

	<h1>Report</h1>	Agenda Item <h1>3</h1>
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Report to: **Planning Committee**
 Date of Meeting: **5 December 2006**
 Report by: **Executive Director (Enterprise Resources)**

Application No: HM/06/0531
 Planning Proposal: Residential Development (68 Units) (Social Housing)

1 Summary Application Information

- Application Type : Detailed Planning Application
- Applicant : West of Scotland Housing Association
- Location : Westerpark Avenue
Hamilton

2 Recommendation(s)

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

- (1) Grant Detailed Planning Permission (Subject To The Conditions – Based on Conditions Listed Overleaf)

2.2 Other Actions/Notes

- (1) The Planning Committee has delegated powers to determine this application.

3 Other Information

- ◆ Applicant's Agent: Hypostyle Architects
- ◆ Council Area/Ward: 42 Hillhouse
- ◆ Policy Reference(s): **Hamilton District Local Plan (adopted)**
 Policy RES2 – New Housing Site
 Policy RES3b – Affordable Housing
 Policy DC1 – Development Control – General
 Policy DC2 – New Residential Development
South Lanarkshire Planning Policies
 SLP6 – Development Control General
South Lanarkshire Local Plan (finalised)
 Policy RES1 – Housing Land Supply
 Policy RES5 – Affordable Housing and Housing Choice Policy
 Policy ENV30 – New Housing Development
 Policy DM1 – Development Management Policy

◆ Representation(s):

- ▶ 50 Objection Letters and a Petition with 106 signatures
- ▶ 2 Comments Letters

Consultation(s):

Strathclyde Police

Environmental Services

Roads and Transportation Services

S.E.P.A

Scottish Water

Roads & Transportation Services H.Q. (Flooding)

Estates Services

Power Systems

Scotland Gas Networks

British Telecom

Housing Services

Planning Application Report

1 Application Site

- 1.1 The application site is located within the Hamilton Western Expansion Area (HWEA) known as the West Craigs Estate. It has a central location and is to the north of the main spine road, Westerpark Avenue.
- 1.2 The application site is the last remaining parcel of land designated for residential use within the masterplan for the HWEA. To the north it is bounded by old railway sidings and housing beyond, to the south by two areas of land, one designated for use as a kickabout pitch and the other for use as a play area. To the west the site is bounded by a footpath which connects Townhill Road to Westerpark Avenue and by an area of ground that was formerly designated for the provision of a primary school. However the use of this land for this purpose is no longer required. To the east the site is bounded by open ground to be landscaped and housing beyond.

2 PROPOSAL

- 2.1 Originally the applicant sought permission to erect 72 dwellinghouses however four were removed to allow for the provision of a SUDS detention basin. The applicant's amended scheme seeks consent to erect 68 dwellinghouses, of which 54 would provide rented accommodation and 14 shared ownership (Homestake). The rented units would be two storey in height and would comprise a mix of cottage flats, terraced properties and semi-detached houses. The Homestake units would be two storey in height and would be made up of terraced and semi-detached properties.
- 2.2 Vehicular access for the site would be off Westerpark Avenue between the proposed kickabout pitch and play area.

3 BACKGROUND

3.1 Local Plan Status

- 3.1.1 Within the adopted Hamilton District Local Plan the application site is zoned as a new housing site under Policy RES2. Policy RES3b – Affordable Housing is also relevant whereby the Council will seek to ensure that an element of affordable housing is provided within major residential schemes.
- 3.1.2 Policies DC1 – Development Control – General and DC2 – New Residential Development are also applicable within the adopted local plan. These policies require development to take account of the local context and built form of the area to ensure a development can be successfully integrated.
- 3.1.3 Within the finalised South Lanarkshire Local Plan the above policies are largely reflected under Policies RES1 – Housing Land Supply, RES5 – Affordable Housing and Housing Choice Policy, ENV30 – New Housing Development and DM1 – Development Management Policy.

3.2 Relevant Government Advice/Policy

- 3.2.1 Scottish Planning Policy 3 – Planning for Housing states that Planning Authorities should promote the re-use of previously developed land in preference to greenfield land. Where brownfield and infill sites cannot meet the full range of housing requirements it will be necessary to release greenfield land next to built up areas.

Where possible, most housing requirements should be met within or adjacent to existing settlements to prevent the sprawl and coalescence of settlements while making efficient use of existing infrastructure and public services to conserve natural heritage and rural amenity.

3.3 Site History

- 3.3.1 In February 2000 the Scottish Ministers granted outline planning permission for residential development at Hamilton Western Expansion Area (HWEA). The first condition in that permission required the prospective developers to prepare a masterplan for the approval of the Council and the masterplan was approved in March 2001 (Planning Application No. HM/00/0439).
- 3.3.2 In addition to this approval a Section 75 Agreement was concluded with a number of heads of terms and these included that a 6 acre site for social/affordable housing be reserved for a period of 10 years. This requirement was also included as one of the planning conditions for the masterplan of the HWEA.
- 3.3.3 Associated with the masterplan application was an application for the removal of Udston Bing (Planning Application No. HM/00/0441) and this was approved in April 2001. Since then a number of planning applications have been approved for the residential development of the HWEA and the implementation of its masterplan. This application fulfils the requirements of the masterplan which has identified the site for affordable housing.

4.0 **CONSULTATIONS**

- 4.1 **Roads and Transportation Services (Flood Prevention Unit)** – has no objection to the proposed development so long as conditions are imposed regarding drainage assessment, sustainable urban drainage, sewerage and flood prevention.
Response: Noted. If planning permission is approved appropriate conditions shall be imposed in this respect
- 4.2 **Scottish Water** – has no objection to the proposed development subject to a satisfactory scheme being agreed.
Response: Noted. If planning permission is approved appropriate conditions shall be imposed in this respect
- 4.3 **Scotland Gas Networks** – have no gas mains in the area.
Response: Noted.
- 4.4 **Environmental Services** – has no objection to the proposed development so long as conditions are imposed regarding the control of construction noise and dust.
Response: The control of construction noise is a matter to be dealt with under Environmental Services legislation. However if planning permission is approved an appropriate condition shall be imposed in respect of the control of dust.
- 4.5 **Scottish Power** – has no objection to the proposed development.
Response: Noted.
- 4.6 **British Telecom** – has no objection to the proposed development.
Response: Noted.
- 4.7 **Estates Services** – has no objection to the proposals.

Response: Noted.

- 4.8 **SEPA** – originally objected to the proposed development on the grounds that it could place buildings and persons at flood risk contrary to the provisions of planning policy guidance and advice. The applicant however has amended the proposed housing layout to include a SUDS detention basin as well as provided additional levels information to SEPA and SEPA no longer object to the proposals.

Response: Noted.

- 4.9 **Roads and Transportation Services** – have no objection to the proposed development so long as conditions are imposed regarding access, visibility splays, retaining walls, parking and traffic calming.

Response: Noted if planning permission is approved appropriate conditions shall be imposed in this respect.

- 4.10 No reply has been received to date from Strathclyde Police or Housing Services.

5.0 REPRESENTATIONS

- 5.1 Statutory neighbour notification was carried out and 2 letters of comment, 50 letters of objection and a petition with 106 signatures were received in relation to the proposed development.

- 5.2 The grounds of representation are summarised below:

- (a) **The private house builders in West Craigs did not advise the purchasers of the private housing of the proposed use of the application site. Some stated the site was to be earmarked for a new school.**

Response: The masterplan for the West Craigs Estate was approved in 2001 and within this plan the application site was identified as a site for affordable housing. The consortium of housebuilders for the West Craigs Estate were aware of the terms of the masterplan and therefore this is a private legal matter between the purchasers of the private housing unaware of this condition and the housebuilders.

- (b) **The proposed development would result in increased traffic, to the detriment of the safety of any children going to and from the existing play area. Furthermore there is insufficient parking within the site.**

Response: After consultation Roads and Transportation Services had no objections to the proposed development subject to the imposition of conditions. If planning consent is approved these conditions shall be imposed.

- I **There is only one access road in and out of the estate and despite the volume of traffic, the opening of the emergency access road from Earnock Road/Newhousemill Road should be prevented to ensure it does not become a rat run.**

Response: The emergency vehicular access road would not be opened to the public.

- (d) **The footpath from Westerpark Avenue to Townhill Road should not be re-opened due to the anti-social behaviour it has generated in the past.**

Response: Whilst the objector's concerns are noted, this footpath is a public right of way.

- (e) **The proposed housing is on the site of a former bing which may still present a degree of environmental risk.**

Response: Noted. If planning permission is approved an appropriate condition shall be imposed in order to deal with any issues of contamination which may remain.

- (f) **The proposed development would result in further anti-social behaviour and vandalism to the area. It may lead to damage to my property and may affect the safety of my young family.**

Response: The behaviour of the residents who may buy the proposed houses is not a valid planning consideration.

- (g) **The proposed development would have an adverse effect on house prices in West Craigs.**

Response: This is not a valid planning consideration.

- (h) **All the residents of West Craigs should have been informed of this planning application.**

Response: Statutory neighbour notification of the planning application has been properly carried out.

- (i) **The proposed social housing will rely on pedestrian access and public transport via nearby Hillhouse and the adjacent footpath to the application site will have to be open to allow residents access to these services.**

Response: This footpath is a public right of way.

- (j) **West Craigs has a policy of open front gardens. The application indicates that gardens will be segregated using 900 mm high steel balustrades. This is not in keeping with the development.**

Response: West of Scotland Housing Association as landlords require these areas to be enclosed and consider that given the site is off the main spine road this requirement within the estate would be screened.

- (k) **The proposed development is for a mixture of housing stock including cottage flats and terraced housing. There are small areas of terraced housing in West Craigs however the proposal for cottage flats is totally outwith the architectural theme of the estate and will not fit in with the general environment. The houses are compacted into a small area.**

Response: Each new housing development should seek to have its own identity and developers are required to seek to create places with interest and character through an imaginative use of layout, design and materials and this includes the provision of a range of house types.

- (l) **The residents of West Craigs are subject to annual feu charges for the up keep of green areas and recreation. The new residents would attain these benefits and may not be charged, to the penalisation of private residents. South Lanarkshire Council should take over this responsibility.**

Response: West of Scotland Housing Association would pay any charges required for the rented accommodation and arrange for any internal amenity areas within the application site to be maintained. The owners of the Homestake accommodation would be required to pay their share of the charges

for the wider area as part of their title agreement with West of Scotland Housing Association.

- (m) **The proposed new housing would attract further hostility through the potential for rival youths from West Craigs and Hillhouse and invariably act as a magnet for trouble during the build phase and beyond. To allow further social housing in this area whilst the existing anti-social problems identified in the Strathclyde Police Architectural Liaison Officers Report of 2005 remains unresolved is unacceptable, particularly if the proposal is to connect into the existing footpath.**

Response: The proposed development does not include a footway connection to the adjoining public right of way. Whilst the objector's concerns regarding existing anti-social behaviour problems are noted this is a separate matter that requires to be resolved and does not justify the refusal of this application.

- (n) **The proposed development is contrary to the local plan as the application site is not zoned for residential use.**

Response: The application site is identified as a new housing site under Policy RES2 of the adopted Hamilton District Local Plan.

- (o) **The proposed development is an inappropriate use of a Greenfield site.**

Response: The application site is identified as a new housing site under Policy RES2 of the adopted Hamilton District Local Plan.

- (p) **The small percentage of housing allocated for co-ownership does not seem to support what "affordable housing" implies. The area represents largely privately owned homes and co-ownership would be more favourable.**

Response: Affordable housing is housing accessible to people whose incomes are insufficient to enable them to afford adequate housing on the open market and which is provided partly by the intervention of external agencies in the housing market. The proposed development is in accordance with this requirement.

- (q) **The Council has failed in its duty to encourage the regeneration of existing Housing Association and Council stock in the area. To insist on the provision of an element of affordable housing is not sensitive to site circumstances and is inappropriate.**

Responses: The application site was identified within the masterplan for West Craigs as an affordable housing site.

- I **The proposed development would infringe on a landscaped area that forms part of the masterplan for the West Craigs.**

Responses: The plans have been checked and the boundary of the application site does not infringe on this area.

- (s) **West of Scotland Housing Association have stated that they are ready to go on site in December. How can this be so unless decisions have already been made.**

Responses: The application form has been completed stating that the developer would like to start work in November. This is for information purposes only and is clearly subject to gaining planning permission.

- (t) **West Craigs residents have experienced sustained anti-social and criminal activity which is exacerbated by unrestricted access from Townhill Road, Hillhouse via the derelict bridge sidings and waste ground. There is no incorporation within this application of measures to minimise the opportunities for crime and vandalism. Such measures may have included the demolition of the remaining derelict bridge supports and the continuation of the fencing which separates the estates.**

Responses: The application site does not include the area of ground containing the bridge supports or the public footpath whilst the objectors concerns are noted this is a separate issue to the proposed development and could not be controlled through this planning application.

- (u) **The footpath which begins in Townhill Road and continues up to Westerpark Avenue is not necessary as it acts as a gathering place for youths leading to anti-social behaviour. Furthermore the plan to extend the footpath to the top of the estate through to the Greenfield site is also unnecessary and would further aggravate the issue.**

Response: This footpath is outwith the application site and is a separate matter to the proposed development.

- (v) **Traffic calming measures within the estate are poorly designed and constructed.**

Response: All traffic calming measures will require to be in accordance with Roads and Transportation Services requirements.

- (w) **There are already insufficient amenities for residents in West Craigs with no public transport and only one shop.**

Response: The proposed development meets the terms of the consent for the masterplan for West Craigs Estate.

- (x) **Poorer materials would be used to construct the proposed houses to the detriment of the quality of architecture in the area**

Response: If planning permission is approved a condition shall be imposed regarding the submission and agreement of these details.

- (y) **West of Scotland Association have not shown themselves to be good housing stock managers in other schemes such as Eddlewood Toll or Elm Street, Blantyre. How will the tenancy of these properties be managed.**

Response: The management of private housing is not controlled by Planning and similarly that of social housing.

- (z) **Hamilton needs residents to economically progress the town's future. To impose the current ration of affordable housing is economic suicide and unsustainable.**

Response: The proposed development meets the requirements of the masterplan for West Craigs.

- (aa) **The proposed development will affect the housing market, will significantly affect the residents of the community and will result in an unsustainable community.**

Response: The proposed development meets the requirements of the masterplan for West Craigs.

- (bb) The play area will be in view of 2 Aberfeldy Avenue and will be used as another area for anti-social behaviour as well as being to the detriment of the objector's privacy.**

Response: The proposed play area and kickabout pitch forms part of the masterplan for West Craigs Estate and does not form part of the application site.

- (cc) Before any building work commences security of the site requires to be resolved given previous experience of building work in Hamilton West.**

Response: Noted. If planning permission is granted an appropriate condition shall be imposed in this respect.

- (dd) This site was not to be developed for years.**

Response: The Section 75 Agreement that was signed for the development of Hamilton West allows for an option of 10 years in which the site can be developed for affordable housing. Not that it cannot be developed for ten years.

- (ee) The application site should be used for the construction of more amenities i.e. community centre, place to walk dogs, local grocery shop.**

Response: The proposed development meets the requirements for the masterplan for West Craigs.

- (ff) The proposed social housing may exacerbate my ill health through depression and anxiety.**

Response: Whilst the objector's concerns are noted this is not a valid planning consideration.

- (gg) The adjacent footpath to the site will become in part an enclosed lane as a result of this application making it much more difficult to police.**

Response: A small part of the proposed housing immediately bounds the right of way. However this is for only a stretch of 50 metres and the width of ground the footpath is positioned in is over 15 metres wide. It is therefore considered that this public footpath would still have an open aspect.

- (hh) The proposed development is not in accordance with Policy RES5 – Affordable Housing and Housing Choice Policy of the finalised South Lanarkshire Local Plan as it has not been integrated and dispersed throughout the site. The proposed affordable housing within West Craigs has been isolated and it may lead to a segregated community.**

Response: The proposed development is in accordance with the masterplan for West Craigs.

- (ii) The proposed development is not in accordance with Policy RES6 – Residential Land Use Policy of the finalised South Lanarkshire Local Plan which states that the Council will not approve “bad neighbour” uses which may by virtue of visual impact, noise, smell, air pollution, disturbance, traffic or public safety be detrimental to residential areas. There is already an existing anti-social behaviour problem in the area and this problem should be resolved before any further houses are constructed in that area.**

Response: The construction of houses is not considered to be a “bad neighbour” development and the proposal meets the terms of the masterplan for West Craigs.

- (jj) **The proposed development is not in accordance with Policy DM1 – Development Management Policy of the finalised South Lanarkshire Local Plan as it does not respect the local context and is not of a layout, form and design which makes a positive contribution to the area. The existing houses in West Craigs have been built in a low density pattern with the majority having gardens and driveways/garages. The proposed development has a high density pattern with very little land set aside for gardens and is contrary to criteria (g) of the policy which requires appropriate open space and landscape provision. In addition it would be contrary to criteria (h) which requires all development to provide suitable access, parking and to have no adverse implications with public safety as it is evident that there will be problems with parking.**

Response: The proposed development provides a mix of cottage flats, terrace and semi-detached properties. The layout and form of these properties meets the terms of the Council's Residential Development Guide and I am satisfied that adequate space has been provided for gardens and landscaping. In terms of parking provision after consultation Roads and Transportation Services are satisfied that sufficient parking has been provided for this development. It is therefore considered that the proposed development is in accordance with Policy DM1 of the finalised local plan.

- (kk) **The proposed development would aggravate the existing anti-social behaviour problem in the area as the children of these houses would have nowhere to play and they would end up playing on the adjacent footpath because of this problem.**

Response: As part of the masterplan for West Craigs, a play area and kickabout pitch are to be formed adjacent to the southern boundary of the site.

These letters have been copied and are available for inspection in the usual manner.

6 Assessment and Conclusions

- 6.1 This planning application seeks consent for the erection of 68 dwellinghouses at Westerpark Avenue within the West Craigs Estate in Hamilton. The proposed development forms part of the masterplan for the HWEA and meets the terms of the conditions of the masterplan and the terms of the Section 75 Agreement. The main issues in determining this application are local plan policy, site history, drainage and impact on amenity.
- 6.2 In terms of local plan policy and site history, the application site is identified as a housing site within both the adopted Hamilton District Local Plan and the Finalised South Lanarkshire Local Plan. Furthermore Policy RES3b – Affordable Housing of the adopted local plan is also applicable whereby the Council will seek to ensure that an element of affordable housing is provided within major residential schemes and this requirement forms part of the conditions for the masterplan for the site and the Section 75 Agreement that was concluded. The proposed development is therefore considered to be in accordance with the local plan and the terms of the consent for the site.
- 6.3 In terms of drainage, originally SEPA objected to the proposed development on the grounds of insufficient drainage. However the plans were amended and four of the proposed dwellinghouses were removed to allow for the provision of a SUDS

detention basin. SEPA have now removed their objection and I am therefore satisfied that an acceptable drainage scheme can be provided within the site.

- 6.4 In terms of impact on amenity, a number of objections have been received in relation to this application largely relating to an existing public right of way which adjoins, the site and existing anti-social behaviour problems that are generated as a result of this access and at the adjoining bridge parapets. Whilst the objector's concerns are noted these issues are a separate matter to the proposed development as the application site boundary is largely separate from the public right of way. Clearly these issues however require to be resolved and it is considered that as the primary school site (which adjoins the footpath and bridge parapets) is no longer required by Education that there is now an opportunity for this matter to be resolved through the development of this ground. However this would have to be dealt with through a separate planning application and is not a matter that could be dealt with through the application being presented to Committee today.
- 6.5 In terms of impact upon residential amenity the layout and design of the proposed development has been amended to take into account level differences, plot orientation and density. Some retaining walls will be required between the plots given the site's topography. However these walls have been reduced as much as possible are now considered to be acceptable and the proposed development is considered to satisfy the terms of the Council's Residential Development Guide.
- 6.6 On the basis of the above points it is therefore recommended that planning permission is granted.

7 Reasons for Decision

- 7.1 The proposed development is in accordance with Policies RES2, RES3b, DC1 and DC2 of the adopted Hamilton District Local Plan. Policies RES1, RES5, ENV30 and DM1 of the finalised South Lanarkshire Local Plan and SLP6 of the South Lanarkshire Planning Policies. The proposals are also consistent with the terms of the Hamilton Western Expansion Area Masterplan and the Section 75 Agreement and comply with the terms of the Council's Residential Development Guide.

Iain Urquhart
Executive Director (Enterprise Resources)

27 November 2006

Previous References

- ◆ HM/00/0439
- ◆ HM/00/0441

List of Background Papers

- ▶ Application Form
- ▶ Application Plans

► Consultations

Roads & Transportation Services H.Q. (Flooding)	10/08/06
Environmental Services	07/08/06
Power Systems	07/08/06
British Telecom	07/08/06
Scottish Water	16/08/06
Economic Development (Estates & Asset)	22/08/06
S.E.P.A. (West Region)	14/09/06 27/11/06
Roads and Transportation Services (Hamilton Area)	09/10/06
Scotland Gas Networks	04/08/06

► Representations

Representation from :	Mark Durham CA, 24 Abernethy Avenue, West Craigs, Blantyre, G72 0FY, DATED 17/08/06
Representation from :	Gillian Durham CA, 24 Abernethy Avenue, West Craigs, Blantyre, G72 0FY, DATED 17/08/06
Representation from :	Mr & Mrs P McCullagh, 17 Pittenweem Path, West Craigs, Hamilton, G72 9GZ, DATED 21/08/06
Representation from :	Paul McCullagh, 17 Pittenweem Path, West Craigs, Hamilton, G72 9GZ, DATED 26/08/06
Representation from :	Mr & Mrs T Mitchell BSc FISTC, 34 Abernethy Avenue, West Craigs, High Blantyre, G72 0FY, DATED 24/08/06
Representation from :	C M Boyle, 33 Alford Avenue, West Craigs, Blantyre, DATED 11/08/06
Representation from :	Gillian Durham CA, 24 Abernethy Avenue, West Craigs, High Blantyre, G72 OFY, DATED 14/08/06
Representation from :	Mr & Mrs J Duncan, 35 Elie Road, West Craigs, Hamilton, G72 0GX, DATED 22/08/06
Representation from :	Mr & Mrs C Radford, 15 Pittenweem Path, West Craigs, High Blantyre, G72 0GZ, DATED 22/08/06
Representation from :	David Simpson, 7 Largo Lane, West Craigs, Blantyre, G72 0FZ, DATED 21/08/06

Representation from : Mr A & Mrs P Paterson, 4 Lochinver Crescent, West Craigs, Blantyre, G72 0GT, DATED 27/10/06

Representation from : Mr & Mrs A Beggs, 25 Lochinver Crescent, The Grange, West Craigs, Blantyre, G72 0GT, DATED 01/11/06

Representation from : Mr & Mrs M Docherty, 44 Aberfeldy Avenue, Ben View Estate, West Craigs, Hamilton, G72 0TB, DATED 24/10/06

Representation from : Aiden Curran, NO ADDRESS TO ACKNOWLEDGE, DATED 24/10/06

Representation from : John Di Mambro, 14 Alford Avenue, West Craigs, G72 0GS, DATED 14/11/06

Representation from : Alan McClelland, 14 Alford Avenue, West Craigs, Blantyre, G72 0GS, DATED 14/11/06

Representation from : Alison Coyle, 43 Aberfeldy Avenue, West Craigs, Hamilton, G72 0TB, DATED 07/11/06

Representation from : Dermot Rogers, 8 Largo Lane, West Craigs, Blantyre, G72 0FZ, DATED 08/09/06

Representation from : Garreth Forrest, 63 Sandhead Terrace, High Blantyre , G72 0JH, DATED 31/08/06

Representation from : Barry Milligan, 1 Glamis Crescent, West Craigs, Hamilton, G72 0TE, DATED 31/08/06

Representation from : Sandra & James Logan, c/o West Craigs Residents, 4 Dornach Way, West Craigs, DATED 31/08/06 (Petition)

Representation from : David J Kendall, , DATED 31/08/06 (email)

Representation from : Mrs Linda McCormick, 19 Sandhead Terrace, West Craigs, Blantyre, G72 0JH, DATED 30/08/06

Representation from : Robert & Linda McCormick, 19 Sandhead Terrace, West Craigs, Hamilton, G72 0JH, DATED 1/09/06

Representation from : Mr & Mrs M Ramshaw, 50 Sandhead Terrace, West Craigs, G72 0JH, DATED 05/09/06

Representation from : Mr C Brackenbury, 19 Elie Road, West Craigs, Hamilton, G72 0GX, DATED 04/09/06

Representation from : Mr J McFadyen and Miss M A Shaw, , DATED 05/09/06 (no address provided)

Representation from : Christopher & Shona Duchamp, 68 Sandhead Terrace, West Craigs, Blantyre, G72 0JH, DATED 07/09/06

Representation from : Mr Chris Goudie & Miss Lynne Tierney, 19 Cairnryan Crescent, West Craigs, Blantyre, G72 0JJ, DATED 07/09/06

Representation from : Elinor and Gary Walton, 82 Sandhead Terrace, West Craigs, Blantyre, G72 0JH, DATED 01/09/06

Representation from : Darren O'Meara, 4 Aberfeldy Avenue, West Craigs, Blantyre, G72 0TB, DATED 01/09/06

Representation from : David J Kendall, 32 Sandhead Terrace, West Craigs, Hamilton, G72 0JH, DATED 04/09/06

Representation from : Fergus McArthur, 2 Aberfeldy Avenue, West Craigs, Blantyre, G72 0TB, DATED 04/09/06

Representation from : Fergus McArthur, 2 Aberfeldy Avenue, West Craigs, Blantyre, G72 0TB, DATED 24/08/06

Representation from : Mr Steven Boyle and Mrs Claire Boyle, 5 Largo Lane, West Craigs, G72 0FZ, DATED 04/09/06

Representation from : John Duncan, 35 Elie Road, West Craigs, DATED 28/08/06

Representation from : Nicola Mitchell, DATED 28/08/06 (email)

Representation from : Carl Radford, DATED 28/08/06 (email)

Representation from : Mr & Mrs G Aitchison, 7 Berriedale Path, West Craigs, G72 0GE, DATED 24/08/06

Representation from : Mr P Barrie, 2 Halkirk Gate, West Craigs, G72 0GG, DATED 28/08/06

Representation from : Derek Williamson 3 Glamis Lane, Ben View, West Craigs DATED 29/08/06

Representation from : Mr & Mrs A Melrose, 57 Sandhead Terrace, West Craigs, G72 0JH, DATED 29/08/06

Representation from : Mrs Fiona Gellatly, 21 Abernethy Avenue, West Craigs, Blantyre, G72 0FY, DATED 26/09/06

Representation from : Stephen McNaughton & Caroline Cooney, 26 Elie Road, West Craigs, Blantyre, G72 0GX, DATED 26/09/06

Representation from : Mr & Mrs P Howarth, 25 Sandhead Terrace, West Craigs, Hamilton, G72 0JH, DATED 25/09/06

Representation from : Helen Speirs, 22 Abernethy Avenue, West Craigs, High Blantyre, G72 0FY, DATED 22/09/06

- Representation from : Mr Thomas Reilly, 5 Cairnryan Crescent, West Craigs, Blantyre, G72 0JJ, DATED 21/09/06
- Representation from : Mr & Mrs P Donaldson, 6 Cairnryan Crescent, West Craigs, Blantyre, G72 0JJ, DATED 20/09/06
- Representation from : Kenneth Martin, 18 Cairnryan Crescent, West Craigs, Blantyre, G72 0JJ, DATED 25/08/06
- Representation from : Mr & Mrs D Quinn 11 Strachan Place, West Craigs, Blantyre, G72 0TD, DATED 20/09/06
- Representation from : Simon Hill, 24 Aberfeldy Avenue, West Craigs, Blantyre, G72 0TB, DATED 21/11/06
- Representation from : Dr. Karen Wedlock and Mr. Malcolm Bissett, 57 Aberfeldy Avenue, Ben View, West Craigs, Blantyre, G72 0TB, DATED 21/11/06

Contact for Further Information

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

Gwen McKillop, Planning Officer, Brandon Gate, Hamilton
Ext 3561 (Tel : 01698 453561)
E-mail: Enterprise.hamilton@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 dwellinghouses hereby approved shall be protected during the course of construction work on site by a 2 metre high security fence erected to the satisfaction of the Council as Planning Authority.
- 3 That within three months of the date of consent 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 landscaping work shall be undertaken on the site until approval has been given to these details.
- 4 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.
- 5 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.
- 6 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.
- 7 That before development starts, full details of the design and location of all fences and walls, including any retaining or crib walls, to be erected on the site shall be submitted to and approved by the Council as Roads and Planning Authority. Particularly in relation to the boundary marked in YELLOW on the approved plans.
- 8 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 7 above, shall be erected and thereafter maintained to the satisfaction of the Council.
- 9 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 the Council as Roads and Planning Authority.

- 10 That before the dwellinghouses hereby approved are completed or brought into use, a visibility splay of 4.5 metres by 90 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.
- 11 That the developer shall arrange for any alteration, deviation or reinstatement of statutory undertakers apparatus necessitated by this proposal all at his or her own expense.
- 12 That no dwellinghouse shall be occupied until the site is served by a sewerage scheme constructed in accordance with Scottish Water standards and as approved by the Council as Planning Authority in consultation with Scottish Water as Sewerage Authority.
- 13 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.
- 14 That prior to work commencing details shall be submitted of measures to ensure that dust from the site shall not give rise to nuisance conditions and these measures shall be implemented to the satisfaction of the Council as Planning Authority when work starts.
- 15 That before development starts, details of all boundary treatment(s) shall be submitted to and approved by the Council as Planning Authority and thereafter all approved works shall be completed to the satisfaction of the Council prior to the development hereby approved being occupied or brought into use.
- 16 That prior to any work starting on site, a Drainage Assessment in accordance with 'Drainage Assessment - A Guide for Scotland', shall be submitted to and approved in writing by the Council as Planning and Roads Authority.
- 17 That the further application required under the terms of Condition 16 above, shall include a detailed scheme for surface water drainage. Surface water from the site shall be treated in accordance with the principles of the Sustainable Urban Drainage Systems Design Manual for Scotland and Northern Ireland and with the Council's Sustainable Drainage Design Criteria and requirements and shall be agreed in writing with the Council as Planning Authority in consultation with SEPA.
- 18 That prior to the commencement of development on site, details of the provision of flood prevention works, together with subsequent management and maintenance arrangements shall be submitted to and approved by the Council as Planning Authority. The works will require to comply with the Council's Sustainable Drainage Design Criteria and requirements.

- 19 That no dwelling unit shall be occupied until the flood prevention measures required under Condition 18 above have been completed in accordance with the approved scheme.
- 20 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 development shall take place within the curtilage of the application site other than that expressly authorised by this permission without the submission of a further planning application to the Council as Planning Authority.

REASONS

- 1 To accord with the provisions of the Town and Country Planning (Scotland) Act 1997.
- 2 To ensure that adequate steps are taken to protect existing trees on the site throughout the period of the proposed building operations.
- 3 In the interests of the visual amenity of the area.
- 4 In the interests of amenity.
- 5 In the interests of amenity and in order to retain effective planning control.
- 6 In the interests of amenity and in order to retain effective planning control.
- 7 These details have not been submitted or approved.
- 8 In order to retain effective planning control
- 9 To ensure satisfactory vehicular and pedestrian access facilities to the dwellings
- 10 In the interest of road safety
- 11 In order to retain effective planning control
- 12 To ensure the provision of a satisfactory sewerage system
- 13 To ensure the site is free of contamination and suitable for development.
- 14 To safeguard the residential amenity of the area.
- 15 These details have not been submitted or approved.
- 16 To demonstrate that a satisfactory means of waste and surface water drainage can be achieved.
- 17 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.
- 18 To ensure that there will be no increased risk of flooding to land and properties either on-site or downstream due to impedance of flood flows, increased surface water run off and/or reduction in flood storage capacity.
- 19 To ensure that there will be no increased risk of flooding to land and properties either on-site or downstream due to impedance of flood flows, increased surface water run off and/or reduction in flood storage capacity.
- 20 In the interests of amenity and in order to retain effective planning control.

