself is not level there being a large lawn area to the front of the house which is relatively level whilst the rear (north half of site) is downward sloping, in some areas quite steep. This northern half is unmaintained/overgrown grassland, which throughout has a number of mature trees.
- 1.3 Vehicular access to the site is from the eastern end of Menteith Drive, part of a late 1980's built housing estate. This vehicular access leads to a large tarmacadam forecourt in front of the house, from which there is a "service" track which runs around the property. This service track also provides vehicular access to a neighbouring house immediately to the north west of the site.
- 1.4 Surrounding the site, there is a modern residential development to the east which has been completed within the last three years (consent 99/0217), whilst to the south and west there are modern houses approximately 20 years old. To the north however, there is the 1950's/1960's Cathkin housing development where a number of properties have recently been demolished as part of the "Cathkin Ahead" regeneration programme. These houses sit at a level much lower than Cathkin House such that the Listed Building has commanding views over the Glasgow Conurbation.
- 1.5 The use of Cathkin House as a nursing home has resulted in many modern internal alterations/conversions presumably prior to the property being listed for its architectural merit in 1971. As a result, the interior character in many places has been compromised.
- 1.6 The trees within the site are protected by a Tree Preservation Order. Prior to the erection of the housing development to the east of the site, a private driveway linked the site with Cathkin Road although due to its condition it was only used by pedestrian traffic.

2 Proposal(s)

- 2.1 It is now proposed to extend Cathkin House and convert it to 8 flats, along with the erection of 9 detached dwellinghouses in the northern and eastern sections of the site. In detail the conversion and extension to Cathkin House will involve:
 - ◆ The erection of an extension at the western side of the house. This extension, in relative terms, is small, and will result in a garden flat, with attic accommodation (a small traditionally designed dormer) being provided. This "one and a half" storey extension will be at basement level, will be finished with a slate roof, timber sash and case windows and have a wet dash render. Other traditional materials

will be used e.g. zinc ridging, cast iron gutters/downpipes, and due to its basement level, it will be barely visible from the front of the property.

- ◆ The erection of a slate covered roof over an existing flat roofed part of the house.
- ◆ The replacement on an external “like for like” basis of the existing pitched roof (the applicant has submitted a report from a rot specialist confirming that the roof structure is seriously affected by rot and infestation by the furniture beetle.) New dormer windows, similar in appearance to existing ones, are also proposed for the new roof, four in the rear and an additional two at the front.
- ◆ External alterations including new window openings, doors, stonework repairs etc. and at the rear of the proposed garden flat extension, the regrading of the existing ground level.
- ◆ Significant internal alterations – removal of timber stud partitions, formation of new door openings etc. whilst retaining, in their original form, the principal rooms and staircase. In addition, confirmation has also been received that all cornicing, paneled doors, skirting and other original features will be restored/retained.

- 2.2 In addition to the above, the whole house will be rewired and replumbed, new high performance sash and case timber windows will be installed, structural repairs will be undertaken, damp proof courses inserted etc., all of which will comply with the current technical standards of the Building (Scotland) Regulations.
- 2.3 With regards to the proposed residential development within the grounds of the house, this will consist of nine detached two storey villas (5 different house types with 3 or 4 bedrooms) of traditional style/appearance. In this respect, the houses will have slate roofs, rendered walls with stone features, and they have been positioned within the site in order that their impact on the setting of Cathkin House is minimized (at the rear and side furthest away from the vehicular entrance) whilst taking account of the existing mature trees and the site’s topography. A limited number of trees, mainly small/young ones will be affected.
- 2.4 The existing access to the site from Menteith Drive will be retained. The internal access arrangements however will be revised, with a properly engineered road, with footpaths and traffic calming, being provided around Cathkin House whilst retaining access to the neighbouring property. In terms of parking, each house will have off street parking whilst communal parking (16 spaces) for the flats will be provided at the front of the listed building.
- 2.5 In support of the proposal the applicant has advised that he has undertaken successfully a similar development to another Listed Building in a neighbouring Local Authority. In addition further supporting information, including the timber report referred to earlier and cost appraisals from the developers Quantity Surveyor have been lodged to demonstrate and justify the development as proposed.
- 2.6 During the processing of this application, the number of proposed flats within Cathkin House has been reduced from 16 to 8 with subsequent design and layout changes.
- 2.7 An application for listed building consent (CR/04/0114) in respect of the proposed alterations to Cathkin House and the impact on its setting has also been lodged and is considered in a further report to Committee.

3 Background

3.1 Local Plan Status

- 3.1.1 The application site is within a Residential Land Use Area in terms of the adopted Cambuslang/Rutherglen Local Plan 2002, the applicable Policy being RES9. In addition, Policy SLP6 – Development Control General; Policy ENV8 – Management of Natural and Built Heritage and ENV1 – Tree Protection and Management are appropriate.
- 3.2 Relevant Government Advice/Policy: Scottish Planning Policy 3 – “Planning for Housing” encourages the reuse of buildings for residential purpose as well as promoting residential development within the urban area in order to relieve development pressure at the urban edge/greenbelt.
- 3.3 There have been no previous planning applications within the last five years.

4 Consultation(s)

- 4.1 **South Lanarkshire Council Roads and Transportation Services** - Originally identified a number of deficiencies from a roads perspective, ie insufficient car parking etc. and recommended that the determination of the application be delayed in order that the various aspects could be addressed. In principal however, no objections.

Response: A copy of the Roads Departments observations were forwarded to the applicants agent and satisfactory revised drawings have been lodged. In addition Roads Construction consent will be required.

- 4.2 **South Lanarkshire Council Community Resources; Environmental Services** - No objections, subject to standard advice regarding hours of construction, demolition operations and the submission of an appropriate Site Investigation Report.

Response: A condition regarding the requirement for a Site Investigation Report can be imposed should consent be issued. In addition, the advisory comments will be brought to the applicants attention.

- 4.3 **Coal Authority** - Due to change in policy and procedure, did not provide specific advice regarding the proposal/site, offering generalized comments only.

Response: Noted. The applicant will be made aware of the general advice provided.

- 4.4 **Rutherglen Community Council** - Application has been observed and approved by Community Council.

Response: Noted.

- 4.5 Overall, none of the Consultees have generated comments which in planning terms could justify the withholding of consent.

5 Representation(s)

- 5.1 Statutory neighbour notification undertaken. In addition, given the listed status of Cathkin House, the application, along with the associated Listed Building submission (CR/04/0114) was advertised in the local newspaper (Reformer), the Edinburgh Gazette and a site notice displayed. Following this publicity, one letter has been received, acknowledging no objection in principle to the development, but expressing the following:

(a) Potential damage to existing roads due to heavy traffic associated with the development.

Response: Although the access road to the site (Menteith Drive) is residential in nature it is a public road and therefore any vehicle can use this carriageway. In addition, the road has been constructed to an appropriate standard which should be able to accommodate all types of traffic, including vehicles associated with the proposed development.

(b) Possible damage to houses from traffic.

Response: Should any damage occur, and I consider it unlikely, this would be a private matter between the parties involved.

(c) Request an extension to the existing 20 mph speed restriction beside Cathkin Primary School.

Response: The existing 20 mph speed restriction is there to slow vehicle speeds on the approach to the school given the likelihood of children being present. Unfortunately this cannot be extended to include surrounding residential streets.

6 Assessment and Conclusions

- 6.1 Cathkin House is an imposing property, formerly a Country House, which is worthy of its status as a 'B Listed Building'. Its setting however has over many years been eroded and it is now part of the urban environment.
- 6.2 The future of the property is, at present, uncertain. It is not in prime condition and due to forthcoming changes associated with its current use as a nursing home, it is due to be vacated in the near future. This uncertain future is not ideal and will undoubtedly present a significant risk to its long term status unless an appropriate form of redevelopment can be secured..
- 6.3 From a planning point of view, the main criteria in the assessment of the application is the proposals compliance with the provisions of the Local Plan and its related policies. More specifically it is necessary to establish whether the principle of the proposal is acceptable in land use terms and whether the detail of the proposal is acceptable – all aspects relating to the status of the house as a Listed Building and its setting are considered in report CR/04/0114.
- 6.4 In Local Plan terms the site is within an established residential area, Policy RES9 being applicable. In land use and policy terms therefore, the principle of further residential development is not contentious. It is therefore the other related detailed considerations/aspects associated with the proposal that will be the prime determining factors in the assessment of this application.

- 6.5 The conversion of the nursing home to eight flats is acceptable in land use terms. The means of access, parking etc. complies with Council requirements and there will be no adverse impact on neighbouring properties. Indeed, the use of Cathkin House as a nursing home is residential in nature and therefore is not surprising that its conversion to main stream/general needs housing is not contentious.
- 6.6 The proposed house plots, given the spacious ground associated with the Cathkin House are significant in size. As a result, the plots do generously comply with the standards required in the Council's Residential Development Guide. Again, the impact of the proposed houses will be within acceptable limits.
- 6.7 The proposed houses will have a limited impact on the existing trees that are protected by a Tree Preservation Order (this is similar to the adjoining housing development that was completed a few years ago). The trees affected however are not significant or mature, and with appropriate replanting and management brought about by the development, the long term future of the trees should be enhanced.
- 6.8 Overall, from a planning perspective, the proposal does not generate any adverse conditions prejudicial to the favourable assessment and determination of the application. It is therefore recommended that consent, subject to appropriate conditions be issued.

Iain Urquhart
Executive Director (Enterprise Resources)

4 July 2005

Previous References

- ◆ None

List of Background Papers

- ▶ Application Form
- ▶ Application Plans
- ▶ Neighbour notification certificate dated 10th April 2004
- ▶ Cambuslang/Rutherglen Local Plan 2002
- ▶ Scottish Planning Policy 3 "Planning for Housing"
- ▶ Letter dated 15th June 2004 to Mr W Gordon, Secretary, Menteith Residents Association
- ▶ Letters dated 24th June, 16th November, 5th December 2004 , 25th February and 24th May 2005 from Wilson Design Associates
- ▶ Letters dated 15th November, 19th November 2004 to Wilson Design Associates.
- ▶ Application CR/04/0114
- ▶ South Lanarkshire Council, "residential Development Guide"
- ▶ Consultations
 - Rutherglen Community Council 18/05/04
 - Roads and Transportation Services (North Division) 16/06/04

► Representations

Representation from : Mentieth Residents Association, 30 Menteith Place
Rutherglen, G73 5RQ, DATED 10/06/04

Contact for Further Information

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

Steven Clark, Planning Officer, Royal Burgh House, 380 King Street, Rutherglen

Ext: 5140 (Tel : 0141 613 5140)

E-mail: Enterprise.cam-ruth@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 no dwellinghouse shall be occupied until the access roads and footpaths leading thereto from the existing public road have been constructed in accordance with the specification of and to the satisfaction of the Council as Roads and Planning Authority.
- 5 That before the development hereby approved is completed or brought into use, the entire access road and footpath network serving the development shall be laid out and constructed in accordance with the specification of and to the satisfaction of the Council as Roads and Planning Authority.
- 6 That before development starts, details of the surface finishes to parking bays, parking courts and curtilage parking areas shall be submitted to and approved by the Council as Planning Authority.
- 7 That before the development hereby approved is completed or brought into use, all of the parking spaces shown on the approved plans shall be laid out and constructed to the satisfaction of the the Council as Roads and Planning Authority and thereafter shall be maintained to the entire satisfaction of the Council.
- 8 That none of the garage driveways shall have a gradient in excess of 1:10.
- 9 That notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992, a change of use of any garage (whether integral or detached) to living accommodation associated with the dwellinghouse on the plot shall be subject to a further planning application to the Council as Planning Authority.
- 10 That the use of the garages hereby permitted shall be restricted to private use incidental to the enjoyment of the dwellinghouse on the site and no commercial activity shall be carried out in or from the garage.

- 11 That no trees on the site shall be lopped, topped or felled without the prior written consent of the Council as Planning Authority and that two copies of a plan shall be submitted to the Council indicating the existing trees on the site, including a note of height, species, base level and extent of canopy or branch spread, those to be retained and any proposed planting of trees and that no work on the site shall be commenced until the permission of the Council has been granted for these proposals or such other proposals as may be acceptable.
- 12 That all trees to be retained within the site shall be fully protected during the period of construction and prior to any work commencing on the site, written details specifying the nature of such measures shall be submitted to and approved by the Council as Planning Authority.
- 13 That the existing trees to be retained must be protected in accordance with methods as set out in BS5837/1991 during and until completion of all site operations and building works.
- 14 That proposals for the maintenance of all areas of open space within the development shall be submitted to the Council as Planning Authority and no work on the site shall be commenced until the permission of the Council has been granted for these proposals or such other proposals as may be acceptable.
- 15 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.
- 16 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.
- 17 That prior to any work commencing on the site, a maintenance management schedule for the landscaping scheme approved under the terms of Condition 15 above shall be submitted to and approved by the Council as Planning Authority. Thereafter, the landscaping shall be maintained in accordance with the approved management schedule to the satisfaction of the Council.
- 18 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.
- 19 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 18 above, shall be erected and thereafter maintained to the satisfaction of the Council.

- 20 That no development shall commence on site until the applicant provides written confirmation from Scottish Water to the Council as Planning Authority that the site can be satisfactorily served by a sewerage scheme.
- 21 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.
- 22 That before the development starts, a Phase 1 or desk study report from a professionally qualified source examining the soil and ground conditions prevailing over the application site (including details of the nature, concentration and distribution of potential contaminants), shall be submitted to and approved by the Council as Planning Authority and the development shall not be commenced until any further action as identified by this report has been implemented and completed to the full specification and entire satisfaction of the Council.

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 satisfactory vehicular and pedestrian access facilities to the dwellings
- 5 To ensure satisfactory vehicular and pedestrian access facilities to the site.
- 6 These details have not been submitted or approved.
- 7 To ensure the provision of adequate parking facilities within the site.
- 8 In the interest of public safety
- 9 In order to retain effective planning control
- 10 To retain effective planning control and safeguard the amenity of the area.
- 11 To ensure the protection and maintenance of the existing mature trees within the site and to retain effective planning control.
- 12 To ensure that adequate steps are taken to protect existing trees on the site throughout the period of the proposed building operations.
- 13 To ensure that adequate steps are taken to protect existing trees on the site throughout the period of the proposed building operations.
- 14 In the interests of amenity.
- 15 In the interests of the visual amenity of the area.
- 16 In the interests of amenity.
- 17 In the interests of amenity.
- 18 These details have not been submitted or approved.
- 19 In order to retain effective planning control
- 20 In order to ensure provision of a satisfactory sewage system.
- 21 To ensure the site is free of contamination and suitable for development.
- 22 To ensure the site is free of contamination and suitable for development.

For information only

