

	<h1>Report</h1>	Agenda Item <h1>10</h1>
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Report to: **Planning Committee**
 Date of Meeting: **26 January 2010**
 Report by: **Executive Director (Enterprise Resources)**

Application No CL/08/0309
 Planning Proposal: Erection Of 60 Detached Dwellinghouses, With Associated Roadworks, Landscaping And Drainage

1 Summary Application Information

- Application Type : Detailed Planning Application
- Applicant : MacTaggart & Mickel Ltd and C & N Properties
- Location : Valley International Park
Crossford
ML8 5NJ

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 attached).

2.2 Other Actions/Notes

- (1) It is recommended that a S75 Agreement is entered into and concluded prior to the issuing of the decision to ensure the applicants submit a Financial contribution towards the provision of an extra classroom at Underbank Primary School.
- (2) The Planning Committee has delegated powers to determine this application.

3 Other Information

- ◆ Applicant's Agent: Fouin & Bell Architects Ltd
- ◆ Council Area/Ward: 01 Clydesdale West
- ◆ Policy Reference(s): **South Lanarkshire Local Plan (Adopted)**
 Policy RES2: Proposed Housing Sites
 Policy ENV11: Design Quality
 Policy ENV12: Flooding
 Policy ENV30: New Development Design
 Policy ENV37: Sustainable Urban Drainage Systems
 Policy DM1: Development Management

- ◆ Representation(s):
 - ▶ 24 Objection Letters and two petitions with 6 and 9 signatures respectively

▶	0	Support Letters
▶	0	Comments Letters

◆ Consultation(s):

Environmental Services

Glasgow & Clyde Valley Structure Plan Joint Committee

Roads & Transportation Services H.Q. (Flooding)

Scottish Water

West of Scotland Archaeology Service

Roads and Transportation Services (South Division)

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

Roads & Transportation Services H.Q.(Transportation)

Education Resources - School Modernisation Team

Scottish Natural Heritage

Clyde Valley Community Council

Community Resources (Greenspace and Countryside)

Community Resources (Arboriculture Manager)

Planning Application Report

1 Application Site

- 1.1 The application site which extends to nearly 5 hectares lies on the southern boundary of Crossford adjacent to the Clyde Valley International Park (CVIP) and close to the River Clyde. The site is enclosed by the mature Aaronshill Wood which rises steeply up on the eastern boundary, and by woodland along the riverside on the western boundary. The southern boundary is also defined by vegetation and the access road to the Valley International Park, while the northern boundary of the site adjoins some residential properties on Tait Walk and an area of open space which includes a games court. The southern part of the application itself site contains a tarmac car park for the Clyde Valley International Park, alongside which sits stables and an outdoor arena. The spaces between these have been defined by planting of various species and size. The remainder of the site is given over to grazing ground.
- 1.2 Topographically, the site slopes from east to west with a fall of two metres and a similar fall from the car park in the south towards the boundary with the recreation ground in the north. The site and Clyde Valley International Park is currently accessed by a tarmac private road that runs between Tait Walk and the River Clyde and which joins the public highway at Braidwood Road (B7056).

2 Proposal(s)

- 2.1 Detailed planning permission is sought for the erection of 60 detached dwellinghouses, the formation of a SUDS basin and the upgrading of the access road from the public road, Braidwood Road. This will include the formation of a footway along one side of the road and the installation of street lighting. A toddlers play area will also be provided at the entrance to the development site. The existing car park which serves the adjacent garden centre will be removed.
- 2.2 In support of the proposal, the applicant submitted a number of reports which addressed a range of issues. A drainage impact assessment which included a flooding report examined the site and its relationship with the River Clyde which lies immediately to the west of the access road. The report concluded that a 1 in 200 year flood event would affect the access road but not the proposed houses. A secondary unadopted access road would be available in times of emergency along the existing track of the east of the application site to join the adopted road in the vicinity of Crossclyde View. To address the surface water run-off the report recommended the construction of swales from the base of Aaronshill round the perimeter of the development and to link with the SUDS.
- 2.3 Due to the increase in traffic utilising the junction with the B7056, Braidwood Road, a Transport Statement examined the traffic flows and potential queues at the bridge over the Clyde. It concluded that the existing road arrangements and Traffic Management are capable of accommodating the traffic generated from the application site.
- 2.4 Several flora and fauna surveys were submitted and they concluded that some European protected species were evident on the periphery of the application site and mitigation measures proposed for their protection. An extensive tree survey was also submitted due to the extent and age of trees, particularly along the access road. Working practices have been recommended to protect the trees themselves but also their roots, as the long term vitality of the trees is important to the setting of the application site and the visual amenity of the local area.

3 Background

3.1 Local Plan Status

3.1.1 The site is identified in the adopted South Lanarkshire Local Plan as a housing site where Policy RES 2 is applicable. This policy advises that the Council will support the development of these sites for housing. The layout and design of new housing development is the subject of Policies ENV 11, ENV 30 and DM 1. Due to the increase in surface water run off from the development a sustainable urban drainage system (SUDS) will be required and this is covered by Policy ENV 37.

3.1.2 As the site is adjacent to the River Clyde, Policy ENV12 is applicable, and in considering such development proposals the Council will liaise with the Scottish Environment Protection Agency (SEPA), Scottish Water and the relevant Flood Liaison and Advice Group.

3.2 Relevant Government Advice/Policy

3.2.1 SPP 3: Planning for Housing requires the Local Plan to identify the scale of housing provision required and where it should be met. The Local Plan requires to set out a minimum 5 year supply of land capable of being developed for housing. It also advises that most housing requirements should be met within or adjacent to existing settlements, making efficient use of existing infrastructure and services and helping to protect rural amenity.

3.3 Planning History

3.3.1 None.

4 Consultation(s)

4.1 **Roads and Transportation Services (Area Manager)** – the Area Manager has no objections to the application, subject to a number of conditions relating to the sightlines at the junction of the upgraded access with the public road, provision of a footway along the access road to the site, parking and turning.

Response: Noted. I propose to attach conditions to any consent granted in relation to access, parking and turning. It should be noted that the layout shows that access and parking arrangements would meet Council guidelines.

4.2 **Roads and Transportation Services (Transportation Engineering Manager)** – have advised that the Transport Statement submitted by the applicants in October 2008, and the subsequent Traffic Management Statement of April 2009 involved traffic counts to establish existing peak traffic flows at the junction of Lanark Road/Braidwood Road, Braidwood Road/Nemphlar Moor Road, as well as Braidwood Road and the site access. This database allowed trip generations to be calculated for this proposed development and when added to existing surveyed traffic flows a junction analysis was undertaken. This concluded that all the junctions assessed will remain well within capacity. The survey of Crossford Bridge involved surveying the existing maximum queues during morning and evening peak network periods. The maximum queues were then reviewed to take account of the development traffic, and the stacking space assessed to ensure that the maximum queue can be accommodated. The statement concluded that the development traffic has a minimal impact on the current or future operations of the bridge. The requirements of Roads and Transportation have therefore been satisfied as it has been demonstrated that the bridge and junctions will be able to operate satisfactorily if the development were to proceed. There are therefore no objections to the proposal, subject to the inclusion of a condition regarding road markings.

Response: Noted. In order to assist the free flow of traffic along Braidwood Road, a condition will be attached to any consent granted, requiring the provision of a keep

clear road marking at the site's junction. This will be provided at the developers expense.

- 4.3 **Roads and Transportation Services (Flooding)** have not objected to the proposal. It is noted that the main risk of flooding to the site arises from the River Clyde at high flow conditions and the Flood Risk Assessment submitted by the applicant in November 2008 notes that the western part of the site is inundated for a width of 25 metres from the river bank during the 1 in 200 flood event. Surface water runoff is mitigated to a level at pre-development situation (i.e. the greenfield runoff) through a series of SUDS systems. The levels within the flood zone will remain constant and the SUDS facility for the development has been sited outwith the flood zone. The site access road lies within the flood zone and will be inundated during the 1 in 200 year event but with the projected depth of water being less than 300mm it is acceptable in terms of South Lanarkshire Council emergency access criteria which has been derived from Scottish Planning Policy 7 Planning and Flooding (SPP7). However, this depth increases when climate change is included in the 200 year flood event and a separate, emergency access would be required along the existing track to the North East of the site.

Response: Noted. The applicant has been advised of the Council's design requirements for drainage layouts. A condition will be attached to any consent issued requiring that the secondary, emergency route be accessible to the site residents when necessary.

- 4.4 **Environmental Services** – have no objection to the proposal, subject to conditions relating to dust control and the submission of a ground investigation report.

Response: Noted. These matters would be addressed through condition if consent is granted.

- 4.5 **Community Resources (Greenspace & Countryside)** - the development site currently defines the edge of settlement boundary for this part of Crossford and marks the transition between the settlement and the rural hinterland. As such it is sensitive to development and although it is accepted that the South Lanarkshire Local Plan identifies the site for residential development it is essential that appropriate landscape mitigation measures are incorporated into the overall scheme to ensure it integrates into the rural setting and creates a new and defensible settlement boundary. It should also be noted that the land adjacent to the site is a key area for recreational access with the Clyde Walkway running along the riverbank boundary of the site. An absolute minimum should be the strengthening of the development site boundary which would involve additional structural planting. The nature of all the structural planting should be predominantly native broad leaf species of trees and shrubs planted at an average density of 1 metre centre to reflect the semi natural character of the surrounding woodlands. The swale and SUDS components of the drainage scheme should be designed to provide biodiversity and landscape value. The future maintenance arrangement for the structural planting, amenity ground and the swales needs to be clarified and the future management arrangements of the existing retained woodland within the site boundary confirmed with a management-plan for the area devised and approved.

Response: Noted and agreed. Whilst the proposed site layout does show some landscaping it is considered essential that this is increased to reflect the character of the surrounding area and also to benefit the visual amenity within the site. It is also recognised that the management of the existing woodland within the application site and the tree lined access road is important to ensure their longevity and maintain the landscape character of this part of the Clyde Valley. I therefore propose to attach conditions to any consent granted requiring the submission of a comprehensive landscape scheme and a maintenance management plan.

- 4.6 **Community Resources (Arboriculture Manager)** – confirm the tree report is a fair account of the trees on the site. The trees within the development area are mainly semi mature and or scrub these are of limited quality and value which can be replaced easily, however a tree replacement plan would be appropriate given the number of trees to be removed. There is no open space identified on the drawing and it would be advisable to have some space set aside to accommodate tree planting. Changes to the entrance driveway are likely to have a severe and detrimental affect on the trees at this location. No trees are found to be unstable and no visible potentially serious structural defects evident and although it is agreed that theses trees individually may not be in class one condition collectively they do provide an attractive and wildlife amenity. If the application is to be approved, no changes to the route of the driveway should be carried out and a tree protection plan provided to ensure the trees at this location are protected during any construction work.

Response: Noted and agreed. Following extensive discussions with the applicant, I propose to attach a landscaping condition to the planning consent requiring the submission of a comprehensive landscaping scheme with an emphasis on tree planting. In addition the applicant is in discussion with Roads and Transportation Services about the precise positioning of the footway and access road and the construction methods to be utilised in the vicinity of the mature trees. A condition requiring the submission of a method statement when these works take place would be attached.

- 4.7 **Education Resources** – advise that the development is within the catchment area for Underbank Primary School. It is estimated that the development would generate 20 pupils at primary school level. As part of the Council's school modernisation programme, Underbank is identified as requiring the provision of 5 classrooms; this development will require the provision of additional classroom and associated accommodation. A financial contribution is sought from the developer to fund the extra accommodation.

Response: Noted. The applicant has been advised and has agreed to enter into a Section 75 Agreement with the developer regarding this funding.

- 4.8 **SEPA** – initially insufficient information was provided for SEPA to assess flood risk at this site and they therefore objected to this development until a Flood Risk Assessment or other appropriate information was provided in support of the application. The site in question has a risk of flooding and it follows that to allow development to proceed may place property or persons at serious risk contrary to national planning policy and guidance, with particular regard to SPP7: Planning and Flooding.

A Flood Risk Assessment was subsequently received and SEPA acknowledges that a minimum freeboard of 600mm is proposed in line with SEPA Technical Guidance and SEPA therefore remove their objection. It is acknowledged that an emergency access road outwith the functional flood plain is proposed. Due to the inherent uncertainty in hydraulic modelling it would be recommended that this access road is adopted in the final proposal. The Council should satisfy themselves that access and egress is maintained in the event of a 1 in 200 year flood. A SUDS scheme is proposed and it is noted that this is located outwith the 1 in 200 year flood limits and the Council should satisfy themselves that the post development runoff and management are appropriate for flood control purposes.

Response: Noted. The applicant has been advised of the design criteria for the site drainage layout by the Council's Flooding Unit. However, the layout is generally

acceptable. It is not considered necessary to require the emergency access to be to adoptable standard.

- 4.9 **Glasgow and the Clyde Valley Structure Plan Team** – note that the site was identified as a housing site in the finalised South Lanarkshire Local Plan. The site would contribute to the identified need in the Clydesdale Housing Market Area, which would be brought forward through small scale development proposals as part of the local plan and development control processes.

Response : Noted. Through the preparation of the South Lanarkshire Local Plan the site was identified as a potential housing site and was subject to the public consultation process. The adopted local plan includes the site within the revised settlement boundary of Crossford.

- 4.10 **Scottish Water** – whilst there are no objections to the proposal, the developer should be aware that there is currently insufficient capacity at the Crossford Waste Water Treatment Works to accept foul drainage. The developer will require to enter into discussions with Scottish Water regarding the phasing and timescale of the development relative to options for connection to the system. The developer will need to ensure that there are no detrimental impacts on the water services provided to existing customers. A totally separate system will be required for surface water and SUDS should be utilised in the drainage system.

Response: The applicant has been advised of Scottish Water's position. In addition, a condition requires written confirmation that the site can be served with a water and sewage scheme would be attached to any consent issued.

- 4.11 **West of Scotland Archaeology Service** – advise that as the site is situated on previously undeveloped land there is potential for significant unrecorded sub-surface archaeological deposits to remain. Government policy requires planning authorities to ensure prospective developers arrange for any archaeological issues raised by their proposals to be adequately addressed. Preservation in situ of any remains is always to be preferred, but if this is not feasible, the excavation and recording of the remains may be an acceptable alternative, provided the developer has committed to the eventual dissemination of the results of the work in the public domain. WOSAS recommend that a negative suspensive condition be attached to the grant of any planning consent, requiring a programme of archaeological works be undertaken within the site.

Response: Noted and agreed. A suitably worded condition will be attached to any consent issued requiring the carrying out of an archaeological survey.

- 4.12 **Scottish Natural Heritage** – advised that initially that there was not sufficiently detailed information to assess the developments impact on protected species such as bats. Further information was submitted by the applicant in June 2009 and this survey identified a considerable amount of bat activity on the development site, particularly along the riparian corridor on the east bank of the River Clyde and along the southern boundary of the development site. High densities of foraging bats were recorded and possibly several different species of bats are thought to be present. The report indicates that habitats found on the site, particularly the broad-leaved woodland/riparian corridor are important for foraging and commuting bats as well as providing potential roost sites in several mature trees. SNH advises that the report states that the potential roosts in mature trees will be impacted by works required to up-grade the existing access road and as such a further assessment of the potential for bat roosts will be required once the precise layout of the road is known. In relation to other protected species which the survey identified as being present within the application site, SNH advise that appropriate licences will be required from SNH or the Scottish Government for working within 30 metres of their shelters. The survey

also recommended the use of best working practices during the construction works, and SNH recommend that this be a condition of any planning consent granted.

Response: Noted and agreed. Appropriate conditions to address these issues will be attached to any planning consent granted.

- 4.13 **Clyde Valley Community Council** – advise that the proposal has raised a number of concerns in the local area. These relate to increases in problems for traffic at the junction with the B7056 and the bottleneck at Crossford Bridge. The access road is prone to frequent flooding and any upgrading would adversely affect the Clyde Walkway. There is already an issue with sewage and the proposed upgrading of the system is sufficient for the present requirements only. The school is due to be replaced but it is already over capacity, and there are few amenities in the village with a particular lack of facilities for young people. In terms of the site layout, the actual development size should be listed as 4 hectares (10 acres) and that a realistic density is probably in region of 15 plots per hectare.

Response: a Transport Statement was submitted in support of the application and this detailed the traffic movement and numbers at the junction with Braidwood Road, B7956 as well as using the Crossford Bridge. Roads and Transportation Services have confirmed that they are satisfied with the findings of this report and that the existing road network can accommodate this development (Paragraph 4.2). There are no plans to change or amend the Clyde Walkway, and indeed this is outwith the application site. The applicant has been made aware of the local issues with the sewerage network, and the requirement to enter into discussions with Scottish Water to accommodate the proposed development. In relation to the local primary school, the applicant will enter into a Section 75 Agreement with the Council to ensure the submission of a financial contribution towards the provision of an extra classroom at Underbank Primary as part of the Schools Modernisation Programme. The development proposal includes a toddlers play area, and a footpath link to the existing recreation area off Graham Road. The layout of the site has been assessed against the Council's Residential Development Guide, which suggest a density of 8-12 houses per acre (20-29 houses per hectare) on edge of settlement sites such as this. Indeed, the layout achieves a density of 15 units per hectare in this case.

5 Representation(s)

- 5.1 The application was submitted prior to the adoption of the South Lanarkshire Local Plan and was therefore advertised in the local press as Development Potentially Contrary to the Development Plan. Following this publicity and the carrying out of the statutory neighbour notification period, 18 letters and two petitions from Tait Walk Residents Association and Carfin Drive Residents with 6 and 9 signatures respectively objecting to the application were received. Following the submission of amended plan in July 2009, re-notification of neighbours was carried out, following which a further 6 letters of objection were received. The letters are summarised as follows:

- (a) **It is noted from the plans that the developer plans to improve the existing site access road and construct a secondary access road, but this is not suitable for traffic coming from the Valley International Park. It is difficult enough with traffic from Nemphlar Road and Birkhill Road meeting the B7056, Braidwood Road.**

Response: The secondary access road will not be adopted and it is not intended for use by through traffic; it is purely to provide an alternative route to the application site in times of emergency.

- (b) **The bridge over the Clyde in Crossford only allows single lane traffic so sixty new houses can only be accessed along single lane roads. The**

walkway on the bridge is very narrow and there would be increased risk for pedestrians.

Response: A Transport Assessment was submitted in support of the application, and Roads and Transportation Services agree with its findings that the bridge and road junction with the A72 will be able to cope with the traffic generated by the development.

- (c) **Access from the proposed development will have serious impact during rush hour periods when joining the B7057 road. The bridge over the Clyde is single lane and the junction with Tait Walk, and this development has to be approached with great care. The proposed development could increase the number of cars accessing at the junction by as many as 120.**

Response: A Transport Statement has been submitted in support of the proposal, and it has been fully considered by Roads and Transportation Services. They consider that the current road system and its traffic management can accommodate the proposal.

- (d) **Carfin Drive at present suffers considerable flooding during periods of heavy rainfall. This is caused by water coming from Carfin Wood Road which itself is affected by surface water run-off from nearby fields. If the secondary access road is tarred it would cause water to flow more freely, causing greater problems in Carfin Drive.**

Response: Noted. The development will include the installation of swales around three sides of the site, to channel surface water run-off into the Sustainable Urban Drainage System (SUDS) which will serve the site and to minimise the impact surface water.

- (e) **The application drawings indicate the extent of potential flooding of the River Clyde, through the rear gardens of properties on Tait Walk, and show all the new houses built inside the earth embankment presumably to prevent flooding. An embankment would simply move the potential flooding scenario further downstream i.e. the rear gardens and houses of Tait Walk. Does the Council not wish to avoid constructing a road on the floodplain? A new access would have to be built through Aaronshill Wood which is a popular recreational route.**

Response: There will be no embankments formed adjacent to the access road, and the proposed levels, as shown in the cross-section drawings are in line with the existing ground levels at this part of the site. The access road has been shown to be at risk of flooding in a 1 in 200 year flood event, but to a depth which is considered acceptable to Roads and Transportation Services criteria. A separate emergency access will be provided along the existing track to the east of the site. The Drainage Assessment Report and Flood Risk Assessment show that the western part of the site would be inundated by a width of 25 metres from the river bank during the 1 in 200 year flood event which forms the limit of the functional floodplain. The dwellinghouses and associated infrastructure, with the exception of the site access road, are placed outside the functional floodplain. The properties in Tait Walk would not be prone to increased flooding risks.

- (f) **The detailed drawings do not show the access road beyond number 8 Tait Walk, nor do they show the trees between the new road and the walkway. The width of the access is stated on the application form as being 9.5 metres wide. The tree canopy is between 4.5 and 5.5 from the boundary fences, therefore nearly all the existing mature trees between walkway and the existing access will be affected.**

Response: An amended site layout drawing submitted in July 2009 shows the access road up to its junction with the B7056, and a further drawing showing trees and their root protection areas was submitted along with the tree survey in November 2009. The width of the road will be 5.5 metres with a 2 metre wide footway on one side, all constructed to adoptable standards and in a manner to minimise damage to existing trees. The Council wishes to retain as many trees as possible, and the applicant has been made aware of this throughout; as a result various working practices and techniques for the road construction are being investigated with the applicant and will be the subject of strict control through conditions.

- (g) **The drawings show the development's footpath encroaching on the garden of 12 Tait Walk. This has not been discussed or agreed with the property owner.**

Response: This would be a legal matter between the applicant and the developer.

- (h) **The scale of the development would require the removal of trees on the east side of the proposed plan and the removal of a large amount of trees on the west side of the existing access to the rear of Tait Walk. This would also result in the loss of part of the Clyde Walkway which is an amenity enjoyed by all local residents and a large number of visitors to the Clyde Valley. To achieve the visibility splays onto Braidwood road 2 mature trees will require to be removed. To increase the corner radii at the western edge of the access road in the vicinity of Tait Walk, 4 trees will also have to be removed.**

Response: The proposal does not impact on the route of the Clyde Walkway. The trees on the east side of the application site i.e. at the base, Aaronshill Wood are retained. Neither the Transport Assessment or Roads and Transportation Services have not raised the need for tree removal at the road junction. Care has been taken in assessing the impact in trees along the access road to ensure the retention of mature trees in this area, although some smaller trees to the west of the fence line of Tait Walk would be removed.

- (i) **The natural environment would also be affected, as the wooded area to the west of the access road is home to many species of wildlife, including bats which are a protected species.**

Response: Noted and agreed. The applicant has provided a number of surveys which has highlighted the presence of protected species. Scottish Natural Heritage has been fully consulted in this respect and a number of mitigation measures proposed. Bat roosts have been identified, but it is not intended to fell the affected trees. Further survey work will be required before any trees are felled in the event this proves necessary.

- (j) **The additional houses would add to the sewerage problems which are a concern of local residents and are at present part of ongoing discussions with Scottish Water.**

Response: The applicant has been advised of the foul drainage issues as raised by Scottish Water (see paragraph 4.7 above). A condition requiring confirmation that the site can be served by a sewage scheme would be attached to any consent.

- (k) **Local services would be incapable of supporting the increase in population of the village, especially the local primary school which is**

currently struggling to cope with the number of pupils attending. How could it cope with another 60 – 100 pupils?

Response: Education Resources estimate that the development will generate 20 children of primary school age. This would create the need for an additional classroom at Underbank. The developer has been appraised of the estimated increase in primary school pupils, and the issue of any planning consent for the development will be subject to the successful conclusion of a Section 75 Agreement with the Council. The funds will thereafter be utilised for the provision of another classroom at Underbank Primary.

- (l) **A development of this size is in breach of the recently published local plan which clearly states that “there is no strategic requirement for significant growth of the village.” 60 houses would easily lead to a 10 – 20% increase of the village. It will also set a precedent for the redevelopment of other garden centres in the immediate locality.**

Response: See paragraph 3.1 above. The South Lanarkshire Local Plan identifies the site as lying within the Crossford settlement boundary and as such housing developments is acceptable in principle. Each planning application is assessed against the policies of the Local Plan and considered on its own merits.

- (m) **Developing the site would have an impact on the village’s tourist industry by necessitating the removal of the miniature railway station, the stables and parking for the garden centre. Their reconstruction elsewhere will affect the rural character of the area.**

Response: The parking and miniature railway will be accommodated within the existing valley international facility that exists to the south.

- (n) **A footpath leading onto the children’s playing fields on Graham Road will make for a shortcut for everyone through our estate and create a path on the grass where the children play football.**

Response: A link path from the development is desirable not only to enable older children from the development to access the all-weather games court but also to provide an alternative pedestrian route.

- (o) **The submitted Design Statement which accompanies the application states that the design has been prepared with the careful consideration of the site’s context and is in keeping with the surrounding houses. Having viewed the proposals the design is not particularly different to any other mass house developer’s scheme and the layout turns its back on the village.**

Response: Immediately adjoining the application site there are a number of house styles and sizes, so there is no distinctive vernacular style. The house designs are based on traditional Scottish proportions and have features such as chimneys within the ridgeline, and vertical emphasis to fenestration.

- (p) **I would ask that the Masterplan Development Frameworks approach be implemented as part of the Council’s review of the proposal, as the Council has confirmed to Architectural and Design Scotland that they would adopt this approach as part of its desire to deliver high design standards in the built environment.**

Response: The scale of the development is not sufficiently large to require a masterplan approach, and the application has been assessed against specific design policies, amongst others, of the adopted South Lanarkshire Local Plan.

- (q) **The site was zoned for housing in the Local Plan with an indicative capacity of 40 units. The proposal has increased this by 50% and is not within the limit of the indicative figure set out by the plan, and as such is contrary to Policy RES 2. The density of the development is not in keeping with the surrounding residential area. The location of the site within an area designated as STRAT 7 means that the development should incorporate accessible green corridors and respect existing ones as well replacing the large amount of trees lost to the upgrading of the access road.**

Response: The noted capacity of housing sites as shown in the Local Plan is an indicative figure, and if it can be demonstrated that a higher capacity is achievable whilst still meeting the criteria of the Residential Development Guide, the Council will consider the application on its own merits. The proposal complies with Policy RES 2 as the site has been identified in the South Lanarkshire Local Plan. The proposed density is lower than the existing residential area at Graham Road. A condition will be attached to any consent issued requiring the submission of landscaping scheme to reinforce the tree cover and to bring elements of the woodland into the development.

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

6 Assessment and Conclusions

- 6.1 The determining issues that require to be addressed in respect of this application are compliance with the adopted local plan, the impact on the visual and residential amenity of the area and the infrastructure implications.
- 6.2 In terms of the adopted South Lanarkshire Local Plan, the site is identified as a residential development site by Policy RES 2 and as such the principle of development here has been established; therefore the Council will support its development subject to an assessment of the proposal against further detailed policies relating to layout, design and access.
- 6.3 Guidance on new development is set out in Policies ENV11: Design Quality, ENV30: New Development Design and DM 1: Development Management and these generally require development to enhance the quality and appearance of the local environment whilst having no adverse visual or environmental impact on amenity. Following discussions with the applicants, and subsequent minor amendments, the proposed layout and house types are considered to comply with the Council's Residential Development Guidelines while also respecting the character and amenity of the surrounding area. In particular, recognition has been made of the position at the site on the edge of Crossford. Policy ENV30 also requires new development to address sustainable development issues, including the use of sustainable drainage systems and energy efficient designs, and to make provision for footpath linkages to local centres. This has been achieved in the layout or will be addressed through conditions.
- 6.4 In terms of Policy ENV37 the Council requires the use of Sustainable Urban Drainage Systems to manage surface water run off and reduce and diffuse any pollutants arising from the site. The applicant has demonstrated that a SUDS pond can be accommodated within the layout and detailed drainage design discussions are on going with the Council's Flooding unit.
- 6.5 The proposed site layout has no implications on the amenity of existing dwellings in the vicinity through overlooking or the position of the toddlers play area. The

woodland setting of the site would be maintained so that the impact of the development on the wider area will be minimal. However, to enhance the setting of the site and to increase the amount of landscaping, the submission of further comprehensive landscaping scheme will be a condition of the consent. The development has no implications for the Clyde Walkway, and the existing car parking for the Valley International commercial operations can be accommodated in its parking areas located on the other side of the garden centre, to the south.

- 6.6 In terms of infrastructure provision, none of the consultees have raised any concerns other than Scottish Water who have advised that the developer will require to enter into discussions with them about the development's expected timescales. This is due to capacity issues at the local Wastewater Treatment Works. A flood risk assessment and supporting information have been submitted which show that the houses will not be at risk of flooding, but the access road would in a 1 in 200 year flood event. Therefore a secondary, emergency access will be provided along the east of the site to connect to Crossclyde View.
- 6.7 In support of the Schools Modernisation Programme, the applicant has agreed to make a financial contribution towards the provision of another classroom at Underbank Primary, and this will be controlled through a Section 75 Agreement. In addition, as described earlier Roads and Transportation Services are satisfied that there would be no adverse impact on road safety and that the capacity of the local road network can accommodate this scale of development.
- 6.8 In summary the development of this site complies with the policies of the adopted South Lanarkshire Local Plan and Residential Development Guide, and would not adversely affect the amenity of adjoining properties or the surrounding area. To enhance the character of the area, further landscaping with an emphasis on trees will be sought it has also been shown that the local road network can accommodate a proposal of this scale. I therefore recommend that planning permission be granted, subject to the receipt of monies for classroom provision at Underbank Primary through the conclusion of a Section 75 Agreement.

7 Reasons for Decision

- 7.1 I consider that the proposal, complies with Policies RES 2, ENV 11, ENV30, ENV37 and DM 1 of the adopted South Lanarkshire Local Plan there would be no impact on residential amenity or road safety and there are no infrastructure implications.

Colin McDowall
Executive Director (Enterprise Resources)

18 January 2010

Previous References

- ◆ None

List of Background Papers

- ▶ Application Form
- ▶ Application Plans

- ▶ Consultations

Environmental Services	16/06/2008
Roads and Transportation Services (South Division)	19/06/2008
Scottish Water	18/06/2008
Glasgow & Clyde Valley Structure Plan Joint Committee	14/07/2008
West of Scotland Archaeology Service	15/07/2008
S.E.P.A. (West Region) (Flooding)	07/07/2008
Scottish Natural Heritage	23/06/2008
Education Resources	04/08/2008
Roads and Transportation Services (South Division)	05/08/2008
Community Resources (Greenspace & Countryside)	06/10/2008
Community Resources (Arboriculture Manager)	30/11/2009
S.E.P.A. (West Region)	07/01/2009
Clyde Valley Community Council	09/06/2008 and 29/01/2009

- ▶ Representations

Representation from :	Carfin Drive Residents, c/o 2 Carfin Drive, Crossford, Carluke, ML8 5NL, DATED 13/06/2008
Representation from :	Mrs Shanks, Davingill House, Crossford, by Carluke , ML8 5RA, DATED 20/06/2008
Representation from :	Mr Duncan Shanks, Davingill House, Crossford, by Carluke , ML8 5RA, DATED 20/06/2008
Representation from :	Mr & Mrs J Boag, 29 Holm Road, Crossford, ML8 5RG, DATED 18/06/2008
Representation from :	Gary Murdoch, 10 Tait Walk, Crossford, ML8 5NR, DATED 18/06/2008
Representation from :	G McNammara & C McNamara, 6 Tait Walk, Crossford, ML8 5NR, DATED 18/06/2008
Representation from :	Tait Walk Residents Association, c/o Jim Struthers, 2 Tait Walk, Crossford, ML8 5NR, DATED 18/06/2008
Representation from :	Dr Satpal Singh Jabbal & Mrs Shirin Jabbal, 8 Tait Walk, Crossford, ML8 5NR, DATED 18/06/2008
Representation from :	Dr T Stein, Holm Cottage, 21 Holm Road, Crossford, ML8

5RG, DATED 18/06/2008

- Representation from : Dr Alexandra M Stein, Holm Cottage, 21 Holm Road, Crossford, ML8 5RG, DATED 18/06/2008
- Representation from : Clyde Valley Community Council, c/o Miss Janet Y Stewart, Pennyfathing Cottage, Holm Road, Crossford, ML8 5RG, DATED 17/06/2008
- Representation from : Mr David Roberts, 20 Holm Road, Crossford, Clyde Valley, ML8 5RG, DATED 17/06/2008
- Representation from : Dr H G Gray, 17 Holm Road, Crossford, Carluke, ML8 5RG, DATED 17/06/2008
- Representation from : Dr Torsten Stein, Holm Cottage, 21 Holm Road, Crossford, ML8 5RG, DATED 17/06/2008
- Representation from : Robert & Helen Legget, 4 Tait Walk, Crossford, ML8 5NR, DATED 17/06/2008
- Representation from : Mr P McKenna, 12 Tait Walk, Clyde Valley Country Estate, Crossford, ML8 5NR, DATED 17/06/2008
- Representation from : Mary Crelling, 21 Dewar Walk, Crossford, Carluke, ML8 5NP, DATED 04/07/2008
- Representation from : Dr T Stein, Holm Cottage, 21 Holm Road, Crossford, ML8 5RG, DATED 23/06/2008
- Representation from : J A Struthers, 2 Tait Walk, Crossford, ML8 5NR, DATED 24/07/2008
- Representation from : David Martin , 15 Holm Road, Crossford, ML8 5RG, DATED 02/12/2008
- Representation from : Dr H G Gray, 17 Holm Road, Crossford, ML8 5RG, DATED 27/11/2008
- Representation from : David Roberts, 20 Holm Road, Crossford, ML8 5RG, DATED 10/12/2008
- Representation from : Mr & Mrs R Legget, 4 Tait Walk, Crossford, ML8 5NR, DATED 20/07/2009
- Representation from : J A Struthers, 2 Tait Walk, Crossford , ML8 5NR, DATED 20/07/2009
- Representation from : Craig & Struthers, 2 Tait Walk, Crossford, ML8 5NR, DATED 16/07/2009
- Representation from : Dr Satpal Singh Jabbal & Mrs Shirib Jabbal, 8 Tait Walk, Crossford, ML8 5NR, DATED 21/07/2009
- Representation from : Mr and Mrs G. McNamara, , DATED 24/07/2009

Representation from : Mr & Mrs G McNamara, 6 Tait Walk, Crossford, ML8 5NR,
DATED 24/07/2009

Contact for Further Information

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

Ailsa Graham

(Tel :01555 673190)

E-mail: Enterprise.lanark@southlanarkshire.gov.uk

CONDITIONS

- 1 This decision relates to drawing numbers:
 - Site layout (PL) 01 rev I
 - Site Layout (PL) 02 rev I
 - Street Elevations (PL) 07 rev A
 - Iona Rural (PL) 10
 - Arran Rural (PL) 11
 - Earn Rural (PL) 12
 - Colonsay Rural (PL) 13
 - Lomond Rural (PL) 14
 - Double Garage (PL) 15 and (PL) 16
 - Twin double garage (PL) 17 and (PL) 18
 - Driveway details SD-77-01
 - High fence detail SD-77-03
 - Low fence detail SD-77-04
 - Typical gate detail SD-77-05
 - Low rural fence detail SD-77-10
- 2 The development hereby permitted shall be started within three years of the date of this permission.
- 3 That no development shall take place within the development site as outlined in red on the approved plan until the developer has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted by the applicant, agreed by the West of Scotland Archaeology Service, and approved by the Planning Authority. Thereafter the developer shall ensure that the programme of archaeological works is fully implemented and that all recording and recovery of archaeological resources within the development site is undertaken to the satisfaction of the Planning Authority in agreement with the West of Scotland Archaeology Service.
- 4 No earlier than 6 months prior to works commencing on site, an updated ecology survey shall be undertaken and approved in writing by the Planning Authority and thereafter the appropriate mitigation measures shall be implemented to the satisfaction of the Council as Planning Authority.
- 5 For the avoidance of doubt, the recommendations (in particular the best working practices as set out in Appendix D) of the Ecological Assessment by Grontmij, dated June 2009 shall be followed throughout the entire application site and for the entire period of development works.
- 6 That no development shall take place within the application site as outlined red on the approved plan, until the developer has submitted to the Council for written approval a Method Statement which details:
 - i) how the existing access road will be excavated;
 - ii) how the access road, footway, service verge and kerbs will be constructed;
 - iii) the precise route and means of construction of all swales; and
 - iv) how existing trees will be protected for the duration of the construction works.

For the avoidance of doubt, all the above information shall be submitted in a format which clearly demonstrates its relationship with the existing trees on the

application site.

- 7 That all trees within the site shown on drawing nos. (PL) 04 dated 5.11.09 to be retained 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.
- 8 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.
- 9 That subsequent to the roads within the application site having been formed to basecourse level and the dwellinghouses set out in the site, a further evaluation of the remaining trees within the site shall be undertaken by the developers in conjunction with representatives of the Council; that no trees within the site, other than those necessary for erection of the dwellinghouses shall be felled, lopped or topped until the aforementioned evaluation has been undertaken and the written approval of the Council as Planning Authority has been given for the further felling, lopping or topping of trees. The terms of Condition 6 hereof shall apply to any additional trees to be retained in terms of this condition.
- 10 That before any work commences on the site, a comprehensive scheme of landscaping, with particular emphasis on tree planting, for the entire application site 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.
- 11 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.
- 12 That prior to any work commencing on the site, a woodland maintenance and management schedule for the existing woodland in the north-east of the application site, and the existing trees along the access road within the application site boundary shall be submitted to and approved by the Council as Planning Authority. Thereafter, the trees shall be maintained in accordance with the approved management schedule to the satisfaction of the Council.
- 13 That no consent is hereby granted for the type and distribution of external finishes on the entrance or feature boundary walls as shown on the approved plan, and no work shall commence on site until samples of alternative materials have been submitted to and approved in writing by the Council as Planning Authority.
- 14 That no consent is hereby granted for the type and distribution of external finishes on the dwellinghouses or garages as shown on the approved plans, and no work shall commence on site until samples of alternative materials have been submitted

to and approved in writing by the Council as Planning Authority.

- 15 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.
- 16 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.
- 17 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.
- 18 That the development shall be undertaken in accordance with the recommendations of the Drainage Assessment Report (including Flood Risk Assessment) prepared by Grontmij, dated November 2008, and no dwelling unit shall be occupied until the flood prevention measures contained therein have been completed in accordance with the approved scheme. For the avoidance of doubt the works will require to comply with the Council's Sustainable Drainage Design Criteria and requirements.
- 19 That the footpath links, highlighted orange on the plans hereby approved, shall be maintained open for public use and shall not be sold off or incorporated into the curtilage of adjacent properties.
- 20 That prior to the commencement of development, details of any changes in the existing ground levels within the application site shall be submitted for the approval of the Council as Planning Authority.
- 21 That prior to the commencement of any site works, further details of the routes, and means of construction of the swales relative to the existing vegetation and trees both within and immediately adjacent to the application site, shall be submitted to the Council as Planning Authority for further written approval.

- 22 That prior to the commencement of development, further details of the secondary emergency access on the east of the site, shall be submitted for the written approval of the Council, and this shall include:
- i) details of the ownership of the access;
 - i) the construction of the access and means of control;
 - iii) details of its future maintenance and who will be responsible for implementing.

For the avoidance of doubt, the construction of this access shall be completed and the means of control implemented prior to the occupation of any dwellinghouse hereby approved, and further that this access is for emergency use only.

- 23 That before the development hereby approved is completed or brought into use, visibility splays of 4.5 metres by 90 metres measured from the road channel shall be provided on both sides of the vehicular access at the junction onto Braidwood Road, the B7056 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.
- 24 That before the development hereby approved is completed or brought into use, the new vehicular access so far as it lies within the boundaries of the road abutting the site, shall be constructed in accordance with the specification of the Council as Roads and Planning Authority.
- 25 That prior to the occupation of any of the dwellinghouses hereby approved, a 2 metre wide footway shall be constructed southwards from the public road as shown on the approved plans, to the specification and satisfaction of the Council as Roads and Planning Authority.
- 26 That prior to the completion or occupation of any dwellinghouse hereby approved, which ever is the sooner, the following shall be provided: (a) a minimum of 2 car park spaces to be provided and maintained within the confines of the plot for dwelling with 3 bedrooms or less, and 3 spaces to be provided for 4 bedrooms or more. Each space to be capable of being accessed directly from the public road without the need to remove any vehicle already parked in the driveway; and (b) turning facilities which do not conflict with parking arrangements to be provided within the confines of the site.
- 27 That all dwellinghouses without garages shall have driveways with a minimum length of 12 metres measured from the heel of the footway/service strip and the first 2 metres of each driveway as measured from the heel of the footway/service strip shall be hard surfaced across its full width to prevent deleterious material being carried onto the public footway and/or carriageway.
- 28 That all dwellinghouses with garages shall have driveways with a minimum length of 6 metres measured from the heel of the footway/service strip and the first 2 metres of each driveway as measured from the heel of the footpath shall be hard surfaced across its full width to prevent deleterious material being carried onto the road.

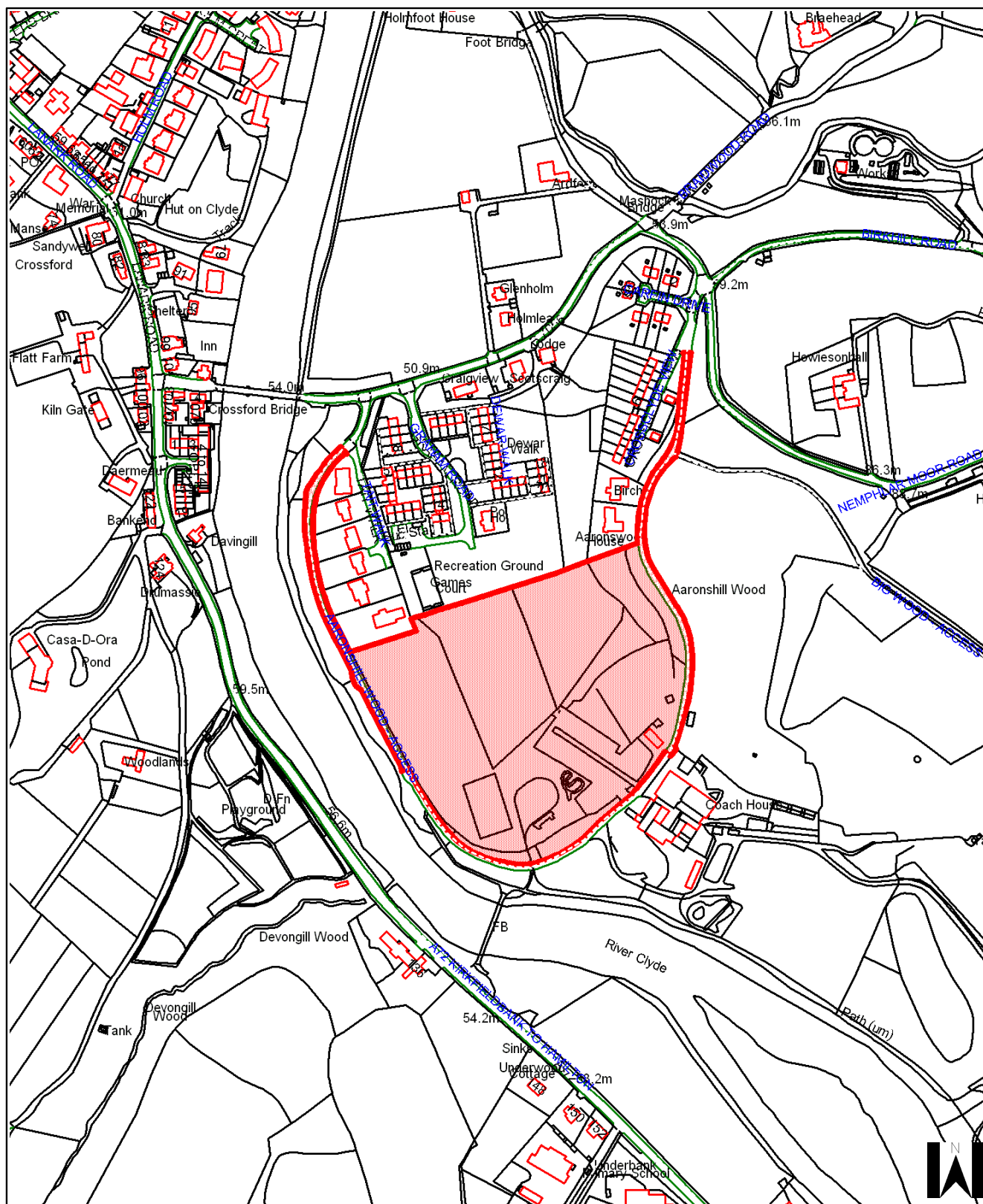
- 29 That before any of the dwellinghouses hereby approved are occupied, a drainage system capable of preventing any flow of water from the site onto the public road or neighbouring land, or into the site from surrounding land shall be provided and maintained to the satisfaction of the Council as Roads and Planning Authority.
- 30 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.
- 31 That before any work commences on the site, a scheme for the provision of a toddlers play area within the application site shall be submitted to the Council as Planning Authority for written approval and shall include:(a) details of the type and location of play equipment, seating and litter bins to be situated within the play area(s); (b) details of the surface treatment of the play area, including the location and type of safety surface to be installed; (c) details of the fences to be erected around the play area(s); and (d) details of the phasing of these works.
- 32 That prior to the completion or occupation of the last dwellinghouse within the development, all of the works required for the provision of equipped play area included in the scheme approved under the terms of Condition 31 above, shall be completed, and thereafter, that area shall not be used for any purpose other than as an equipped play area.
- 33 That before the development hereby permitted is occupied or brought into use, all the fences or walls for which the permission of the Council as Planning Authority has been obtained under the terms of Conditions above, shall be erected and thereafter maintained to the satisfaction of the Council.
- 34 That prior to the occupation of any of the dwellinghouses hereby approved, a keep clear road marking in accordance with diagram 1026 of the Traffic Signs Regulations and General Directions, shall be provided at the applicant's expense on the westbound approach to the Crossford Bridge on Braidwood Road at the Tait Walk junction, all to the specification and satisfaction of the Council as Roads and Planning Authority.

REASONS

- 1 For the avoidance of doubt and to specify the drawings upon which the decision was made.
- 2 To comply with section 58 of the Town and Country Planning (Scotland) Act 1997, as amended.
- 3 In order to safeguard any archaeological items of interest or finds.
- 4 In the interests of nature conservation.
- 5 In the interests of nature conservation.
- 6 In the interests of amenity and in order to retain effective planning control.
- 7 To ensure that adequate steps are taken to protect existing trees on the site throughout the period of the proposed building operations.
- 8 To ensure that adequate steps are taken to protect existing trees on the site throughout the period of the proposed building operations.
- 9 In the interests of amenity.
- 10 In the interests of the visual amenity of the area.
- 11 In the interests of amenity.
- 12 In the interests of amenity.
- 13 In the interests of amenity and in order to retain effective planning control.

- 14 In the interests of amenity and in order to retain effective planning control.
- 15 To secure a reduction in carbon dioxide emissions.
- 16 To secure the timeous implementation of on-site zero and low carbon energy technologies.
- 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 of flood storage capacity.
- 19 In the interests of amenity and in order to retain effective planning control.
- 20 In order to retain effective planning control
- 21 To ensure the protection and maintenance of the existing mature trees within and adjacent to, the site and to retain effective planning control.
- 22 To ensure that satisfactory vehicular and pedestrian access to the site can be achieved at all times.
- 23 In the interest of road safety
- 24 In the interest of public safety
- 25 In the interest of public safety
- 26 To ensure the provision of adequate parking facilities to serve the development.
- 27 In the interest of public safety
- 28 In the interest of public safety
- 29 To ensure the provision of a satisfactory drainage system.
- 30 In order to retain effective planning control
- 31 To ensure the provision of adequate play facilities within the site and in order to retain effective planning control
- 32 In order to retain effective planning control
- 33 In the interests of amenity and in order to retain effective planning control.
- 34 In the interests of traffic and public safety.

For information only



For information only