



Council Offices, Almada Street
Hamilton, ML3 0AA

Monday, 02 March 2020

Dear Councillor

Planning Committee

The Members listed below are requested to attend a meeting of the above Committee to be held as follows:-

Date: Tuesday, 10 March 2020

Time: 10:00

Venue: Committee Room 1, Council Offices, Almada Street, Hamilton, ML3 0AA

The business to be considered at the meeting is listed overleaf.

Yours sincerely

Cleland Sneddon
Chief Executive

Members

Isobel Dorman (Chair), Mark Horsham (Depute Chair), John Ross (ex officio), Alex Allison, John Bradley, Archie Buchanan, Jackie Burns, Stephanie Callaghan, Margaret Cowie, Peter Craig, Maureen Devlin, Mary Donnelly, Fiona Dryburgh, Lynsey Hamilton, Ann Le Blond, Martin Lennon, Richard Lockhart, Kenny McCreary, Davie McLachlan, Lynne Nailon, Carol Nugent, Graham Scott, David Shearer, Collette Stevenson, Bert Thomson, Jim Wardhaugh

Substitutes

John Anderson, Walter Brogan, Janine Calikes, Gerry Convery, Margaret Cooper, Allan Falconer, Ian Harrow, Ian McAllan, Catherine McClymont, Colin McGavigan, Mark McGeever, Richard Nelson, Jared Wark, Josh Wilson

BUSINESS

1 Declaration of Interests

2 Minutes of Previous Meeting

3 - 10

Minutes of the meeting of the Planning Committee held on 11 February 2020 submitted for approval as a correct record. (Copy attached)

Item(s) for Decision

3 Application P/20/0069 for Erection of House (Substitution of House Type) (Amendment to Planning Application EK/17/0063) at 1 Floors Farm, Stonehouse Road, Strathaven

11 - 22

Report dated 19 February 2020 by the Executive Director (Community and Enterprise Resources). (Copy attached)

4 Application P/19/1180 for Demolition of Existing House, Erection of Replacement One and Half Storey Detached House and Ancillary Detached Vehicle Storage and Repair Building at The Manse, Main Street, Carnwath

23 - 36

Report dated 20 February 2020 by the Executive Director (Community and Enterprise Resources). (Copy attached)

5 Application P/19/1809 for Erection of 28 Flats with Associated Car Parking and Works at Westmains Garage, West Mains Road, East Kilbride

37 - 54

Report dated 18 February 2020 by the Executive Director (Community and Enterprise Resources). (Copy attached)

6 Application P/19/1546 - Section 42 Application to Amend Planning Conditions 1(e) and 3 of Planning Permission in Principle CL/16/0536, Relating to Boundary Planting, to Amend Planting Details and Devise a Scheme for Ongoing Maintenance of Boundary Planting at Dalquhandy Opencast Coal Site, Middlemuir Road, Coalburn

55 - 68

Report dated 20 February 2020 by the Executive Director (Community and Enterprise Resources). (Copy attached)

7 Review of Legacy Planning Applications

69 - 80

Report dated 27 February 2020 by the Executive Director (Community and Enterprise Resources). (Copy attached)

Urgent Business

8 Urgent Business

Any other items of business which the Chair decides are urgent.

For further information, please contact:-

Clerk Name: Pauline MacRae

Clerk Telephone: 01698 454108

Clerk Email: pauline.macrae@southlanarkshire.gov.uk

PLANNING COMMITTEE

2

Minutes of meeting held in Committee Room 1, Council Offices, Almada Street, Hamilton on 11 February 2020

Chair:

Councillor Isobel Dorman

Councillors Present:

Councillor Alex Allison, Councillor John Bradley, Councillor Archie Buchanan, Councillor Jackie Burns, Councillor Margaret Cowie, Councillor Peter Craig, Councillor Maureen Devlin, Councillor Fiona Dryburgh, Councillor Mark Horsham (Depute), Councillor Martin Lennon, Councillor Catherine McClymont (*substitute for Councillor Lynsey Hamilton*), Councillor Kenny McCreary, Councillor Colin McGavigan (*substitute for Councillor Ann Le Blond*), Councillor Davie McLachlan, Councillor Carol Nugent, Councillor Graham Scott, Councillor David Shearer, Councillor Collette Stevenson, Councillor Bert Thomson, Councillor Jim Wardhaugh

Councillors' Apologies:

Councillor Stephanie Callaghan, Councillor Mary Donnelly, Councillor Lynsey Hamilton, Councillor Ann Le Blond, Councillor Richard Lockhart, Councillor Lynne Nailon, Councillor John Ross (ex officio)

Attending:

Community and Enterprise Resources

B Darroch, Area Manager, Planning and Building Standards Services (Hamilton); P Elliott, Head of Planning and Economic Development; T Finn, Headquarters and Area Manager (Clydesdale), Planning and Building Standards Services; F Jack, Team Leader, Development Management Team, Roads and Transportation Services; T Meikle, Area Manager, Planning and Building Standards Services (Cambuslang/Rutherglen and East Kilbride)

Finance and Corporate Resources

J Davitt, Public Relations Team Leader; P MacRae, Administration Officer; K McLeod, Administration Assistant; K Moore, Legal Adviser

1 Declaration of Interests

The following interests were declared:-

Councillor(s)	Item(s)	Nature of Interest(s)
Dorman	Application P/19/1315 for Erection of Flatted Development (25 Units) with Associated Parking, Access, Bicycle and Bin Stores at Press Buildings, Campbell Street, Hamilton	Relative of the applicant

2 Minutes of Previous Meeting

The minutes of the meeting of the Planning Committee held on 17 December 2019 were submitted for approval as a correct record.

The Committee decided: that the minutes be approved as a correct record.

3 Application HM/16/0541 for Importation of Inert Waste to Restore Former Reservoir to Agricultural Land and Temporary Operation of Inert Waste Recycling Facility at Wellbrae Reservoir, Muttonhole Road, Hamilton

A report dated 22 January 2020 by the Executive Director (Community and Enterprise Resources) was submitted on planning application HM/16/0541 by Advance Construction (Scotland) Limited for the importation of inert waste to restore former reservoir to agricultural land and temporary operation of inert waste recycling facility at Wellbrae Reservoir, Muttonhole Road, Hamilton.

At its meeting on 7 July 2015, the Committee had approved a procedure for processing planning applications which required completion of a Legal Agreement. If approved, the application would be subject to a Legal Agreement and/or other appropriate mechanism and the approved procedure would apply.

The Committee decided:

- (1) that planning application HM/16/0541 by Advance Construction for the importation of inert waste to restore former reservoir to agricultural land and temporary operation of inert waste recycling facility at Wellbrae Reservoir, Muttonhole Road, Hamilton be granted subject to:-
 - ◆ the conditions specified in the Executive Director's report
 - ◆ the deletion of "2 weeks" in Condition 8, to be replaced by "1 week"
 - ◆ prior conclusion of a Legal Agreement and/or other appropriate mechanism between the Council and the applicant to ensure:-
 - ◆ financial compensation for the repair of any damage to roads arising from extraordinary wear and tear associated with the development
 - ◆ provision of the road widening measures identified and proposed within the document titled, 'Sydes Brae, South Lanarkshire – Review of Road Layout and Geometry – November 2019 (Transport Planning)
 - ◆ the applicant meeting the Council's legal costs associated with the Legal Agreement and the restoration guarantee quantum
- (2) that it be noted that, in accordance with the agreed procedure, should there be no significant progress by the applicant towards the conclusion of the Legal Agreement within 6 months of the date of the meeting at which the application was considered, the proposed development could be refused on the basis that, without the planning control or developer contribution which could be secured by the Legal Agreement, the proposed development would be unacceptable; and
- (3) that it be noted that, if the Legal Agreement had not been concluded within the 6 month period but was progressing satisfactorily, the applicant would be offered the opportunity to enter into a Processing Agreement, if this was not already in place, which would set an alternative agreed timescale for the conclusion of the Legal Agreement.

[Reference: Minutes of 7 July 2015 (Paragraph 15) and 8 October 2019 (Paragraph 3)]

Councillor McGavigan entered the meeting during consideration of this item of business

4 Application P/19/1038 for Installation of New Access to Public Road and Access Track to Serve Proposed Restoration of Former Reservoir to Agricultural Land (Relating to Planning Application HM/16/0541) at Wellbrae Reservoir, Muttonhole Road, Hamilton

A report dated 22 January 2020 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/19/1038 by Advance Construction (Scotland) Limited for the installation of a new access to the public road and access track to serve the proposed restoration of former reservoir to agricultural land (relating to planning application HM/16/0541) at Wellbrae Reservoir, Muttonhole Road, Hamilton.

At its meeting on 7 July 2015, the Committee had approved a procedure for processing planning applications which required completion of a Legal Agreement. If approved, the application would be subject to a Legal Agreement and/or other appropriate mechanism and the approved procedure would apply.

The Committee decided:

- (1) that planning application P/19/1038 by Advance Construction (Scotland) Limited for the installation of a new access to public road and access track to serve the proposed restoration of former reservoir to agricultural land (relating to planning application HM/16/0541) at Wellbrae Reservoir, Muttonhole Road, Hamilton be granted subject to:-
 - ◆ the conditions specified in the Executive Director's report
 - ◆ the deletion of "2 weeks" in Condition 4, to be replaced by "1 week"
 - ◆ prior conclusion of a Legal Agreement and/or other appropriate mechanism between the Council and the applicant to ensure:-
 - ◆ financial compensation for the repair of any damage to roads arising from extraordinary wear and tear associated with the development
 - ◆ provision of the road widening measures identified and proposed within the document titled, 'Sydes Brae, South Lanarkshire – Review of Road Layout and Geometry – November 2019 (Transport Planning)
 - ◆ the applicant meeting the Council's legal costs associated with the Legal Agreement and the restoration guarantee quantum
- (2) that it be noted that, in accordance with the agreed procedure, should there be no significant progress by the applicant towards the conclusion of the Legal Agreement within 6 months of the date of the meeting at which the application was considered, the proposed development could be refused on the basis that, without the planning control or developer contribution which could be secured by the Legal Agreement, the proposed development would be unacceptable; and
- (3) that it be noted that, if the Legal Agreement had not been concluded within the 6 month period but was progressing satisfactorily, the applicant would be offered the opportunity to enter into a Processing Agreement, if this was not already in place, which would set an alternative agreed timescale for the conclusion of the Legal Agreement.

[Reference: Minutes of 7 July 2015 (Paragraph 15) and 8 October 2019 (Paragraph 4)]

5 Application P/19/1694 – Section 42 Application to Vary Condition 2 of Appeal Decision PPA-380-2080 to Enable Removal of Restrictions Affecting Non-construction Vehicles at Land 140 Metres Northwest of 7 Muirhead Drive, Law, Carluke

A report dated 22 January 2020 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/19/1694 by Persimmon Homes for an application under Section 42 of the Town and Country Planning (Scotland) Act 1997 to vary Condition 2 of appeal decision PPA-380-2080 to enable the removal of restrictions affecting non-construction vehicles at land 140 metres northwest of 7 Muirhead Drive, Law, Carluke.

At its meeting on 26 March 2019, the Committee had refused permission for an application under Section 42 of the Town and Country Planning (Scotland) Act 1997 (P/19/1694) to delete Condition 36 attached to planning consent P/18/0603 for 157 houses at Muirhead Drive Law. The applicant had appealed this decision to the Scottish Ministers and the appeal had been upheld in part. The effect of the appeal decision was that a new permission was issued with fresh conditions, including Condition 2 which restricted access to the site for non-construction vehicles.

Councillor Dorman, seconded by Councillor Horsham, moved that the application be granted subject to the conditions specified in the Executive Director's report. Councillor Shearer, seconded by Councillor Stevenson, moved as an amendment that the application be refused and that Condition 2 of appeal decision PPA-380-2080 be not varied. On a vote being taken by a show of hands, 9 members voted for the amendment and 12 for the motion which was declared carried.

The Committee decided: that planning application P/19/1694 by Persimmon Homes under Section 42 of the Town and Country Planning (Scotland) Act 1997 to vary Condition 2 of appeal decision PPA-380-2080 to enable the removal of restrictions affecting non-construction vehicles at land 140 metres northwest of 7 Muirhead Drive, Law, Carluke be granted subject to the conditions specified in the Executive Director's report.

[Reference: Minutes of 26 March 2019 (Paragraph 6)]

6 Application P/19/1206 for Residential Development and Associated Works (Planning Permission in Principle) at Land Surrounding Kilnhill Farm, Limekilnburn Road, Quarter, Hamilton

A report dated 22 January 2020 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/19/1206 by Advance Construction (Scotland) Limited for a residential development and associated works (planning permission in principle) at land surrounding Kilnhill Farm, Limekilnburn Road, Quarter, Hamilton.

Points raised in 25 late letters of representation in support of the application were referred to at the meeting and addressed by officers.

Councillor Dorman, seconded by Councillor Horsham, moved that the application be refused for the reasons detailed in the Executive Director's report. Councillor Burns, seconded by Councillor Lennon, moved as an amendment that consideration of the application be deferred to allow revised public transport proposals and a public transport strategy to be submitted. On a vote being taken by a show of hands, 8 members voted for the amendment and 13 for the motion which was declared carried.

The Committee decided: that planning application P/19/1206 by Advance Construction (Scotland) Limited for a residential development and associated works (planning permission in principle) at land surrounding Kilnhill Farm, Limekilnburn Road, Quarter, Hamilton be refused for the reasons detailed in the Executive Director's report.

7 Application P/19/1631 for Erection of 167 Residential Units Comprising 78 Houses and 89 Flats with Associated Infrastructure (Approval of Matters Specified in Conditions 1 (a to r), 3, 4, 6, 7, 8, 9, 10 and 12 of Planning Permission in Principle EK/09/0218) at Land 85 Metres East Northeast of Jackton Cottage, Eaglesham Road, Jackton

A report dated 23 January 2020 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/19/1631 by Cala Management Limited for the erection of 167 residential units comprising 78 houses and 89 flats with associated infrastructure (approval of matters specified in Conditions 1 (a to r), 3, 4, 6, 7, 8, 9, 10 and 12 of planning permission in principle EK/09/0218) at land 85 metres east northeast of Jackton Cottage, Eaglesham Road, Jackton.

The Committee decided: that planning application P/19/1631 by Cala Management Limited for the erection of 167 residential units comprising 78 houses and 89 flats with associated infrastructure (approval of matters specified in Conditions 1 (a to r), 3, 4, 6, 7, 8, 9, 10 and 12 of planning permission in principle EK/09/0218) at land 85 metres east northeast of Jackton Cottage, Eaglesham Road, Jackton be granted subject to the conditions specified in the Executive Director's report.

[Reference: Minutes of 26 June 2018 (Paragraph 4)]

8 Application P/19/1315 for Erection of Flatted Development (25 Units) with Associated Parking, Access, Bicycle and Bin Stores at Press Buildings, Campbell Street, Hamilton

A report dated 22 January 2020 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/19/1315 by Rosewood Homes and Properties Limited for the erection of a flatted development (25 units) with associated parking, access, bicycle and bin stores at the Press Buildings, Campbell Street, Hamilton.

The Committee decided: that planning application P/19/1315 by Rosewood Homes and Properties Limited for the erection of a flatted development (25 units) with associated parking, access, bicycle and bin stores at the Press Buildings, Campbell Street, Hamilton be granted subject to the conditions specified in the Executive Director's report.

Councillor Dorman, having declared an interest in the above application, withdrew from the meeting during its consideration. Councillor Horsham took the Chair for this item only

9 Application P/19/0964 for Change of Use of Land from Yard Area to Form Aggregate Recycling and Storage with Ancillary Crushing and Wash Plant and Associated Vehicle Storage Yard at Waterbank Farm, Westerfield Road, Carmunnock

A report dated 22 January 2020 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/19/0964 by Bedrock Plant Limited for the change of use of land from a yard area to form aggregate recycling and storage with ancillary crushing and wash plan and associated vehicle storage yard at Waterbank Farm, Westerfield Road, Carmunnock.

At its meeting on 7 July 2015, the Committee had approved a procedure for processing planning applications which required completion of a Legal Agreement. If approved, the application would be subject to a Legal Agreement and/or other appropriate mechanism and the approved procedure would apply.

The Committee decided:

- (1) that planning application P/19/0964 by Bedrock Plant Limited for the change of use of land from a yard area to form aggregate recycling and storage with ancillary crushing and wash plan and associated vehicle storage yard at Waterbank Farm, Westerfield Road, Carmunnock be granted subject to:-
 - ◆ the conditions specified in the Executive Director's report
 - ◆ the deletion of "2 weeks" in Condition 8, to be replaced by "1 week"
 - ◆ prior conclusion of a Legal Agreement and/or other appropriate mechanism between the Council and the applicant to ensure:-
 - ◆ financial compensation for the repair of any damage to roads arising from extraordinary wear and tear associated with the development
 - ◆ provision of a vehicle routing agreement ensuring HGVs did not travel through the village of Carmunnock
 - ◆ provision of junction improvements to the Waterbank Road/Waterside Road priority junction
 - ◆ the applicant meeting the Council's legal costs associated with the Legal Agreement and the restoration guarantee quantum
- (2) that it be noted that, in accordance with the agreed procedure, should there be no significant progress by the applicant towards the conclusion of the Legal Agreement within 6 months of the date of the meeting at which the application was considered, the proposed development could be refused on the basis that, without the planning control or developer contribution which could be secured by the Legal Agreement, the proposed development would be unacceptable; and
- (3) that it be noted that, if the Legal Agreement had not been concluded within the 6 month period but was progressing satisfactorily, the applicant would be offered the opportunity to enter into a Processing Agreement, if this was not already in place, which would set an alternative agreed timescale for the conclusion of the Legal Agreement.

[Reference: Minutes of 6 November 2012 (Paragraph 3) and 7 July 2015 (Paragraph 15)]

10 Application P/19/1526 for Erection of Primary School and Nursery with Associated Infrastructure to Include Access, Parking, Landscaping, Floodlit 3G Pitch, and Playground Area (Approval of Matters Specified in Conditions 1 (a to r), 3, 4, 6, 8, 9, 10 and 12 of Planning Permission in Principle EK/09/0218) at Jackton Road, Jackton

A report dated 24 January 2020 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/19/1526 by South Lanarkshire Council for the erection of a primary school and nursery with associated infrastructure to include access, parking, landscaping, floodlit 3G pitch, and playground area (approval of matters specified in conditions 1 (a to r), 3, 4, 6, 8, 9, 10 and 12 of planning permission in principle EK/09/0218) at Jackton Road, Jackton.

The Committee decided: that planning application P/19/1526 by South Lanarkshire Council for the erection of a primary school and nursery with associated infrastructure to include access, parking, landscaping, floodlit 3G pitch, and playground area (approval of matters specified in conditions 1 (a to r), 3, 4, 6, 8, 9, 10 and 12 of planning permission in principle EK/09/0218) at Jackton Road, Jackton be granted subject to the conditions specified in the Executive Director's report.

[Reference: Minutes of 26 June 2018 (Paragraph 4)]

Councillor McLachlan left the meeting following consideration of this item of business

11 Application P/19/1554 for Erection of 20 Houses (Cottage Flats) with Associated Parking and Landscaping at Drumgray Avenue, Uddingston

A report dated 22 January 2020 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/19/1554 by South Lanarkshire Council for the erection of 20 houses (cottage flats) with associated parking and landscaping at Drumgray Avenue, Uddingston.

The Committee decided: that planning application P/19/1554 by South Lanarkshire Council for the erection of 20 houses (cottage flats) with associated parking and landscaping at Drumgray Avenue, Uddingston be granted subject to the conditions specified in the Executive Director's report.

12 Application P/19/1625 for Erection of 48 New Build Houses for Social Rent with Associated Drainage and Landscaping Works at Land 100 Metres East Southeast of 208 Woodland Crescent, Auld Kirk Road, Cambuslang

A report dated 22 January 2020 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/19/1625 by Cruden Building and Renewals for the erection of 48 new build houses for social rent with associated drainage and landscaping works at land 100 metres east southeast of 208 Woodland Crescent, Auld Kirk Road, Cambuslang.

The Committee decided:

that planning application P/19/1625 by Cruden Building and Renewals for the erection of 48 new build houses for social rent with associated drainage and landscaping works at land 100 metres east southeast of 208 Woodland Crescent, Auld Kirk Road, Cambuslang be granted subject to the conditions specified in the Executive Director's report.

13 Scottish Government Consultation on Planning Performance and Fees

A report dated 30 January 2020 by the Executive Director (Community and Enterprise Resources) was submitted on the Council's response to the Scottish Government's consultation on planning performance and fees.

The Planning (Scotland) Act 2019 received Royal Assent in July 2019. The new legislation aimed to put in place a range of new statutory duties and measures to make the planning system more efficient and effective and ensure it was capable of providing a high quality service. The Act required annual performance reporting by planning authorities on a statutory basis and introduced the role of a National Planning Improvement Co-ordinator. The Scottish Government had also recognised that resourcing was an important element in improving performance and service quality and proposed that any increase in planning fees should be matched by continuing improvements in performance. On 18 December 2019, the Scottish Government launched a consultation paper on Planning Performance and Fees.

Details were given on proposals contained in the consultation paper in relation to:-

- ♦ planning performance, including:-
 - ♦ the development of a statement about performance of the planning system
 - ♦ targeted customer engagement
 - ♦ the appointment of a National Planning Improvement Co-ordinator
- ♦ planning fees, including:-
 - ♦ changes to the current fee structure
 - ♦ the introduction of a range of additional and discretionary charges

The Council's proposed response to the consultation paper was detailed in the appendix to the Executive Director's report.

The Committee decided:

- (1) that the comments contained in the appendix to the report be submitted as the Council's response to the Scottish Government's consultation on planning performance and fees; and
- (2) that the Head of Planning and Economic Development be authorised to make drafting and technical changes to the response prior to its submission.

Councillors Buchanan, Cowie and Stevenson left the meeting during consideration of this item of business

14 Urgent Business

There were no items of urgent business.

Report

3

Report to:	Planning Committee
Date of Meeting:	10 March 2020
Report by:	Executive Director (Community and Enterprise Resources)

Application no.	P/20/0069
Planning proposal:	Erection of dwellinghouse (substitution of house type) (amendment to EK/17/0063)

1 Summary application information

Application type: Further application

Applicant: Burnhead Group Ltd
Location: 1 Floors Farm
Stonehouse Road
Strathaven
ML10 6TA

2 Recommendation(s)

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

- (1) Grant the further application (subject to conditions) based on conditions attached

2.2 Other actions/notes

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

3 Other information

- ♦ Applicant's Agent:
- ♦ Council Area/Ward: 05 Avondale And Stonehouse
- ♦ Policy Reference(s): **South Lanarkshire Local Development Plan 2015**
Policy 3 Green belt and rural area
Policy 4 Development management and placemaking

Proposed South Lanarkshire Local Development Plan 2 2018
Policy 4 Green Belt and Rural Area
Policy 5 Development Management and Placemaking

◆ **Representation(s):**

▶ 10
▶ 12
▶ 0

Objection Letters
Support Letters
Comment Letters

Planning Application Report

1 Application Site

- 1.1 The application relates to an existing residential site at Floors Farm which is approximately 1 mile to the east of Strathaven. Planning permission was previously approved in 2015 for 7 dwellinghouses at the site. (EK/15/0083). This was amended in 2017 to increase the number to 12 dwellinghouses (EK/17/0063). Currently 4 houses exist adjacent to the site. This application relates to Plot 2 of this part of the development. Access is taken directly from the A71 and via electronic gates which are set back approximately 25 metres from the main road.

2 Proposal(s)

- 2.1 The application is for a change of house type at this plot. The proposed house is similar to those already approved and would still be a detached two storey villa. The changes relate to elevational details with a changed roof profile, different fenestration and the introduction of three 'gable' style elements to the front and back. The floor space will be reduced very slightly by approximately 10 square metres.

3 Background

3.1 Local Plan Status

- 3.1.1 In terms of the adopted South Lanarkshire Local Development Plan, the application site is located within the Greenbelt as defined by Policy 3 which states that there is a general presumption against development unless it relates to a rural business, forms part of a larger proposal or involves the rehabilitation of traditional buildings. Policy 4 of the same plan - Development management and placemaking - applies to all applications and requires that they respect the character and amenity of the locality. A previous application in 2015 for seven houses (EK/15/0083) established the principle of residential development on this part of the site and this was further confirmed by the granting of a twelve-house layout (EK/17/0063).

- 3.1.2 On 29 May 2018, the Planning Committee approved the proposed South Lanarkshire Local Development Plan 2 (Volumes 1 and 2) and Supporting Planning Guidance on Renewable Energy. The new plan builds on the policies and proposals contained in the currently adopted South Lanarkshire Local Development Plan. For the purposes of determining planning applications, the proposed South Lanarkshire Local Development Plan 2 is now a material consideration. In this instance, Policies 4 and 5 are relevant.

3.2 Planning Background

- 3.2.1 Planning permission was previously approved in 2015 for 7 dwellinghouses at the site. (EK/15/0083). This was amended in 2017 to increase the number to 12 dwellinghouses (EK/17/0063). A similar proposal for the substitution of house type was granted on plot 1 in December 2019 (P/19/1602).

4 Consultation(s)

- 4.1 **Strathaven and Glassford Community Council** – objects to the proposal unless the access gate issue has been resolved and that no other houses should be granted until this is the case.

Response: The site already has planning permission for residential development so the principle of residential development here has been established. This application is for a change in house type to plot 2 and the issue regarding the access gate is a private matter between the applicant and residents of Floors Farm. Notwithstanding this, the applicant has previously supplied details of the emergency access details.

5 Representation(s)

- 5.1 Statutory neighbour notification was undertaken following which 10 letters of objection (including letters from both Councillor Graeme Campbell and Dr. Lisa Cameron MP). 12 letters of support have also been received. The points raised are summarised as follows:

Letters of Objection

- a) **There have been ongoing problems with access and exit through the two electrically operated gates in the development. Most recently since 14 December 2019, the ability to remotely control the gates has ceased to operate, and this persists. Instead, there is a requirement to exit vehicles and manually operate the gates via a code or fob. This is not disabled friendly and is dangerous in wintry conditions. In addition, there is currently no ability to be contacted through the intercom system at both gates by visitors to Floors Farm, including the Emergency Services, Royal Mail, delivery companies and guests. This affects both the intercom system at the two gates and the video entry system in houses.**

Response: These matters are between the majority landowner of the development and the residents. The gates can be operated by the residents as is required by the previous planning consent. Notwithstanding this, the applicant has supplied details of the emergency access/intercom which is currently in situ at the gates. This application relates purely to the amendment of design to plot 2 and not to vehicular access/intercom which has already been established.

- b) **A large, timber fence with steel posts has been erected without consultation adjacent to the boundary fence between the gardens of number 2 and number 3 and the agricultural field in front of the houses. The steel beams are unsightly, and I am interested to know if this will extend across the development. This has had the effect of blocking light into my garden and reduced the number of birds visiting the site.**

Response: The fence referred to does not require planning permission. Notwithstanding this, the current application relates purely to the amendment of design to plot 2 and not to the rear fencing which has already been established.

- c) **The current arrangements for refuse collection are unsatisfactory and involve residents taking bins up the slight hill to the A71. If the current system continues, it is conceivable that 32 bins could be collected from the A71, which presents a safety risk.**

Response: These matters are between the maintenance of the development and the residents. The current application relates purely to the amendment of design to plot 2 and refuse collection has already been established.

- d) **Permission should not be granted to build further houses whilst the above-mentioned issues persist. This all needs to be locked down for the benefit of**

the existing residents and prior to the commencement of further building works.

Response: The current application relates purely to the amendment of design to plot 2 and these matters have already been established.

- e) **Work has commenced on Plot 1 of the residential development granted in 2017 without the Conditions and Reasons used in reaching the decision of 27th November 2019 in relation to EK/17/0063 (Ref - P/19/1602), with no evidence that any of these have been adhered to.**

Response: The relevant paperwork discharging the conditions for application EK/17/0063 has been submitted and approved by the Council permitting the commencement of works.

- f) **Are the Council as a Planning Authority aware of the existing “mature” trees between the first and second access gate that the developer identified in his Design Statement dated 3rd March 2015 in regards to EK/15/0083 4.4 “need to be removed due to age and disease”. These trees are on the developer’s land and continually drop debris on the access road, including sizeable branches during storms; we are expected to pay for the removal of this debris. The most recent planting at the development has involved planting a quantity of shrubs, not in keeping with the environment. The species planted have resulted in an increase in height, compared to existing landscape form. This has resulted an increase in moss on the Access road and the natural stone of our homes.**

Response: The maintenance of the trees detailed above is a matter for the applicant/landowner and the neighbours. Notwithstanding the design statement, there is no stipulation in the original planning consent that these trees require to be removed.

- g) **Have the Council as a Planning Authority (EK/17/0063 Reference no. P/19/1602) decision dated 22 November 2019 approved the mounding of earth, which can clearly be seen in attached photograph (figure 1), positioned there in June 2019 by the developer in the “Farm”, directly behind the fence erected at rear of 3 Floors Farm. This has a negative impact on the amenity of the whole development and can be clearly seen when driving on the approach to Floors Farm from the A71?**

Response: The applicant has advised that these earthworks are from ongoing drainage works, however the Planning Authority has advised that the mound should be removed as soon as possible.

- h) **The limitations to access as described in item 1) above can quickly lead to a tailback onto the A71 at the site entrance. If a delivery truck is stuck at the gate and can’t make contact using the intercom and then 2 cars arrive behind him.**

Response: The Roads and Transportation Service did not object to the original proposal on these grounds. Notwithstanding this, the driveway between the A71 and the electronic gates is approximately 25 metres.

- i) **The factoring arrangements currently in place have resulted in significant bills for works undertaken without proper consultation.**

Response: This is a separate legal matter between all parties and not a material planning consideration.

Letters of Support

- j) **The electric gates at the site are well maintained and the entrance and access road are high quality.**

Response: Noted. The current application is for the substitution of house type and this matter was previously addressed.

- k) **An identical proposal was granted in December 2019 with no objections received.**

Response: Noted. All planning applications are determined on their own merits.

- l) **The landscaping and construction work at Floors Farm are of high quality.**

Response: Noted. The current application is for the substitution of house type and this matter was previously addressed.

- m) **Allegations of harassment of the owner of Plot 1 Floors Farm and the upkeep of Plot 3.**

Response: These matters are not relevant to the determination of this application.

- n) **There are no problems accessing the development through the intercom facility.**

Response: Noted. This matter is not relevant to the determination of the current application.

- 5.2 These letters have been copied and are available for inspection in the usual manner and on the planning portal.

6 Assessment and Conclusions

- 6.1 The determining issue in this instance is the proposal's compliance with adopted and proposed development plan policy unless material considerations determine otherwise. The proposal relates to the substitution of house type of a previously approved house. The changes relate to the elevational treatment on both the front and rear elevations. Three gable roofs will be introduced, together with a pitched roof introduced on the attached garage and the fenestration detail will be amended to a style more akin to the existing houses currently at Floors Farm. Moreover, the bay window in the lounge will be removed and the room will, therefore, be reduced in length. In addition, the building will be straightened very slightly and the overall floorspace will be reduced by approximately 10 square metres.

- 6.2 The proposed layout of the plot follows the previously consented details. The proposed dwelling is of a similar style and in keeping with those in the remainder of the development. The proposal does not introduce privacy or daylight issues from the previous approval as both elevations face empty plots and open fields respectively. As outlined in paragraph 3.1.1, development has been long established at the site since 2015 and previously amended in 2017. I am, therefore, satisfied that the proposal complies with policies 3 and 4 of the South Lanarkshire Local Development Plan.

- 6.3 10 letters of objection and an objection from the Community Council have been received. However, the matters raised are not relevant to the determination of this

application as they relate to largely to ongoing maintenance issues for the developer and the existing residents. The 12 letters of support are also noted, however, also raise no issues relevant to this proposal.

- 6.4 On 29 May 2018, the Planning Committee approved the proposed South Lanarkshire Local Development Plan 2 (Volumes 1 and 2) and Supporting Planning Guidance on Renewable Energy. The new plan builds on the policies and proposals contained in the currently adopted South Lanarkshire Local Development Plan. For the purposes of determining planning applications, the proposed South Lanarkshire Local Development Plan 2 is now a material consideration. In this instance, Policies 4 and 5 are relevant.
- 6.5 The proposed development has also been considered against the relevant policies in the proposed South Lanarkshire Local Development Plan 2 and it is noted that these policies are broadly consistent with the current adopted South Lanarkshire Local Development Plan 1. It is considered that the proposal accords with Policies 4 and 5.
- 6.6 On the basis of the above, it is recommended that planning permission be granted, subject to the conditions listed.

7 Reasons for Decision

- 7.1 The proposal complies with policies 3 and 4 of the South Lanarkshire Local Development Plan 2015 and policies 4 and 5 of the Proposed South Lanarkshire Local Development Plan 2.

Michael McGlynn
Executive Director (Community and Enterprise Resources)

Date: 19 February 2020

Previous references

- ◆ EK/15/0083
- ◆ EK/17/0063
- ◆ P/19/1602

List of background papers

- | | |
|---|------------|
| ▶ Application form | |
| ▶ Application plans | |
| ▶ South Lanarkshire Local Development Plan 2015 (adopted) | |
| ▶ Proposed South Lanarkshire Development Plan 2 | |
| ▶ Neighbour notification letter dated 23 January 2020 | |
| ▶ Consultations | Dated: |
| Strathaven and Glassford Community Council | 13.02.2020 |
| ▶ Representations | Dated: |
| Dr Lisa Cameron MP, 32 Waterside Street, Strathaven, ML10 6AW | 17.02.2020 |

Andrea Bryson, 1 Floors Farm, Stonehouse Road, Strathaven, South Lanarkshire, ML10 6BF	17.02.2020
Councillor Graeme Campbell, Council Offices, Beckford Street, Hamilton, ML3 0AA	11.02.2020
Mr Robert Templeton, 24 School Road, Sandford, Strathaven, South Lanarkshire, ML10 6BF	15.02.2020
Evonne Salmond, 2 Floors Farm, Stonehouse Road, Strathaven, South Lanarkshire, ML10 6TA	12.02.2020
Jamie Rankin, 3 Floors Farm, Stonehouse Road, Strathaven, South Lanarkshire, ML10 6TA	12.02.2020
Elaine Rankin, 3 Floors Farm, Stonehouse Road, Strathaven, South Lanarkshire, ML10 6TA	12.02.2020
James Rankin, 3 Floors Farm, Stonehouse Road, Strathaven, South Lanarkshire, ML10 6TA	12.02.2020
Mr Robert Moffat, Floors Farm (Phase 2) plot 2, Strathaven, ML10 6TA	13.02.2020
Mr Craig Chester, 115 John Muir way, Motherwell, ML1 3GW	13.02.2020
Mr David Bryson, 1 Floors Farm, Stonehouse Road, Strathaven, South Lanarkshire, ML10 6TA	14.02.2020
Mr Brian McGinlay, 9 Panther Drive, Tannochside, Uddingston, G71 6UH	14.02.2020
Mr Phillip Cameron, 12 Kilgannan Drive, Redding, Falkirk, Fk2 9GU	16.02.2020
Mr Stewart Earley, 4 Floors Farm, Stonehouse Road, Strathaven, South Lanarkshire, ML10 6TA	12.02.2020
Connor Rankin, 3 Floors Farm, Stonehouse Road, Strathaven, South Lanarkshire, ML10 6TA	12.02.2020
Ms Geraldine Harkins, 4 Floors Farm, Stonehouse Road, Strathaven, South Lanarkshire, ML10 6TA	11.02.2020
Paul Salmond, 2 Floors Farm, Stonehouse Road, Strathaven, South Lanarkshire, ML10 6TA	12.02.2020
Mr Mark Bradley, 9 Nagle Gardens, Dalziel Park, Motherwell, ML1 5LA	12.02.2020
Mr Kevin walker, 66 Neilsland Street, Hamilton, South Lanarkshire, ML3 8JW	19.02.2020

Mr Iain Winning, 68 Broompark Road, Blantyre, Glasgow, South Lanarkshire, G72 9XB	20.02.2020
Mr Lacklan Mackinnon, 24 Machan Road, Larkhall, South Lanarkshire, ML9 1HG	17.02.2020
Mr Alex Walker, 26 Swisshot Avenue, Hamilton, South Lanarkshire, ML3 8DW	19.02.2020

Contact for further information

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

Iain Morton, Planning Officer, Montrose House, 154 Montrose Crescent, Hamilton, ML3 6LB
Phone: 01698 455048
Email: iain.morton@southlanarkshire.gov.uk

Conditions and reasons

01. That before any work commences on the site, a scheme of landscaping shall be submitted to the Council as Planning Authority for written approval and it shall include: (a) an indication of all existing trees and hedgerows plus details of those to be retained and measures for their protection in the course of development; (b) details and specification of all trees, shrubs, grass mix, etc., including, where appropriate, the planting of fruit/apple trees; (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.

Reason: In the interests of amenity.

02. That the landscaping scheme required by condition 1 above 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 the 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.

Reason: In the interests of amenity and in order to retain effective planning control.

03. 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.

Reason: In the interests of amenity and in order to retain effective planning control.

04. That before development starts, full details of the design and location of all fences and walls, including any retaining walls, to be erected on the site shall be submitted to and approved by the Council as Planning Authority.

Reason: In the interests of amenity and in order to retain effective planning control.

05. That before any of the dwellinghouses situated on the site upon which a fence is to be erected is occupied, the fence or wall for which the permission of the Council as Planning Authority has been obtained under the terms of Condition 4 above, shall be erected and thereafter maintained to the satisfaction of the Council.

Reason: In order to retain effective planning control.

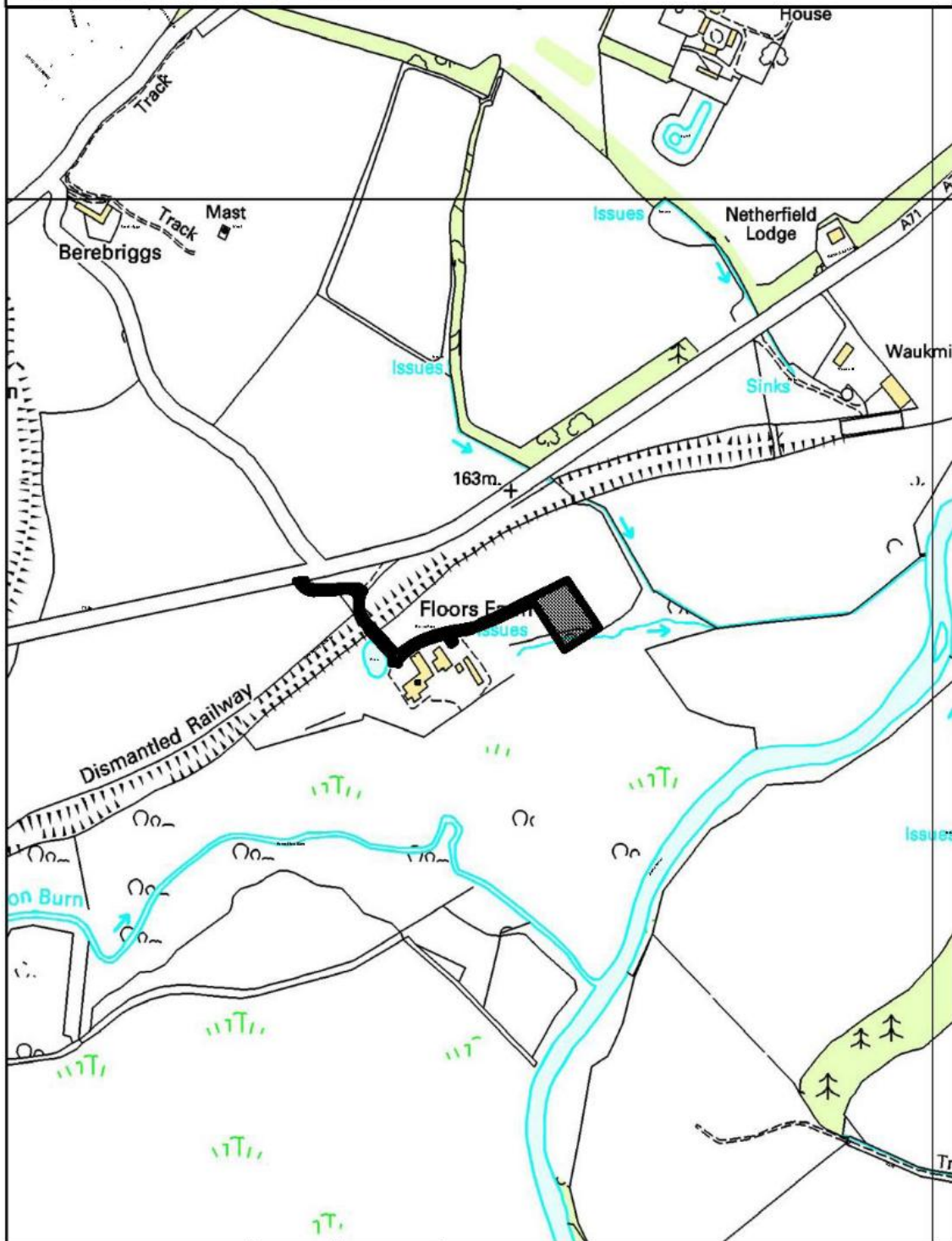
06. That notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(Scotland) Amendment Order 2011 (or any such order revoking or re-enacting that order), no development shall take place within the

curtilage of any dwellinghouse hereby approved other than that expressly authorised by this permission without the submission of a further planning application to the Council as Planning Authority.

Reason: In the interests of amenity and in order to retain effective planning control.

P/20/0069

1 Floors Farm, Stonehouse Road, Strathaven



© Crown copyright and database rights 2019 OS
100029730. You are permitted to use this data solely
to enable you to respond to, or interact with, the
organisation that provided you with the data. You are
not permitted to copy, sub-licence, distribute or sell
any of this data to third parties in any form.



Scale:
1:5,000
Date:
17/02/2020



South Lanarkshire Council
Community and Enterprise Resources
Planning and Economic Development

Report

4

Report to:	Planning Committee
Date of Meeting:	10 March 2020
Report by:	Executive Director (Community and Enterprise Resources)

Application no.	P/19/1180
Planning proposal:	Demolition of existing dwellinghouse, erection of replacement one and half storey detached dwellinghouse and ancillary detached vehicle storage and repair building

1 Summary application information

Application type:	Detailed planning application
Applicant:	Mr And Mrs Walter Henderson
Location:	The Manse Main Street Carnwath ML11 8JY

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

3 Other information

- ♦ Applicant's Agent: BHC Ltd
 - ♦ Council Area/Ward: 03 Clydesdale East
 - ♦ Policy Reference(s): **South Lanarkshire Local Development Plan (adopted 2015)**
Policy 4 - Development Management and Placemaking
Policy 6 - General Urban Area/Settlements
- Supplementary Guidance 3: Development Management, Placemaking and Design**
Policy DM13 - Development within General Urban Area/Settlement

**Proposed South Lanarkshire Development Plan
2**
Policy 3 - General Urban Areas
Policy 5 - Development Management and
Placemaking

♦ **Representation(s):**

▶	8	Objection Letters
▶	0	Support Letters
▶	0	Comment Letters

♦ **Consultation(s):**

Roads Development Management Team

WOSAS

Health & Safety Executive

Environmental Services

Planning Application Report

1 Application Site

- 1.1 The rectangular shaped application site consists of a vacant, single storey dwellinghouse and associated garden ground, located at the former manse, off Main Street, Carnwath. The existing site extends to approximately 0.21 hectare, with vehicular access taken directly from the Main Street via a private access road that serves one other residential property, Garmonie, the original Carnwath Manse. Historically, the site, enclosed by a high stone wall, formed part of the garden ground of the adjacent original manse, before that property was sold and the site thereafter used for the erection of a new manse dwelling (the vacant dwelling now occupying the site).
- 1.2 The western boundary of the application site adjoins the Carnwath Conservation Area and it is bounded by existing, modern residential properties to the north/north-east, and to the east. Garmonie, a large traditional, listed dwellinghouse, is located to the west. An established vehicle repair garage adjoins the site to the north/north-west and open agricultural land (within the applicant's control) adjoins to the south.

2 Proposal(s)

- 2.1 The applicants seek detailed planning permission for the demolition of the existing, vacant dwelling and associated domestic outbuildings on the site, to enable the erection of a replacement, modern, contemporary designed, energy efficient, one and a half storey dwellinghouse on the site, in the same general position of the existing, vacant dwellinghouse. Planning permission is also sought for the erection of an associated ancillary vehicle storage and repair building on the easternmost part of the site. Supporting documents submitted by the agent state that the building will only be used by the applicants and their immediate family, as a dual purpose storage and repair shed, to enable the applicant to continue his interests in the hobby of vintage car and agricultural machinery restoration. The ancillary building is also proposed to be utilised for occasional rally car storage and repair purposes, continuing the applicant's existing involvement in their family run motorsport hobby. It would also accommodate larger agricultural farm equipment, both as part of the hobby of agricultural machinery restoration and for in association with the welfare of the applicants' small herd of pedigree livestock (fodder/feed storage), and the associated 12 acres of adjoining agricultural land within the applicants' ownership.

3 Background

3.1 Local Plan Status

- 3.1.1 Within the adopted 2015 South Lanarkshire Local Development Plan, the application site lies within the settlement boundary of Carnwath. Policies 4 - Development Management and Place Making and Policy 6 - General Urban Area/Settlements, therefore, apply. The application also requires to be assessed against the guidance contained within the associated supplementary guidance documents, namely the Development Management, Place Making and Design SG. Collectively, these policies seek to promote the principles of sustainability in development and seek to make a positive contribution to the character and

appearance of the environment in which they are located, taking account of and being integrated with the local context and built form. Proposals which integrate successfully with their surroundings and which are well related to existing development, public transport, local services and facilities are also encouraged. Policy DM 13 – Development within general urban area/settlements of the Development Management, Place Making and Design SG provides specific guidance and criteria that any new development must also satisfy.

- 3.1.2 On 29 May 2018, the Planning Committee approved the proposed South Lanarkshire Local Development Plan 2 (Volumes 1 and 2) and Supporting Planning Guidance on Renewable Energy. Therefore, the proposed SLLDP2 is now a material consideration in determining planning applications. The relevant policies in the proposed plan are specifically Policies 3 – General Urban Area / Settlements, and 5 – Development Management and Placemaking. In broad terms, the aims and objectives of these policies are similar to those within the adopted Local Development Plan.

3.2 **Relevant Government Advice/Policy**

- 3.2.1 Given the scale and nature of the proposals, there is no applicable Scottish Government advice or policy directly relevant.

3.3 **Planning Background**

- 3.3.1 Planning consent was first sought for the demolition of the existing dwelling on the site in 2012, under planning application CL/12/0571. That application sought planning permission in principle for the redevelopment of the site, the submitted plans indicating that 3 new dwellings could be constructed within the site. Following concerns raised by the Council over road safety issues, the plans were amended to indicate 2 new dwellings built on the site. Despite this proposed reduction in unit numbers, the application was refused on road safety grounds in May 2015.

4 **Consultation(s)**

- 4.1 **Roads Development Management Team** – No objections to the application, subject to the provision of an adequate vehicular access, parking provision and a turning space within the site.

Response: Noted, these issues can be covered by suitable conditions and informatives, should the Committee be minded to grant permission for the proposals.

- 4.2 **Environmental Services** – No objections to the proposals, subject to the attachment of various conditions and informatives to any consent, covering potential noise nuisance associated with the intended use of the vehicle storage and repair building, construction and demolition of the existing buildings and formal action may be taken should nuisance occur.

Response: Noted, these issues can be covered by suitable conditions and informatives, should the Committee be minded to grant permission for the proposals.

- 4.3 **Health and Safety Executive** – No objections to the proposals and consequently do not advise, on safety grounds, against the granting of planning permission.

Response: Noted.

- 4.4 **West of Scotland Archaeology Service** – No objections to the proposals, as, despite its proximity to the church, available cartographic evidence would suggest that the potential for ground disturbance within the plot to encounter remains associated with the earliest phases of occupation at Carnwath is likely to be reasonably low. Further, the ground to the western end of the site has already been disturbed by construction of the existing house.

Response: Noted.

5 Representation(s)

- 5.1 Statutory neighbour notification was undertaken, following which 8 letters of representation have been received. The issues raised can be summarised as follows;

- a) **The ancillary vehicle storage and repair building is of an industrial scale, with potential safety issues arising from large vehicles trafficking the area, with a large number of small children. The applicant should withdraw the application for this building, or the application must be denied.**

Response: These comments are noted, however, following a detailed assessment of the application, the scale of the ancillary building is considered acceptable for the site, noting that the applicant is proposing multiple uses for the building, as outlined in the submitted design statement and associated supporting documents/plans. The building is proposed to be utilised for hobby purposes, including vintage car and agricultural farm equipment restoration, personal rally car storage and repairs and in association with agricultural activities on the applicant's adjacent 12 acres of agricultural land. In terms of the size and type of vehicles trafficking the area, this will be physically restricted by the width and layout of the narrow site access from the Main Street. The comments relating to small children are noted, however, the application site is effectively surrounded by a high stone wall with no evident means of access from any of the surrounding properties to the north, south or east.

- b) **The application must be denied on the grounds of potential noise, light loss and safety concerns, as the applicant is seeking consent for a commercial building to aid in the running of a semi-professional rally car team.**

Response: The applicant has responded to these claims by providing the information discussed in a) above. It is considered that the rally car element of the proposed use of the building is of a scale and nature that is considered acceptable for the site, noting the proximity of all neighbouring residential properties. Issues of potential noise have been fully considered in the assessment of the application, with various discussions taking place with both the applicants' agent and the Council's Environmental Service. The potential for noise disturbance is acknowledged, however, this can be mitigated to an acceptable degree by the attachment of various planning conditions, restricting noise levels, requiring all external doors to be kept closed during repairs and requiring the submission of further details of noise reducing cladding for the proposed building. With regard to the potential loss of daylight to adjacent properties, the applicant has reduced the overall height of both the eaves and the ridge of the proposed ancillary storage

building. A site visit has been undertaken, considering the impact of the new buildings from both within the application site and from all surrounding properties, noting that the site itself is screened from many angles by the existing high stone wall. It is concluded that the proposed height and position of the new building will have no significant adverse impact on any of the adjacent residential properties, both in terms of noise or loss of light. The objector has failed to clarify what safety concerns he is referring to, however, all buildings are proposed to be contained within the applicants' site, and will require to accord with current building standards regulations.

- c) **Approval of the application would set a precedent that industrial sized buildings can be built anywhere, and that issues of noise, loss of light and safety concerns are of no consequence.**

Response: These comments are noted, however each application is assessed on its own individual merits. Issues of noise, loss of light and safety concerns would be considered on a case by case basis.

- d) **The proposed ancillary building could be relocated somewhere else within the applicants' 12 acre landholding, where it would have less impact on neighbouring properties.**

Response: The applicants have considered relocating the proposed ancillary building, however have discounted this suggestion and wish to have the application considered in its current form.

- 5.2 These letters have been copied and are available for inspection in the usual manner and on the planning portal.

6 Assessment and Conclusions

- 6.1 The applicants seek detailed planning permission for the erection of a modern, detached dwellinghouse and an associated, ancillary vehicle storage and repair building on the site. The site is a large plot of land on the south-western edge of Carnwath and is occupied by an existing, vacant, single storey dwellinghouse and associated ancillary outbuildings.
- 6.2 The main considerations in determining this application are the scale, siting and detailed design of the proposed buildings, their compliance with local plan policy, and the potential impact on both the visual and residential area, in particular the potential for noise nuisance and disturbance associated with the proposed vehicle storage and repair building.
- 6.3 Within the adopted 2015 South Lanarkshire Local Development Plan, the application site lies within the settlement boundary of Carnwath. Policies 4 - Development Management and Place Making and Policy 6 - General Urban Area/Settlements, therefore, apply. The application must also be assessed against the guidance contained within the associated supplementary guidance documents, namely that within the Development Management, Place Making and Design SG. Collectively, these policies seek to promote the principles of sustainability in development and seek to ensure that all forms of development make a positive contribution to the character and appearance of the environment in which they are located, taking account of and being integrated with the local context and built form. Proposals which integrate successfully with their surroundings and which are well

related to existing development, public transport, local services and facilities are also encouraged.

- 6.4 Policy DM 13 of the Development Management, Placemaking and Design Supplementary Guidance provides specific guidance for development within general urban areas and settlements. In general terms, this guidance aims to ensure that all development respects the context and built environment within which the development is located and resists development that would be out of context, scale and character. Proposed developments must relate satisfactorily to adjacent and surrounding development in terms of scale, massing, materials and intensity of use. Further, the character and amenity of the area must not be impaired by reason of traffic generation, parking, visual intrusion, noise or emission of gases or particulates, the development must be adequately serviced in terms of access, and there must be no adverse effect on public safety.
- 6.5 The existing, vacant dwelling on the site is not considered to be of an age or architectural style that warrants its preservation on the site. Following a detailed assessment, the proposed replacement dwelling is considered to represent an acceptable form of development for the site, in terms of its overall scale, mass and design. The application site is considered to be of a size that can accommodate the scale of the replacement dwellinghouse proposed and, further, the design will not result in any issues of overlooking or privacy for any of the existing adjacent dwellinghouses next to the site. Consequently, it is considered that the replacement dwellinghouse element of the proposals does comply with Policies 4 and 6 of the adopted South Lanarkshire Local Development Plan. On this basis, the proposed dwellinghouse is also considered to comply with the relevant policies and guidance contained in the Development Management, Place Making and Design SG.
- 6.6 The proposed ancillary vehicle storage and repair building is the only part of the application that has attracted objections. This additional building is proposed to extend to some 324 sq metres in size, with a total overall height of 5.4 metres and height to eaves level of 4.2 metres from existing ground levels. In contrast, the ridge height of the proposed house would be 6.6m while adjoining houses are two storey. The access doors, the only means of access, are proposed to be positioned on the west elevation of the building, facing towards the applicants' proposed new dwelling. A design statement submitted with the application provides the background and explains the reasons for the scale and design of the proposed ancillary building. The applicants are retired farmers, with an interest in vintage car and agricultural machinery restoration. Further, the building will be required for storing feedstuffs and equipment for managing the associated 12 acres of agricultural land that the applicants own to the immediate south of the application site. The applicants have also stated that the new ancillary building will be utilised for the storage, maintenance and repair of rally cars, advising that the involvement in this motorsport is purely undertaken as a hobby activity. Notwithstanding this, the information submitted by the agent states that the internal walls and roof of the new building will be lined in insulating cladding to minimise noise nuisance to the nearest surrounding properties.
- 6.7 Following a detailed assessment of the ancillary building element of the proposals, including the carrying out of various consultations and a sunlight/daylight assessment, the proposed ancillary building is considered to be of an acceptable scale, mass and design for the site. The sunlight/daylight assessment indicates that

whilst there will be some reduction in sunlight/daylight levels to existing surrounding properties, particularly during winter months, this is not to an extent that warrants refusal of the application. The various concerns raised in the letters of objection are also noted, however this Service is satisfied that appropriate planning conditions restricting the use and noise levels emitted from the building can adequately mitigate and address the concerns raised. It should also be noted that the application site is set notably lower than the finished ground levels for the gardens of the existing dwellings adjacent to the site, with the application site ground levels being some 1.3 metres lower in the north east corner of the site, the point closest to the adjacent, existing dwellings. In summary, the proposed ancillary storage building does not dominate either the proposed new dwellinghouse or the surrounding residential area to a degree and extent that is physically imposing and/or detrimental to the amenity of the area in general. Consequently, it is considered that in terms of scale, design and siting, the sheer physical presence of the proposed ancillary building and its resultant height does not have a detrimental impact on the amenity of the adjacent houses. Accordingly, it is once again considered that the proposal does comply with Policies 4 and 6 of the adopted South Lanarkshire Local Development Plan and the proposals are also considered to comply with the relevant policies and guidance contained in the Development Management, Place Making and Design SG.

- 6.8 On 29 May 2018, the Planning Committee approved the proposed South Lanarkshire Local Development Plan 2 (Volumes 1 and 2). Therefore, the proposed SLLDP2 is now a material consideration in determining planning applications. The proposed development has been considered against the relevant policies in the proposed plan and it is noted that these policies are broadly consistent with the current adopted South Lanarkshire Local Development Plan 1. It, therefore, follows that the application accords with Policies 3 and 5 of the proposed plan.
- 6.9 In view of all of the above, as the proposals represent an appropriate form of development for the site, in accordance with the policies and guidance of the adopted South Lanarkshire Local Development Plan and its associated supplementary guidance, I recommend that the application be approved by Committee.

7 Reasons for Decision

- 7.1 The proposals will have no significant adverse impact on either residential or visual amenity and comply with Policies 4, 6 and DM13 of the South Lanarkshire Local Development Plan (adopted June 2015) and the associated Supplementary Guidance. The proposals are also considered to comply with Policies 3 and 5 of the proposed South Lanarkshire Local Development Plan 2. Further, there are no additional material considerations which would justify refusing planning permission.

Michael McGlynn
Executive Director (Community and Enterprise Resources)

Date: 20 February 2020

Previous references

- ◆ CL/12/0571

List of background papers

- ▶ Application form
- ▶ Application plans
- ▶ South Lanarkshire Local Development Plan 2015 (adopted)
- ▶ Proposed South Lanarkshire Development Plan 2
- ▶ Supplementary Guidance 3: Development Management, Placemaking and Design

- ▶ Neighbour notification letter dated 19 August 2019

- ▶ Consultations

Roads Development Management Team

WOSAS 29.08.2019

Health & Safety Executive 21.08.2019

Environmental Services 27.01.2020

- ▶ Representations Dated:
- Mr Fraser Young, 55 Allison Drive, Carnwath, Lanark, South Lanarkshire, ML11 8HF

22.08.2019
02.09.2019
- Mrs Julie Waddell, 14 Cooper Court, Carnwath, Lanark, South Lanarkshire, ML11 8HE

21.08.2019
19.09.2019
- Mr Angus Barrie, 12 Cooper Court, Carnwath, Lanark, South Lanarkshire, ML11 8HE

22.08.2019
01.09.2019
06.09.2019
26.09.2019

Contact for further information

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

Stuart Ramsay, Planning Officer, Montrose House, 154 Montrose Crescent, Hamilton, ML3 6LB

Phone: 01698 453601

Email: stuart.ramsay@southlanarkshire.gov.uk

Conditions and reasons

01. 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.

Reason: To ensure the development is satisfactory in appearance and to maintain the visual quality of the area.

02. Between the hours of 08:00 and 20:00 the measured noise rating level emitted from the storage and repair premises (LAeq,1hr) shall not exceed the pre-existing background noise level (LA90,30 min) by more than 4dB when measured in accordance with British Standard BS 4142:2014 - Method for Rating and Assessing Industrial and Commercial Sound at the proposed development. Between the hours of 20:00 and 08:00 the noise rating level emitted from the premises (LAeq,15 min) shall not exceed the pre-existing background noise level (LA90,30min) by more than 4dB when measured in accordance with BS4142:2014 at the proposed development.

Reason: To minimise potential noise disturbance to adjacent occupants.

03. The internal noise levels at any residential property shall comply with BS 8233:2014 Guidance on sound insulation and noise reduction for buildings as follows-
- The scheme shall ensure that-
- a) The internal levels with windows open (or under exceptional circumstances closed) do not exceed an LAeq,16hr of 40dB daytime (07:00 - 23:00)
 - b) The internal levels with windows open (or under exceptional circumstances closed) do not exceed an LAeq,8hr of 30dB night-time (23:00 - 07:00).
 - c) The internal levels with windows open (or under exceptional circumstances closed) do not exceed an LA,max of 45dB night-time (23:00 - 07:00).
 - d) The external levels shall not exceed an LAeq,16hr of 50dB daytime in any garden areas, when measured free-field.

In addition, the Internal Noise Rating Values, within any residential property, when assessed with the windows open, and resultant from the development, shall not exceed-

- o NR25 between 23.00hrs and 08.00hrs
- o NR35 between 08.00hrs and 23.00hrs

Reason: To minimise potential noise disturbance to adjacent occupants.

04. That all external doors shall remain closed at all times when noise making equipment is being used within the ancillary detached building.

Reason: To minimise potential noise disturbance to adjacent occupants.

05. That before any development starts on site full details of the design and specifications, including the surface density, of the internal solid surfaces (walls and roof) of the ancillary detached building require to be submitted to the Planning authority for approval. The building shall not be brought into use until the approved details have been implemented.

Reason: To minimise potential noise disturbance to adjacent occupants.

06. That no trees within the application site shall be lopped, topped, pollarded or felled, or otherwise affected, without the prior written consent of the Council as Planning Authority.

Reason: In the interests of amenity and to ensure the protection and maintenance of the existing trees within the site.

07. That before development starts, full details of the design and location of all fences and walls, including any retaining walls, to be erected on the site shall be submitted to and approved by the Council as Planning Authority.

Reason: To ensure the development is satisfactory in appearance and to maintain the visual quality of the area.

08. 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.

Reason: In the interests of traffic and public safety.

09. That before the development hereby approved is completed or brought into use, a turning space shall be provided within the site to enable vehicles to enter and leave the application site in forward gears at all times.

Reason: In the interests of traffic and public safety.

10. That before the development hereby approved is completed or brought into use, a private vehicular access or driveway of at least 12 metres in length shall be provided and the first 4 metres of this access from the heel of the footway/service strip shall be hard surfaced across its full width to prevent deleterious material being carried onto the road.

Reason: To prevent deleterious material being carried onto the road.

11. That before the dwellinghouse hereby permitted is occupied, 3 car parking spaces shall be provided within the curtilage of the plot and outwith the public road or footway and shall thereafter be maintained to the specification of the Council as Planning Authority.

Reason: To ensure the provision of adequate parking facilities within the site.

12. That the use of the storage and repair building hereby permitted shall be restricted to private use incidental to the enjoyment of the dwellinghouse on the site and no commercial activity shall be carried out in or from the building.

Reason: To safeguard the residential amenity of the surrounding area.

P/19/1180

The Manse, Main Street, Carnwath



© Crown copyright and database rights 2019 OS
100020730. You are permitted to use this data solely
to enable you to respond to, or interact with, the
organisation that provided you with the data. You are
not permitted to copy, sub-licence, distribute or sell
any of this data to third parties in any form.



Scale:
1:2,500
Date:
17/02/2020



South Lanarkshire Council
Community and Enterprise Resources
Planning and Economic Development

Report

5

Report to:	Planning Committee
Date of Meeting:	10 March 2020
Report by:	Executive Director (Community and Enterprise Resources)

Application no.	P/19/1809
Planning proposal:	Erection of 28 flatted dwellings with associated car parking and works

1 Summary application information

Application type:	Detailed planning application
Applicant:	Carmichael Homes and Interiors
Location:	Westmains Garage West Mains Road East Kilbride South Lanarkshire G74 1NH

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) The Planning Committee has delegated powers to determine this application.
- (2) Detailed planning permission should not be issued until an appropriate obligation under Section 75 of the Planning Act, and/or other appropriate agreement, has been concluded between the Council, the applicants and the site owner(s). This planning obligation should ensure that appropriate financial contributions are made at appropriate times during the development towards the provision of affordable housing, educational facilities and community facilities.

In accordance with agreed procedure, should there be no significant progress, on behalf of the applicant, towards the conclusion of the Planning Obligation within 6 months of the date of the Committee, the proposed development may be refused on the basis that, without the planning control/developer contribution which would be secured by the Planning Obligation, the proposed development would be unacceptable.

If, however, this matter is being progressed satisfactorily the applicant will be offered the opportunity to enter into a Processing Agreement, if this is not

already in place. This will set an alternative agreed timescale for the conclusion of the Planning Obligation.

All reasonable legal costs incurred by the Council in association with the above section 75 Obligation shall be borne by the developers.

3 Other information

- ♦ Applicant's Agent: Calum MacCalman
- ♦ Council Area/Ward: 08 East Kilbride Central North
- ♦ Policy Reference(s): **South Lanarkshire Local Development Plan (2015)**
Policy 2 - Climate change
Policy 4 - Development management and placemaking
Policy 5 – Community infrastructure assessment
Policy 9 - Neighbourhood centres
Policy 13 - Affordable housing and housing choice
Policy 15 - Natural and historic environment

Supplementary Guidance 1: Sustainable Development and Climate Change

Supplementary Guidance 3: Development Management, Placemaking and Design

Policy DM1 – Design
Policy DM7 - Demolition and redevelopment for residential use

Supplementary Guidance 4: Community Infrastructure Assessment

Supplementary Guidance 6: Town Centres and Retailing

Supplementary Guidance 7: Affordable Housing and Housing Choice

Supplementary Guidance 9: Natural and Historic Environment

Policy NHE3 - Listed buildings
Policy NHE7 - Conservation areas

Proposed South Lanarkshire Local Development Plan 2 (2018)

Policy 2 - Climate Change
Policy 5 - Development Management and Placemaking
Policy 7 - Community Infrastructure Assessment
Policy 9 - Network of Centres and Retailing
Policy 12 - Affordable Housing
Policy 14 - Natural and Historic Environment
Policy DM1 - New Development Design

Policy DM7 - Demolition and Redevelopment for Residential Use
Policy NHE3 - Listed Buildings
Policy NHE6 - Conservation Areas

South Lanarkshire Council Residential Development Guide

◆ **Representation(s):**

▶	2	Objection Letters
▶	0	Support Letters
▶	1	Comment Letters

◆ **Consultation(s):**

Roads and Transportation Services (Development Management Team)

Roads and Transportation Services (Flood Risk Management Team)

Education Resources - School Modernisation Team

Housing Services

Community and Enterprise Resources - Play Provision Community Contributions

Environmental Services

Scottish Water

WOSAS

East Mains Community Council

Planning Application Report

1 Application Site

- 1.1 The application relates to the site of a former petrol filling station and associated retail unit at West Mains Road, East Kilbride. In addition to the filling station and shop the site was also previously utilised as a car sales facility. However all of these uses have ceased operations on site. Part of the site remains in use as a tyre garage and car wash at this time.
- 1.2 The application site, which measures approximately 0.2 hectares in area, is bounded to the west by residential properties and by Glebe Crescent, to the north by Glebe Street with residential properties located directly opposite, to the east by a church hall and to the south by West Mains Road with residential properties located directly opposite. The site, which is accessed from West Mains Road, slopes gently upwards from south to north.

2 Proposal(s)

- 2.1 The applicants, Carmichael Homes and Interiors, propose to remove the existing commercial buildings from the site and construct a four storey flatted development comprising 28 two bedroom flats. The building would be located towards the north and west of the site with parking and refuse facilities provided adjacent to the access from West Mains Road, which would be upgraded to facilitate the development. Pedestrian accesses would also be provided from both Glebe Street and Glebe Crescent to the proposed development. The proposed building would be finished in facing brick and smooth cladding throughout.

3 Background

3.1 Local Plan Status

- 3.1.1 In land use terms, the site is identified within the adopted South Lanarkshire Local Development Plan 2015 (LDP) as forming part of the East Kilbride Village neighbourhood centre (Policy 9 – Neighbourhood Centres) and the East Kilbride Village Conservation Area (Policy 14 – Natural and Historic Environment and Policy NHE7 – Conservation Areas). In addition to the above policy designation, the proposed development is affected by a number of additional policies within the Local Plan, as follows:

- Policy 2 – Climate change
- Policy 4 – Development management and placemaking
- Policy 5 – Community infrastructure assessment
- Policy 13 – Affordable housing and housing choice
- Policy DM1 – Design
- Policy DM7 – Demolition and redevelopment for residential use
- Policy NHE3 – Listed buildings

- 3.1.3 On 29 May 2018, the Planning Committee approved the proposed South Lanarkshire Local Development Plan 2 (Volumes 1 and 2) and Supporting Planning Guidance on Renewable Energy. The new plan builds on the policies and proposals

contained in the currently adopted South Lanarkshire Local Development Plan. For the purposes of determining planning applications, the proposed South Lanarkshire Local Development Plan 2 is now a material consideration. In this instance, the following policies are relevant:

- Policy 2 – Climate change
- Policy 5 – Development Management and Placemaking
- Policy 7 – Community infrastructure assessment
- Policy 9 - Network of Centres and Retailing
- Policy 12 – Affordable Housing
- Policy 14 – Natural and Historic Environment
- Policy DM1 – New Development Design
- Policy DM7 – Demolition and Redevelopment for Residential Use
- Policy NHE3 – Listed Buildings
- Policy NHE6 – Conservation Areas

3.2 **Planning Background**

3.3.1 As the site is located within the East Kilbride Village Conservation Area and the demolition of existing buildings is proposed, a concurrent application for Conservation Area Consent in respect of the proposed demolition works is also currently under Council consideration (Planning Ref: P/19/1823).

3.3.2 In terms of site history, planning consent was granted in January 2014 for the change of use of the petrol filling station within the site to form a car sales facility (Planning Ref: EK/13/0320). However, this facility has since ceased operations on site. Three subsequent change of use applications relating to the site have been withdrawn by their respective applicants prior to determination due to concerns raised by the Planning Service relating to the proposals set out below:

- EK/16/0163 - Change of use to car hire facility, alterations and erection of wash bay for hire vehicles
- EK/17/0343 - Change of use to hot food takeaway and catering business
- P/18/1503 - Change of use to hot food takeaway

4 **Consultation(s)**

4.1 **Roads and Transportation Services (Development Management Team)** – Initially requested clarification regarding a number of matters including parking, access and visibility splays. Following the submission of revised drawings clarifying these matters, they offered no objection to the proposed development subject to conditions.

Response: Noted. Appropriate conditions would be added to any consent granted.

4.2 **Roads and Transportation Services (Flood Risk Management Team)** - advised that they have no objections subject to the applicants satisfying the Council's design criteria and conditions relating to Sustainable Urban Drainage Systems and flood risk.

Response: Noted. Appropriate conditions would be attached to any consent granted.

- 4.3 **Education Resources - School Modernisation Team** - In accordance with policy on Community Infrastructure Assessment, a financial contribution has been sought to address the impact of the proposals on the capacity of schools within the catchment area of the site.
Response: Noted. If Committee agrees to grant consent, developer contributions would be secured through a Section 75 Legal Agreement between the developer and the Council.
- 4.4 **Housing Services** - In accordance with policy on affordable housing provision, a financial contribution is sought in respect of the provision of affordable housing.
Response: Noted. If Committee agrees to grant consent, developer contributions would be secured through a Section 75 Legal Agreement between the developer and the Council.
- 4.5 **Community and Enterprise Resources - Play Provision Community Contributions** - In accordance with policy on Community Infrastructure Assessment, a financial contribution is sought in respect of community and play facilities in the local area.
Response: Noted. If Committee agrees to grant consent, developer contributions would be secured through a Section 75 Legal Agreement between the developer and the Council.
- 4.6 **Environmental Services** - Initially requested clarification regarding the provision of suitable refuse facilities within the site. Following the submission of revised drawings in respect of the matters raised they offered no objection to the proposed development subject to relevant conditions. In particular it is noted that they have requested the attachment of a condition to any consent issued requiring the removal of the disused petrol filling station tanks from the site as part of the development.
Response: Noted. Appropriate conditions can be added to any consent granted, including a condition requiring the removal of the disused petrol filling station tanks.
- 4.7 **Scottish Water** – Offered no objection to the proposed development.
Response: Noted
- 4.8 **WOSAS** – Requested that a condition be attached to any consent issued requiring a programme of archaeological works to be agreed and implemented on site to ensure that any features, deposits or artefacts of archaeological merit encountered are suitably excavated and recorded prior to their removal.
Response: Noted. The requested condition would be attached to any consent issued.
- 4.9 **East Mains Community Council** – Objected to the application due to concerns relating to the scale of the development proposed, the level of parking provision within the site and the capacity of surrounding infrastructure to cater for the proposed development.
Response: The comments submitted by the Community Council are noted. The points raised have been considered as part of the assessment of the planning application. However, following a detailed assessment, the view is taken that the proposed development is acceptable and, as such, it is considered appropriate that planning permission be granted, subject to appropriate conditions.

5 Representation(s)

5.1 Statutory neighbour notification was undertaken and the proposal was advertised for neighbour notification purposes, as development affecting the setting of a listed building and as development affecting the character of a conservation area. Three letters of representation were received, the points of which are summarised below:

- a) **The removal of trees from within the site may create overlooking issues to adjacent properties.**

Response: While it is noted that a number of trees would require to be removed from the site to facilitate the development as proposed, it is not considered that there would be an unacceptable degree of overlooking created as a result of the development as proposed. It is, therefore, not considered appropriate for planning permission to be refused for this reason.

- b) **The roots of the trees proposed to be removed may cause damage to adjacent properties.**

Response: Any damage to private property resulting from the development would be a civil matter to be resolved privately between the parties involved. Nonetheless, provided that all works are carried out in an appropriate manner, it is unlikely that there would be any adverse impact on adjacent properties in this regard.

- c) **The loss of the tyre garage from the site would have an adverse impact on the local economy and would adversely affect the mix of uses within the neighbourhood centre.**

Response: It is noted that the development would result in the garage, which occupies the north-eastern part of the site, requiring to relocate in order to continue operations. However, this is not considered to be justification for refusal of the planning application. In this instance, following a detailed assessment against Council planning policy, it is considered appropriate for planning permission to be granted for the residential development as proposed in this instance. If required, the Council's Economic Development Service can provide assistance with regard to the relocation of the garage to suitable premises elsewhere in the local area.

- d) **The design of the proposal would amount to overdevelopment of the site and would have an adverse impact on the character of the conservation area within which the site is located.**

Response: The proposal has been assessed in detail and it is not considered that the proposal would amount to overdevelopment of this neighbourhood centre location or would have an adverse impact on the conservation area. In particular, given the relatively poor condition and appearance of the existing buildings, the view is taken that the development, as proposed, would have a positive overall impact by allowing the redevelopment of an unattractive and partly disused site for an appropriate use.

- e) **The height, design and layout of the development, as proposed, would be out of context with surrounding properties.**

Response: It is noted that surrounding development is of a variety of styles and character and that there is no particularly predominant style of development in the local area. In this context, it is considered that the development, as proposed, would not appear out of context with its surroundings and would allow an unattractive site to be developed for a use that is more in keeping with its surroundings than the current use.

- f) **Additional details should have been provided in terms of the impact of the proposals on the conservation area and nearby adjacent properties.**

Response: It is considered that sufficient detail has been provided by the applicants to allow a full assessment of the proposals to be undertaken in this instance. Following a full assessment of the proposed development against Council planning policy, it is considered appropriate for planning permission to be granted for the development, as proposed.

- g) **It should be ensured that no protected species are harmed as a result of the proposed development.**

Response: A species survey has been submitted in respect of the site which has confirmed that, subject to adherence to the recommendations of the report, there would be no adverse impact on protected species arising from the proposed development. A condition would be attached to any consent issued requiring the recommendations of the report to be followed at all times on site and, on this basis, there are no further concerns with regard to protected species in this instance.

- 5.2 These letters have been copied and are available for inspection in the usual manner and on the planning portal.

6 Assessment and Conclusions

- 6.1 The applicants, Carmichael Homes and Interiors, propose to remove the existing commercial buildings and construct a four storey flatted development comprising 28 two bedroom flats on the site of West Mains Garage, West Mains Road, East Kilbride. The proposed building would be located towards the north and west of the site with parking and refuse facilities provided adjacent to the access from West Mains Road, which would be upgraded to facilitate the development. Pedestrian accesses would also be provided from both Glebe Street and Glebe Crescent to the development. The proposed building would be finished in facing brick and smooth cladding throughout.
- 6.2 Section 25 of the Town and Country Planning (Scotland) Act 1997 requires that all planning applications are determined in accordance with the development plan, unless other material considerations indicate otherwise. The main determining issues, therefore, in the assessment of this application are whether the proposed development is in compliance with local development plan policy.
- 6.3 The adopted South Lanarkshire Local Development Plan 2015 (LDP) identifies the site, in land use terms, as forming part of the East Kilbride Village neighbourhood centre as defined by Policy 9 – Neighbourhood Centres. Within neighbourhood

centres the Council seeks an appropriate mix of uses, including retail, office and residential developments. As such, the principle of the proposed redevelopment of the site for residential purposes is considered to complement the mix of uses in the area and is compliant with the provisions of Policy 9.

- 6.4 In terms of the detail of the proposal, Policy 4 of the LDP states that all planning applications should take fully into account the local context and built form, while Policy 2 seeks to ensure that proposed developments, where possible, seek to minimise and mitigate against the effects of climate change. In addition, Policies DM1 and DM7 of the associated Development Management, Placemaking and Design Supplementary Guidance provide specific policy and guidance with regard to design issues and the demolition and redevelopment of sites respectively. Furthermore, any proposal should not result in significant adverse environmental or amenity impacts. Further guidance on design matters is contained in the Council's Residential Design Guide.
- 6.5 In terms of the submitted layout, it is noted that the proposal is for 28 two bedroom flats, with associated parking and landscaping facilities. The design and layout of the development is considered to be acceptable and it is not considered that there would be any significant adverse impact on adjacent properties or the surrounding area in terms of overlooking, loss of light or other amenity issues. Furthermore, it is noted that the site is located in a particularly sustainable location, in close proximity to both East Kilbride Village and East Kilbride Town Centre as well as both East Kilbride railway and bus stations. As such, this accessibility, in terms of walking and public transport, would ensure that the proposed development would minimise and mitigate against the effects of climate change. Furthermore, it is noted that the Council's Roads and Transportation Services and Environmental Services have offered no objections to the proposed development, subject to conditions which would be attached to any consent issued. It is, therefore, considered that the proposals comply with both Policies 2 and 4 and their associated supplementary guidance, as well as with the Council's Residential Development Guide.
- 6.6 Policy 15 – Natural and Historic Environment and its associated supplementary guidance seeks to ensure that no natural and historic assets or their settings are adversely affected as a result of any proposed developments. In addition, Policies NHE3 and NHE7 provide specific policy and guidance with regard to listed buildings and conservation areas respectively. In this instance, while it is noted that a sizeable residential development is proposed within the East Kilbride Village Conservation Area, it is also noted that the site is currently in poor condition and that only part of the site is in operational use at this time. As such, it is considered that the proposed redevelopment of the site would have an overall positive impact on the conservation area by returning the entirety of the site to a functional use, while not adversely impacting on any historically important features. While it is noted that there are a number of listed buildings located in relatively close proximity to the application site, it is not considered that any would be adversely impacted by the proposed development.
- 6.7 In addition, following consultation with the West of Scotland Archaeology Service, a condition would be attached to any consent issued requiring a programme of archaeological works to be implemented on site, to ensure that any features of archaeological interest encountered during the construction process can be retrieved. Furthermore, with regard to the natural environment, a protected species

survey has been carried out in respect of the site which has confirmed that there is no evidence of the presence of any such species within the site. It is noted that a number of trees would require to be removed from the site to facilitate the development, as proposed, however, it is considered that the trees in question are of relatively low merit and, therefore, there are no concerns with regard to their removal. As such, it is considered that the proposed development would not have any adverse impact on the natural or built environment and would be fully compliant with the provisions of Policy 15 and its associated supplementary guidance in this instance.

- 6.8 The Council's adopted policy on Community Infrastructure Assessment (Policy 5) advises that a financial contribution from developers will be sought where it is considered that a development requires capital or other works or facilities to enable the development to proceed. In this instance, education and community infrastructure contributions have been broadly agreed and staged payments would be secured through a Section 75 legal agreement between the Council and the developer. In addition, contributions would also be similarly secured in respect of the provision of affordable housing in the area. This approach is acceptable to Housing Services and accords with Policy 13 – Affordable Housing and Housing Choice and with all relevant associated Supplementary Guidance.
- 6.9 On 29 May 2018, the Planning Committee approved the proposed South Lanarkshire Local Development Plan 2 (Volumes 1 and 2) and Supporting Planning Guidance on Renewable Energy. Therefore, the Proposed SLLDP2 is now a material consideration in determining planning applications. The proposed development has been considered against the relevant policies in the proposed plan and it is noted that these policies are broadly consistent with the current adopted South Lanarkshire Local Development Plan 1. It is considered that the proposal accords with the relevant policies detailed in section 3.1.3 above.
- 6.10 In summary, it is considered that the development, as proposed would represent a significant improvement in the appearance of the site, would allow the provision of 28 residential flatted dwellings within the East Kilbride Village neighbourhood centre and would be fully compliant with the relevant provisions of both the South Lanarkshire Local Development Plan (adopted 2015) and the Proposed South Lanarkshire Local Development Plan 2 2018. It is, therefore, recommended that planning permission is granted for the proposed development, subject to the attached conditions.

7 Reasons for Decision

- 7.1 The proposal would have no significant adverse impact on amenity and complies with the relevant policies of the adopted South Lanarkshire Local Development Plan and Supplementary Guidance (Policies 2, 4, 5, 9, 13, 15, DM1, DM7, NHE3 and NHE7) and the Proposed South Lanarkshire Local Development Plan 2 (Policies 2, 5, 7, 9, 12, 14, DM1, DM7, NHE3 and NHE6). There are no additional material considerations which would justify refusing to grant consent.

Michael McGlynn
Executive Director (Community and Enterprise Resources)

Date: 18 February 2020

Previous references

- ◆ P/19/1823
- ◆ P/18/1503
- ◆ EK/17/0343
- ◆ EK/16/0163
- ◆ EK/13/0320

List of background papers

▶ Application form	
▶ Application plans	
▶ South Lanarkshire Local Development Plan 2015 (adopted)	
▶ Proposed South Lanarkshire Development Plan 2	
▶ Neighbour notification letter dated 6/12/2019	
▶ Consultations	
WOSAS	17.12.2019
Roads and Transportation Services (Development Management Team)	31.01.2020
Environmental Services	11.02.2020
Scottish Water	17.12.2019
Education Resources School Modernisation Team	20.12.2019
Housing Services	17.12.2019
Community and Enterprise Resources Play Provision	17.01.2020
Community Contributions	
East Mains Community Council	10.01.2020
Roads and Transportation Services (Flood Risk Management Team)	10.01.2020
▶ Representations	Dated:
Joe Allan, 94 Franklin Place, Westwood, East Kilbride, G75 8LS	22.01.2020
Broadgrove Planning Development Ltd,	23.12.2019
Scott Martin, Received Via Email	20.12.2019

Contact for further information

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

Declan King, Planning Officer, Montrose House, 154 Montrose Crescent, Hamilton, ML3 6LB
Phone: 01698 455049
Email: declan.king@southlanarkshire.gov.uk

Conditions and reasons

01. 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. The development shall thereafter be carried out in accordance with the approved details to the satisfaction of the Council as Planning Authority.

Reason: To ensure the development is satisfactory in appearance and to maintain the visual quality of the area.

02. Prior to commencement of the development hereby approved, details of measures to facilitate the provision of full fibre broadband to serve the development, including details of appropriate digital infrastructure and a timescale for implementation, shall be submitted to and approved in writing by the Council as Planning Authority, unless otherwise agreed in writing with the applicant. The approved measures shall thereafter be carried out in accordance with the agreed implementation timescale.

Reason: To ensure the provision of digital infrastructure to serve the development.

03. That before development starts, full details of the design and location of all fences and walls, including any retaining walls, to be erected on the site shall be submitted to and approved by the Council as Planning Authority.

Reason: To ensure the development is satisfactory in appearance and to maintain the visual quality of the area.

04. 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 Condition3, shall be erected and thereafter maintained to the satisfaction of the Council.

Reason: To ensure the development is satisfactory in appearance and to maintain the visual quality of the area.

05. That before any work commences on the site, a scheme of landscaping shall be submitted to the Council as Planning Authority for written approval and it shall include:

- (a) an indication of all existing trees and hedgerows plus details of those to be retained and measures for their protection in the course of development;
- (b) details and specification of all trees, shrubs, grass mix, etc., including, where appropriate, the planting of fruit/apple trees;
- (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.

Reason: To ensure the appropriate provision of landscaping within the site.

06. 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.

Reason: In the interests of the visual amenity of the area.

07. 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.

Reason: To ensure that any features, deposits or artefacts of archaeological merit encountered on site are suitably excavated and recorded prior to their removal.

08. That no development shall commence until details of surface water drainage arrangements (including provision of a flood risk assessment, drainage assessment and maintenance responsibilities) 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 (Appendices 1,2,3,4 & 5).

Reason: 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.

09. That the development hereby approved shall not be completed or brought into use until all surface water drainage works have been completed in accordance with the details submitted to and approved by the Council as Planning Authority, under the terms of Condition 8 above.

Reason: 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.

10. That before the development hereby approved is brought into use, a dropped kerb access to the site shall be constructed in accordance with the specification and to the satisfaction of the Council as Roads and Planning Authority.

Reason: In the interests of traffic and public safety.

11. That before the development hereby approved is completed or brought into use, a private vehicular access or driveway shall be provided and the first six metres of this access from the heel of the footway/service strip shall be hard surfaced across its full width to prevent deleterious material being carried onto the road.

Reason: To prevent deleterious material being carried onto the road.

12. That before the development hereby approved is completed or brought into use, the existing vehicular access shall be closed off and all vehicular access to the development site hereby permitted shall be via the access detailed in Condition 11 above.

Reason: In the interests of traffic and public safety.

13. That, before the development hereby approved is completed or brought into use, a footway shall be constructed along the entrance to the site to the specification and satisfaction of the Council as Roads and Planning Authority.

Reason: In the interests of public safety.

14. That, before the development hereby approved is completed or brought into use, all of the parking spaces shown on the approved plans shall be laid out, constructed and thereafter maintained to the specification and satisfaction of the Council as Roads and Planning Authority.

Reason: To ensure the provision of adequate parking facilities within the site.

15. That, before the development hereby approved is completed or brought into use, a visibility splay of 2.5 metres by 43 metres measured from the road channel shall be provided on both sides of the vehicular access and everything exceeding 0.9 metres in height above the road channel level shall be removed from the sight line areas and thereafter nothing exceeding 0.9 metres in height shall be planted, placed or erected within these sight lines.

Reason: In the interests of traffic and public safety.

16. That, before the development hereby approved is completed or brought into use, a visibility splay of 2.4 metres by 2.4 metres measured from the heel of the footway shall be provided on both sides of the vehicular access and everything exceeding 0.9 metres in height above the road channel level shall be removed from the sight line areas and thereafter nothing exceeding 0.9 metres in height shall be planted, placed or erected within these sight lines.

Reason: In the interests of public safety.

17. That, before the development hereby approved is completed or brought into use, a suitable system of site drainage shall be put in place to the satisfaction of the Council as Roads and Planning Authority to prevent surface water flowing onto the public road.

Reason: To prevent surface water flowing onto the public road.

18. That, during the construction phase associated with the development hereby approved:

- Appropriate cleaning systems shall be put in place within the site to ensure mud and debris is not deposited on the public road;
- Appropriate staff/operative parking and a turning area, as required, shall be provided on site.

Prior to commencement of any works on site full details of the above shall be submitted to and approved by the Council as Roads and Planning Authority.

Reason: In the interests of road safety.

19. That the recommendations of the DAM Geotechnical Services Geotechnical Design & Environmental Risk Assessment Report (Pre-demolition), Ref DAM 3588 dated January 2020 in respect of the development shall be undertaken/adhered to at all times on site. In addition, following the undertaking of the demolition works hereby approved, an updated Site Investigation Report shall be submitted to and approved by the Council as Planning Authority and the recommendations therein, as well as any identified site remediation measures, shall be undertaken on site to the satisfaction of the Council prior to development works being undertaken on site.

Reason: To safeguard the environmental amenity of the area.

20. That, prior to the commencement of any development works on site, the decommissioned fuel tanks of the former garage services premises shall be removed to the satisfaction of the Council as Planning Authority.

Reason: To safeguard the environmental amenity of the area.

21. The applicant shall ensure that all works carried out on site are carried out in accordance with the current BS5228:2009, 'Noise control on construction and open sites'. Prior to commencement of construction activities a detailed report identifying the projected noise impact at the nearest noise sensitive receptors shall be submitted to and approved by the Council as Planning Authority in accordance with the standard. The imissions at the Noise Sensitive Receptor shall be cumulative and shall include mobile and stationary plant and equipment. The noise from any haul roads on site shall also be included. In addition to noise a vibration report shall be submitted for consideration. The report shall detail projections from Piling and other ground works in keeping with 6472:2008 - Guide to evaluation of human exposure to vibration in buildings. The development shall thereafter be undertaken in accordance with the approved details to the satisfaction of the Council as Planning Authority.

Reason: To safeguard the amenity of the area.

22. That, at all times, the internal noise levels shall comply with BS 8233:2014 Guidance on sound insulation and noise reduction for buildings as follows-

- a) The internal levels with windows open (or under exceptional circumstances closed) do not exceed an LAeq,16hr of 40dB daytime (07:00 - 23:00)
 - b) The internal levels with windows open (or under exceptional circumstances closed) do not exceed an LAeq,8hr of 30dB night-time (23:00 - 07:00).
 - c) The internal levels with windows open (or under exceptional circumstances closed) do not exceed an LA,max of 45dB night-time (23:00 - 07:00).
 - d) The external levels shall not exceed an LAeq,16hr of 50dB daytime in any garden areas, when measured free-field
- The Internal Noise Rating Values, within any residential property and resultant from the development, shall not exceed-
- NR25 between 23.00hrs and 08.00hrs
 - NR35 between 08.00hrs and 23.00hrs

Reason: To safeguard the amenity of the area.

23. That all of the bins identified on the approved plans shall be put in place on site prior to occupation of any of the dwellinghouses hereby approved and shall thereafter be maintained on site to the satisfaction of the Council as Planning Authority.

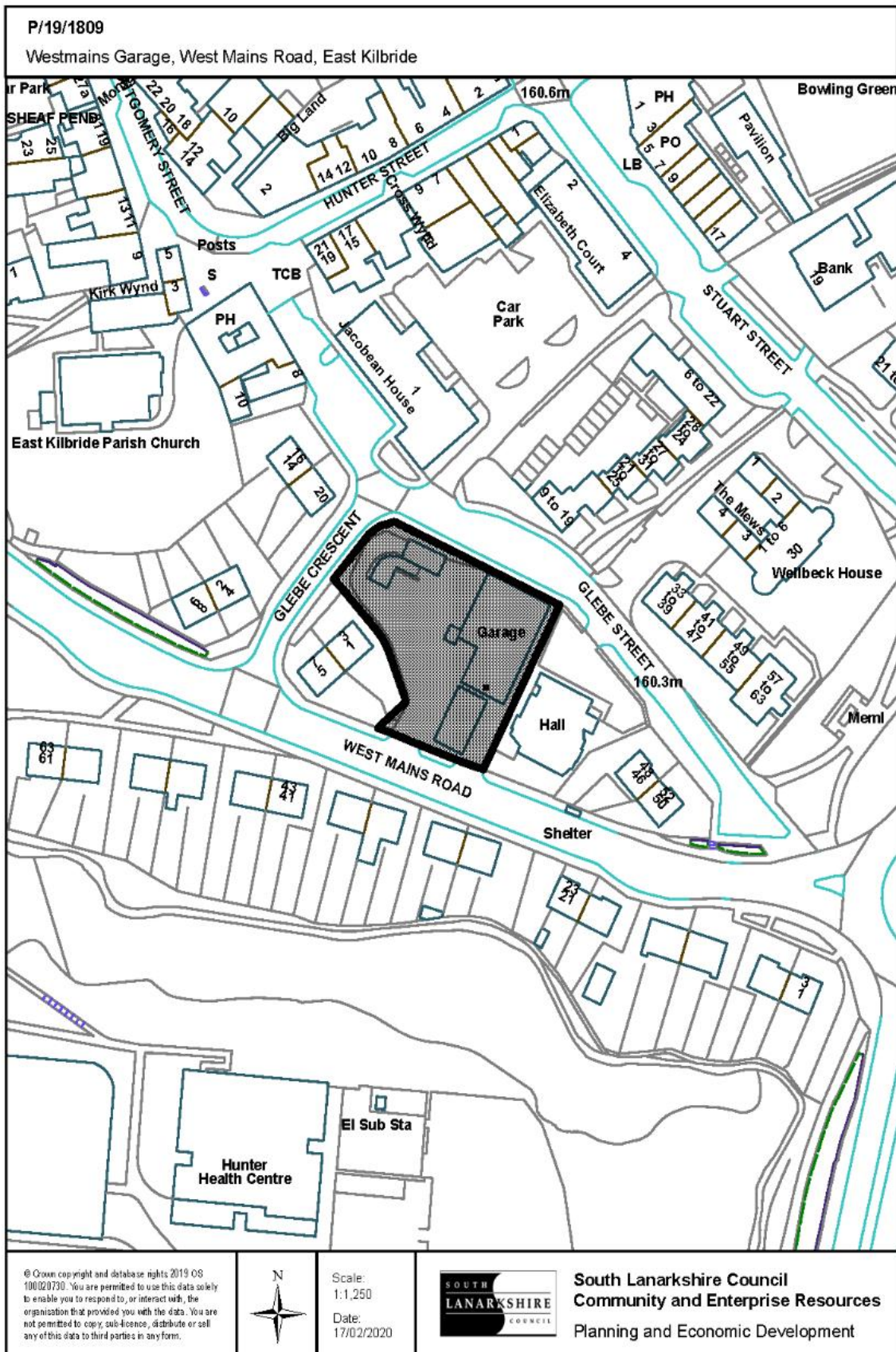
Reason: To safeguard the amenity of the area.

24. That, prior to development commencing on site, a scheme for the control, monitoring and mitigation of dust shall be submitted to and approved in writing by the Council as Planning Authority. No changes to the approved scheme shall take place unless agreed in writing by the Council as Planning Authority. The scheme shall thereafter be implemented in accordance with a programme to be agreed in writing with the Council as Planning Authority.

Reason: To safeguard the amenity of the area.

25. That the recommendations of the species survey carried out in respect of the site by Nocturne Environmental Surveyors Limited shall be adhered to at all times on site throughout the development, to the satisfaction of the Council as Planning Authority.

Reason: To ensure that no protected species are harmed as a result of the development.



Report

6

Report to:	Planning Committee
Date of Meeting:	10 March 2020
Report by:	Executive Director (Community and Enterprise Resources)

Application no.	P/19/1546
Planning proposal:	Planning permission in principle for residential development (Section 42 application to amend planning conditions 1(e) and 3, relating to boundary planting, to amend planting details and devise a scheme for ongoing maintenance of boundary planting of planning permission Ref: CL/16/0356)

1 Summary application information

Application type:	Further application
Applicant:	Hargreaves Land Limited
Location:	Dalquhandy Opencast Coal Site Middlemuir Road Coalburn ML11 0NN

2 Recommendation(s)

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

- (1) Grant the further application (subject to conditions) based on conditions attached

2.2 Other actions/notes

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

3 Other information

- ◆ Applicant's Agent: Hargreaves Land Limited
- ◆ Council Area/Ward: 04 Clydesdale South
- ◆ Policy Reference(s): **South Lanarkshire Local Development Plan (adopted 2015)**
Policy 1: Spatial Strategy
Policy 2 - Climate Change
Policy 4 - Development management and placemaking
Policy 12 – Housing Land

**Supplementary Guidance 3: Development
Management, Placemaking and Design**
DM1 – Design

**Proposed South Lanarkshire Local
Development Plan 2 (2018)**

Policy 1 – Spatial Strategy

Policy 2 – Climate Change

Policy 5 - Development Management and
Placemaking

Policy 11 - Housing

◆ **Representation(s):**

▶	0	Objection Letters
▶	0	Support Letters
▶	0	Comment Letters

◆ **Consultation(s):**

Roads Development Management Team

Environmental Services

Coal Authority Planning Local Authority Liaison Department

SEPA Flooding

Roads Flood Risk Management

Planning Application Report

1 Application Site

- 1.1 The application site which extends to 7 ha in area is situated on the south western edge of Coalburn and is accessed from the main road through Coalburn via Middlemuir Road. The site was formerly occupied by the site offices for the former Dalquhandy opencast coal site which have now been demolished. The site is currently vacant and comprises large tracts of hardstanding areas and overgrown with grass and scrub. Topographically, the site rises relatively steeply in a north/south direction.
- 1.2 The site is bounded to the south and east by restored opencast workings (woodland, heath land and rough grazing), to the west by Middlemuir Road and beyond by settling ponds, a burn and reinstated open cast coal works and to the north by vacant industrial land.

2 Proposal(s)

- 2.1 The application is made under Section 42 of the Town and Country Planning (Scotland) Act 1997 (as amended) and is an application for planning permission for the development of land but without compliance with a condition or conditions attached to a previous planning permission.
- 2.2 In this instance, the applicant wishes to vary parts (e) of condition 1 and condition 3 of planning permission Ref: CL/16/0356 (hereon referred to as the Original Permission) which granted planning permission in principle (PPP) for residential development in November 2016. To date there has been no commencement of development on site.
- 2.3 Condition 1(e) of planning permission CL/16/0356 states:

'Prior to the commencement of development on site, a further application(s) for the approval of any of the matters specified in this condition must be submitted to and approved by the Council as Planning Authority, in accordance with the timescales and other limitations in section 59 of the Town and Country Planning (Scotland) Act 1997 (as amended).'

These matters include:

(e) the landscaping proposals for the site, including details of existing trees and other planting to be retained together with proposals for new planting specifying number, size and species of all trees and shrubs, including, where appropriate, the planting of fruit/apple trees;'

- 2.4 The applicant has requested that condition 1(e) be amended to read:

'(e) the landscaping proposals for the site, including details of existing trees and other planting to be retained together with proposals for new planting specifying number, size and species of all trees and shrubs.'

- 2.5 In essence, the applicant requests that the reference to planting fruit/ apple trees is removed from any proposed planting scheme. The applicant states that fruit/ apple trees would not be suitable on brownfield land due to ground conditions.
- 2.6 Condition 3 of the Original Permission states:
- ‘That the further application required under Condition 1 above shall include structure planting with a minimum width of 15 metres around the site boundaries adjoining the restored open cast site.’*
- 2.7 The applicant has requested that condition 3 is amended to read:
- ‘Pursuant to condition 1(e), the proposed structural planting and landscaping belt shall measure not less than 15 metres in extent. The approved scheme of structural landscaping to form a tree and planting belt shall be carried out during the first planting season following implementation of the development and maintained thereafter for the lifetime of the development, unless variation to this condition is approved in writing by the Planning Authority.’
- 2.8 The applicant considers this amendment maintains the minimum 15 metre depth of planting required by the Original Permission and adds further instruction on the method and timing of planting that is not currently explicit in condition 3 of the Original Permission.
- 2.9 If successful, the effect of a Section 42 application to modify a planning condition or conditions is to grant a further planning permission for the whole development again but with the amended condition or conditions replacing those that were previously issued, or with conditions removed if required. All other conditions, if relevant, are also required to be attached to any new planning permission. If the proposed changes to the condition or conditions are deemed unacceptable, then Section 42 of the Act requires the application to be refused. Any refusal of an application under Section 42 of the Act does not have any effect on the original planning permission which remains intact.

3 Background

3.1 National Policy

- 3.1.1 Scottish Planning Policy (SPP) advises that developments for new residential units should be concentrated within existing settlements and also advises that development should preferably be through the reuse of redundant or vacant buildings or through the reuse of brownfield sites. Further, SPP advises, the planning system (including Development Plans) should enable the development of attractive, well designed, energy efficient, good quality housing that contributes to the creation of successful and sustainable places and allocate a generous supply of land to meet identified housing requirements across all tenures. The site is an allocated housing site within the South Lanarkshire Local Development Plan, as well as being vacant brownfield land, and, therefore, complies with SPP in relation to housing supply. It is considered that no further assessment against National Policy is required.

3.2 Development Plan Status

- 3.2.1 Under the terms of Section 25 of the Town and Country Planning (Scotland) Act 1997, all applications must be determined in accordance with the development plan unless material considerations indicate otherwise. In this case, the development plan comprises the approved Glasgow and the Clyde Valley Strategic Development Plan 2017 (GVCSDP), the adopted South Lanarkshire Local Development Plan 2015 (SLLDP) and associated Supplementary Guidance.
- 3.2.2 The proposed development requires to be considered against the Glasgow and Clyde Valley Strategic Development Plan 2017 (GCVSDP). This strategic plan sets a vision of making the Clydeplan region a resilient, sustainable, compact city region attracting and retaining investment and improving the quality of life for people and reducing inequalities through the creation of a place which maximises its economic, social and environmental assets and fulfils its potential by 2036. The GCVSDP acknowledges the role housing plays in the overall economic, social and environmental success of the city region and recognises that house building delivers wider benefits to society through employment creation and benefits to local community facilities.
- 3.2.3 The South Lanarkshire Local Development Plan (SLLDP) was adopted in 29 June 2015 and contains the following policies against which the proposal should be assessed:
- Policy 1: Spatial Strategy
 - Policy 2: Climate Change
 - Policy 4: Development management and placemaking
 - Policy 12 Housing Land
- 3.2.4 The following approved Supplementary Guidance documents support the policies in the SLLDP and also require assessment:
- Supplementary Guidance 3: Development Management, Placemaking and Design
- 3.2.5 On 29 May 2018, the Planning Committee approved the proposed South Lanarkshire Local Development Plan 2 (Volumes 1 and 2). The new plan builds on the policies and proposals contained in the currently adopted South Lanarkshire Local Development Plan. For the purposes of determining planning applications, the proposed South Lanarkshire Local Development Plan 2 is now a material consideration. In this instance, the following policies are relevant:
- Volume 1
- Policy 1: Spatial Strategy
 - Policy 2 Climate Change
 - Policy 5 Development Management and Placemaking
 - Policy 11 Housing
- 3.2.6 It should be noted that LDP2 is only referenced should there be a specific conflict between a proposed policy and a policy within the approved SLLDP 2015.
- 3.3 **Planning Background**
- 3.3.1 Outline Planning Permission CL/08/0313 was granted in September 2008 for residential development on the site. A Section 42 application was granted in

November 2013 to extend the time period for the commencement of development by a further 3 years. A further Section 42 was submitted (CL/16/0356) and approved in November 2016 to extend the period of commencement by a further 3 years.

3.3.2 The application is identified as a new housing site within the approved South Lanarkshire Local Development Plan 2015 (SLLDP) and this allocation is retained in the proposed LDP 2.

3.3.3 The proposals fall within the definition of a 'Major' development, given its scale and nature and normally statutory Pre-Application Consultation is required to be carried out before the application is submitted. The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013 state that applications made under Section 42 of the Town and Country Planning (Scotland) Act 1997 do not require this to be carried out.

4 Consultation(s)

4.1 **Roads and Transportation Services (Flood Prevention)** - no objection subject to replication of previous drainage conditions to comply with the Council's Design Criteria and to complete the necessary forms and provide required information prior to commencement on site.

Response: Noted. All previous conditions relating to drainage are replicated on the paper apart of the recommendation.

4.2 **Roads and Transportation Services (Traffic and Transportation)** – no objection subject to replication of the Roads conditions (relating to visibility splays) that were attached to the Original Permission and previous Section 42 applications.

Response: Noted. All previous transportation conditions are replicated on the paper apart of the recommendation.

4.3 **Environmental Services** – no objection or comments.

Response: Noted.

4.4 **The Coal Authority** – agree with the findings of the Coal Risk Assessment submitted as part of this application. Request a condition requiring a scheme of intrusive site investigation and remediation be imposed on any permission if granted.

Response: Noted. An appropriate planning condition forms part of the recommended conditions on the paper apart.

4.5 **SEPA** - no comments to make

Response: Noted.

5 Representation(s)

5.1 Neighbour notification was carried out on 24 October 2019. The proposal was also publicised as an application requiring advertisement for the non-notification of neighbours in the Lanark Gazette on 6 November 2019.

5.2 No representations have been made following this publicity.

6 Assessment and Conclusions

- 6.1 This application has been submitted under Section 42 of the Town and Country Planning (Scotland) Act 1997 (as amended). Section 42 of the Act states that:

'On such an application, the Planning Authority shall consider only the question of the conditions subject to which planning permission should be granted.'

This type of application, therefore, does not revisit the principle of development on the site but only considers the appropriateness of the conditions attached to the previous consent and whether it is acceptable to amend or delete as requested. Whilst, in essence, a Section 42 is an application to vary condition(s) on an existing permission, the process requires a new, stand alone planning permission to be issued for the original development but with a new suite of conditions, including all those still thought to be relevant as well as the varied condition(s). Should the proposed amendment to the condition(s) not be acceptable, a Section 42 application is to be refused but without affecting the status of the original permission.

- 6.2 In assessing whether any condition is still relevant there would be the requirement to consider certain aspects of the development. In this instance, the applicant has requested that conditions 1(e) and 3 are amended. However, it is noted that the nature of the legislation requires all conditions to be revisited as they may be linked or connected to these specific conditions. The main matters for consideration are, therefore, whether the proposed amendment to the conditions proposed would undermine the reasons for the original conditions or the Development Plan position; and if it is considered this Section 42 application does undermine either of these, whether there are material considerations which would outweigh this to allow permission to be granted.
- 6.3 Policy 1 of the SLLDP sets out the spatial strategy for the plan area which states the Plan encourages sustainable economic growth and regeneration by, among other things, supporting regeneration activities and delivering development proposals in the Plan. In this instance, the application site is allocated for housing within the SLLDP. It is noted that this allocation has been maintained within LDP2. It is, therefore, considered that a new permission for a residential development would be in line with the Spatial Strategy for the site and accord with Policy 12 on new housing.
- 6.4 Policy 2: Climate change, seeks to minimise and mitigate against the effects of climate change by a number of criteria. The criteria relevant to this proposal are (vii) having no significant adverse impacts on the water and soils environment, air quality, biodiversity (including Natura 2000 sites and protected species) and green networks. The proposals relate to an allocated housing site that benefits from planning permission. The proposals have been deemed to not have a negative impact upon the water environment, air quality or biodiversity. The proposals involve the reuse of vacant land which would include soil remediation. An additional condition ensuring remediation of previous underground coal workings would also further enhance the proposals' impact upon the site. With regard to the specifics of the planting scheme, the 15m requirement will be maintained while it is considered that a planting scheme that still contributes to biodiversity and carbon capture could be designed without the need for fruit/ apple trees and, therefore, this amendment would have no detrimental impact in relation to this policy. It is, therefore,

considered that the proposals meet the relevant criteria of the Development Plan in this instance.

- 6.5 Policy 4 'Development Management and Placemaking' states that development proposals should take account of and be integrated within the local context and built form. New development should also have no significant adverse impacts on the local community. This advice is supported within Development Management, Placemaking and Design Supplementary Guidance under Policy DM1 – Design. The application is for Planning Permission in Principle and, therefore, any design criteria would be required at the Matters Specified by Condition stage. The planting would help screen the development and integrate the site into the settlement and, therefore, it is considered that the proposals still accord with the criteria of the Development Plan in this instance.
- 6.6 In conclusion, it is considered that the proposed changes to the conditions are acceptable in that it does not reduce the requirement for planting and still allows diversity of species as part of any planting plan. The site is allocated for housing within the SLLDP and LDP2 and, therefore, a new permission in principle of residential development on the site does not undermine the strategy of the SLLDP or LDP2.

7 Reasons for Decision

- 7.1 The application site is designated as a housing site in the adopted South Lanarkshire Local Development Plan and therefore the proposal complies with Policy 12. In addition, the proposal would not have an adverse impact on residential or visual amenity and road safety nor raise any environmental or infrastructure issues, and as such it also complies with Policies 2 and 4 of the SLLDP and Supplementary Guidance on Development Management, Placemaking & Design and Sustainable Development and Climate Change as well as being in line with the proposed Local Development Plan 2.

Michael McGlynn
Executive Director (Community and Enterprise Resources)

Date: 20 February 2020

Previous references

- ◆ CL/08/0313
- ◆ CL/13/0334
- ◆ CL/16/0356

List of background papers

- ▶ Application form
- ▶ Application plans
- ▶ South Lanarkshire Local Development Plan 2015 (adopted)
- ▶ Proposed South Lanarkshire Development Plan 2
- ▶ Neighbour notification letter dated 24 October 2019

- ▶ Consultations

Roads Development Management Team	25.11.2019
Coal Authority Planning Local Authority Liaison Dept	17.12.2019
SEPA Flooding	28.10.2019
Roads Flood Risk Management	16.12.2019
Environmental Services	16.12.2019

Contact for further information

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

James Wright, Planning Officer, Montrose House, 154 Montrose Crescent, Hamilton,
ML3 6LB
Phone: 01698 455903
Email: james.wright@southlanarkshire.gov.uk

Conditions and reasons

01. Prior to the commencement of development on site, a further application(s) for the approval of any of the matters specified in this condition must be submitted to and approved by the Council as Planning Authority, in accordance with the timescales and other limitations in section 59 of the Town and Country Planning (Scotland) Act 1997 (as amended).

These matters are as follows:

- (a) the layout of the site, including all roads, footways, parking areas and open spaces;
- (b) the siting, design and external appearance of all building(s) and any other structures, including plans and elevations showing their dimensions and type and colour of external materials;
- (c) detailed cross-sections of existing and proposed ground levels, details of underbuilding and finished floor levels in relation to a fixed datum, preferably ordnance datum.
- (d) the design and location of all boundary treatments including walls and fences;
- (e) the landscaping proposals for the site, including details of existing trees and other planting to be retained together with proposals for new planting specifying number, size and species of all trees and shrubs;
- (f) the means of drainage and sewage disposal and;
- (g) details of the phasing of development (covering all relevant aspects of development detailed in (a) above).

Reason: To comply with section 59 of the Town and Country Planning (Scotland) Act 1997 as amended.

02. That the further application(s) required under the terms of Condition 1 above, shall make reference to and incorporate the criteria specified within the approved South Lanarkshire Council 'Residential Development Guide' with specific reference to the provision of open space, play areas and landscaping.

Reason: In the interests of design and amenity.

03. That in relation to condition 1(e), the proposed structural planting and landscaping belt shall measure not less than 15 metres in extent. The approved scheme of structural landscaping to form a tree and planting belt shall be carried out during the first planting season following implementation of the development and maintained thereafter for the lifetime of the development, unless variation to this condition is approved in writing by the Planning Authority.

Reason: In order to define the terms of the consent.

04. That the further application required under Condition 1 above shall include provision of footpaths/cycle path links to Coalburn and the wider countryside.

Reason: In the interests of connectivity and access.

05. That the further application required under Condition 1 above shall include provision for
- (a) a visibility splay of 4.5 metre by 90 metres on both sides of the vehicular access onto Middlemuir Road, measured from the edge of the road channel;
 - (b) the existing road (Middlemuir Road) from the bridge to the proposed development shall be widened to 5.5 metres
 - (c) driveways of a minimum length of 12 metres if a garage is not provided and 6 metres long with a garage minimum carriageway widths at driveways to be 5.5 metres and ;
 - (d) 2 parking spaces for dwellings with 3 bedrooms or less and 3 spaces for dwellings with 4 bedrooms or more.

Reason: In the interests of Road Safety.

06. That the further application required under the terms of Condition 1 above, shall be accompanied by a Design Statement which shall set out the design principles, justify the design solution and show how the proposal responds to the wider context of the area as well as the characteristics of the site; specific reference shall be made landscape and open space provision.

Reason: In the interests of Design.

07. That the further application required under the terms of Condition 1 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.

Reason: In the interests of drainage and water management.

08. That no existing drainage channels or culverts shall be altered without the prior approval of the Council as Planning Authority in consultation with SEPA.

Reason: In the interests of drainage and water management.

09. That the further application required under the terms of condition 1 above shall be accompanied by a Flood Risk Assessment, with reference made to CIRIA C624 and in accordance with the Reporting Requirements for Flood Risk Assessments issued by SEPA.

Reason: In the interests of Flood Risk.

10. That prior to commencement of any works on site, a comprehensive site investigation carried out to the appropriate Phase level, shall be submitted to and approved in writing by the Council as Planning Authority. The investigation shall be completed in accordance with the advice given in the following:
- (i) Planning Advice Note 33 (2000) and Part IIA of the Environmental Protection Act 1990 (as inserted by section 57 of the Environment Act 1995);
 - (ii) Contaminated Land Report 11 - 'Model Procedures for the Management of Land Contamination (CLR 11) - issued by DEFRA and the Environment Agency;

(iii) BS 10175:2001 - British Standards Institution 'The Investigation of Potentially Contaminated Sites - Code of Practice'.

Then, should the Phase 1 investigation indicate any potential pollution linkages, a Conceptual Site Model must be formulated and these linkages must be subjected to risk assessment. If a Phase 2 investigation is required, then a risk assessment of all relevant pollution linkages using site specific assessment criteria will require to be submitted.

Further, if the risk assessment identifies any unacceptable risks as defined under Part IIA of the Environmental Protection Act, a detailed remediation strategy will be submitted to and approved in writing by the Council as Planning Authority. No works other than investigative works shall be carried out on site prior to receipt of the Council's written approval of the remediation plan.

Reason: In the interests of contaminated land.

11. That remediation of the site shall be carried out in accordance with the approved remediation plan prior to the proposed development being brought into use. Any amendments to the approved remediation plan shall not be implemented unless approved in writing by the Council as Planning Authority.

On completion of the remediation works, the developer shall submit a completion report to the Council as Planning Authority, confirming that the works have been carried out in accordance with the approved remediation plan and that the works have successfully reduced these risks to acceptable levels.

Any previously unsuspected contamination which becomes evident during the development of the site shall be brought to the attention of the Council as Planning Authority within one week or earlier of it being identified. A more detailed site investigation to determine the extent and nature of the contaminant(s) and a site-specific risk assessment of any associated pollutant linkages, shall then require to be submitted to and approved in writing by the Council as Planning Authority.

Reason: In the interests of remediation.

12. That no permission is given to the indicative layouts detailed in the Design Statement (Munro Architects, April 2008) which was submitted with Planning Application CL/08/0313.

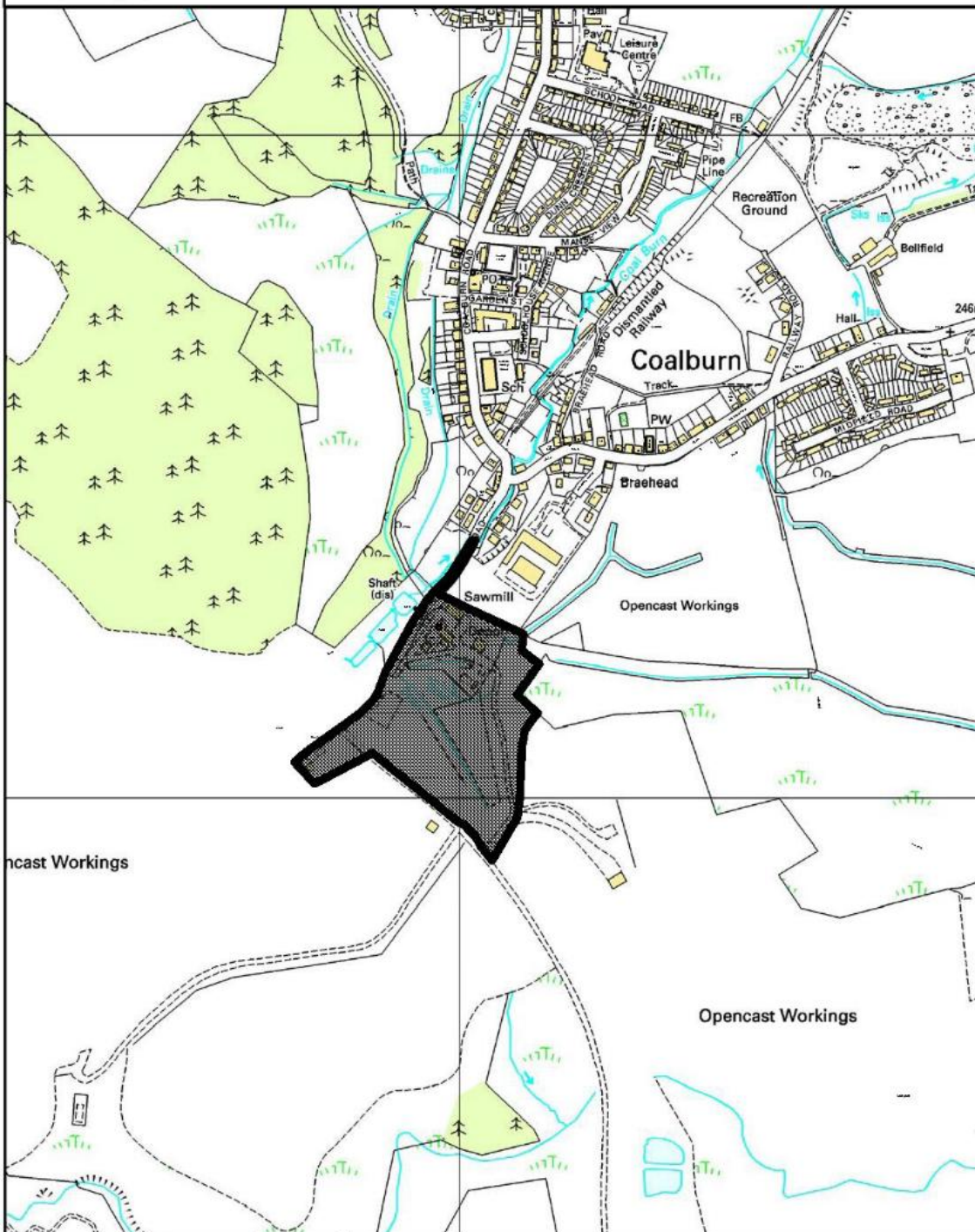
Reason: In order to define the terms of the consent.

13. That separate to, but not exclusive of the site investigation and remediation set out within conditions 10 and 11, before any work starts on site a scheme of intrusive site investigations, which are adequate to properly assess the ground conditions and the potential risks posed to the development by past shallow coal mining activity and off-site recorded mine entries, the results of which, including a scheme of remedial/ mitigatory works following these investigations shall be submitted for the written approval of the Planning Authority. Once approved all remedial and mitigatory works shall be implemented in full prior to the development commencing.

Reason: In the interests of structural stability relating to coal workings.

P/19/1546

Dalquhandy Opencast Coal Site, Middlemuir Road, Coalburn



© Crown copyright and database rights 2019 OS
100029730. You are permitted to use this data solely
to enable you to respond to, or interact with, the
organisation that provided you with the data. You are
not permitted to copy, sub-licence, distribute or sell
any of this data to third parties in any form.



Scale:
1:8,000
Date:
17/02/2020



South Lanarkshire Council
Community and Enterprise Resources
Planning and Economic Development

Report

7

Report to:	Planning Committee
Date of Meeting:	10 March 2020
Report by:	Executive Director (Community and Enterprise Resources)

Subject	Review of Legacy Planning Applications
---------	---

1. Purpose of Report

1.1 The purpose of the report is to:-

- Advise the Committee of planning applications which it had agreed to approve but for which consents have not yet been issued due to delays or failures to complete the associated Planning Obligations;
- Seek Committee approval to deal with these planning applications as recommended in Appendix 1.

2. Recommendation(s)

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

- (1) That in respect of each of the planning applications listed in Appendix 1, the Committee approve the associated recommendation.

3. Background

- 3.1 In respect of planning applications where some aspects of a development cannot be controlled by planning conditions, Section 75 of the Town and Country Planning (Scotland) Act 1997 allows Planning Authorities to control and manage development by concluding legal agreements which place Planning Obligations on the applicant and landowner. In these cases, the issue of consent is withheld until the legal agreement is concluded and registered against the landowner's title deeds.
- 3.2 A Planning Obligation can relate to a number of matters such as the control of off-site road works, provision of affordable housing or a financial contribution towards recreational or educational provision. Whilst it is anticipated that action to agree and execute a Planning Obligation would be undertaken reasonably quickly, there are instances where delays occur.
- 3.3 In 2012, the Scottish Government, following consultation with Heads of Planning Scotland, introduced the Planning Performance Framework. A key aim of the Framework is to monitor the time taken by Planning Authorities to process applications from the date of validation to the date of issue of consent. This is with a view to improving the timescales of the decision making process. However, the non-completion of a Planning Obligation can prevent the Council from issuing consent and thus impact adversely on the Council's performance.

4. Planning Performance Framework Requirements

- 4.1 The Scottish Government expects local developments and major developments to be determined within 2 months and 4 months respectively. It also assesses the Planning Service's performance on the basis of the average time taken for applications to be determined. Furthermore the Scottish Government is encouraging local authorities to enter into Processing Agreements for major applications. This seeks to establish a timescale in which a decision can be agreed with applicants. Related to this, it is considered appropriate that time limits should be imposed on applicants and landowners for applications that require the completion of a Planning Obligation. This will ensure the final stage in the application process, that of issuing consent, is not markedly beyond the date on which the Committee has made its decision to grant permission, and that the Planning Obligation remains relevant.

5. Current Applications with Outstanding Legal Agreements

- 5.1 Recently, the Planning Service has carried out a review of legacy planning applications i.e. those planning applications that are over a year old that have Planning Obligations that have not been concluded. The applicants and agents of those applications, where little or no progress has been made, have been contacted in order to seek the conclusion of this matter and allow the decision notice to be issued.

- 5.2 From this review, there are currently 4 applications where a Planning Obligation has been deemed necessary and where, it is considered, there has been little progress made. Given the lengthy delays that have occurred, and with repeated approaches from Planning, it seems unlikely that these planning applications will be concluded in the near future, if at all. These circumstances lead to uncertainty and have an adverse impact on Council Performance.

- 5.3 The relevant applications are detailed in Appendix 1 which is attached to this report. These applications fall into 2 categories:-

- i) Applications where it is understood the applicant is no longer operating and there is no legal entity with whom to negotiate an agreement.

In respect of these applications as the Planning Authority has no power to withdraw the application unilaterally and as there is no legal entity to withdraw the application or conclude the Planning Obligation, it is recommended that these applications be refused for the reasons summarised in Appendix 1.

- ii) Applications where the applicant is refusing or delaying to conclude the Planning Obligation.

In respect of these applications, as the failure to conclude the Planning Obligation rests with the applicant and an excessive time period has already been allowed by the Council to conclude this matter, it is recommended that the applications be refused for the reasons summarised in Appendix 1.

- 5.4 In order to determine each of the relevant applications, Committee are requested to approve the recommendations contained in Appendix 1. The relevant category associated to each planning application, from the list detailed above, is also detailed under Category of Planning Application within the Appendix.

6. Employee Implications

- 6.1 There are no employee implications. Any work undertaken can be met from existing resources.

7. Financial Implications

7.1 None.

8. Climate Change, Sustainability and Environmental Implications

8.1 The planning system will have an increasingly key role in addressing the climate change agenda. Investing additional income in resources within the planning service will contribute to meeting these aims.

9. Other Implications

9.1 There would be a reputational risk if this was not undertaken as this action has previously been specified in the Council's Planning Performance Framework.

10. Equality Impact Assessment and Consultation Arrangements

10.1 The content of this report is not relevant to the Council's equalities duties and, therefore, no impact assessment is required.

Michael McGlynn

Executive Director (Community and Enterprise Resources)

27 February 2020

Link(s) to Council Objectives/Values/Ambitions

- Demonstrating governance and accountability
- The efficient and effective use of resources and managing and improving performance

Previous References

- None

List of Background Papers

- Planning Performance Framework 2012 - 2019

Contact for Further Information

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

Bernard Darroch, Montrose House, 154 Montrose Crescent, Hamilton ML3 6LB

Ext:5179 (Tel: 01698 455179)

E-mail: Bernard.Darroch@southlanarkshire.gov.uk

Appendix 1

Application No:	HM/10/0414
Proposal:	Erection of 45 dwellinghouses and associated roads, drainage and landscaping works
Site Address:	Toftcombs Crescent, Stonehouse
Applicant:	Clydeview Developments Ltd
Date of Committee Approval:	14 December 2010
Category of Planning Application:	(i)

Background

Application presented to Committee in December 2010. Resolved to issue consent subject to a landscaping bond being agreed and lodged with the Council and a financial contribution for the improvement of Community Facilities being submitted.

Subsequently little progress was made and it was indicated that on submission of a further application, that this application would be withdrawn. No progress made and during the most recent conversation with the agent, it was indicated that the company who submitted the application are no longer operating.

Recommendation

Refuse detailed planning permission

Reasons for Refusal

The proposal is contrary to the terms of Policy 4 (Development Management and Placemaking), Policy 5 (Community Infrastructure Assessment) of the South Lanarkshire Local Plan (adopted 2015), Policy 5 (Development Management and Placemaking), Policy 7 (Community Infrastructure Assessment) of the proposed South Lanarkshire Local Development Plan (2018), Supplementary Planning Guidance - Residential Design Guide (2011), Supplementary Guidance 3 - Development Management Place Making and Design, Supplementary Guidance 4 – Community Infrastructure Assessment, as the appropriate contribution towards the upgrading of community facilities in the area and a landscaping bond has not been agreed and formalised through the completion of a Planning Obligation.

Application No:	HM/15/0261
Proposal:	Erection of 31 no. dwellinghouses and associated roads and drainage infrastructure and landscaping
Site Address:	Wellhall Road, Hamilton
Applicant:	Dundas Estates & Developments Co. Ltd
Date of Committee Approval:	17 November 2015
Category of Planning Application:	(ii)

Background

The application was presented to Committee in November 2015. Resolved to issue consent subject to a planning obligation to ensure payment of a financial contribution towards affordable housing, education provision and the improvement/upgrading of community facilities.

Whilst initial progress was made concerning the planning obligation, there has been little progress made since 2016. It now appears that there is little desire to conclude the planning obligation.

Recommendation

Refuse detailed planning permission

Reasons for Refusal

The proposal is contrary to the terms of Policy 4 (Development Management and Placemaking), Policy 5 (Community Infrastructure Assessment) of the South Lanarkshire Local Plan (adopted 2015), Policy 5 (Development Management and Placemaking), Policy 7 (Community Infrastructure Assessment) of the proposed South Lanarkshire Local Development Plan (2018), Supplementary Planning Guidance - Residential Design Guide (2011), Supplementary Guidance 3 - Development Management Place Making and Design, Supplementary Guidance 4 – Community Infrastructure Assessment, as the appropriate contribution towards affordable housing, education provision and the improvement/upgrading of community facilities has not been agreed and formalised through the completion of a Planning Obligation.

Application No:	HM/15/0470
Proposal:	Erection of 26 dwellinghouses with associated works and landscaping
Site Address:	Land to West of Toftcoombs Crescent, Stonehouse
Applicant:	Aspis Homes (Clyde Valley) Ltd
Date of Committee Approval:	1 November 2016
Category of Planning Application:	(ii)

Background

The application was presented to Committee in November 2016. Resolved to issue consent subject to a planning obligation to ensure payment of a financial contribution towards affordable housing, education provision and the improvement/upgrading of community facilities.

Whilst initial progress was made concerning the planning obligation, there has been little progress made since 2017. It now appears that there is little desire to conclude the planning obligation.

Recommendation

Refuse detailed planning permission

Reasons for Refusal

The proposal is contrary to the terms of Policy 4 (Development Management and Placemaking), Policy 5 (Community Infrastructure Assessment) of the South Lanarkshire Local Plan (adopted 2015), Policy 5 (Development Management and Placemaking), Policy 7 (Community Infrastructure Assessment) of the proposed South Lanarkshire Local Development Plan (2018), Supplementary Planning Guidance - Residential Design Guide (2011), Supplementary Guidance 3 - Development Management Place Making and Design, Supplementary Guidance 4 – Community Infrastructure Assessment, as the appropriate contribution towards affordable housing, education provision and the improvement/upgrading of community facilities has not been agreed and formalised through the completion of a Planning Obligation.

Application No:	HM/15/0471
Proposal:	Erection of 36 dwellinghouses with associated works and landscaping
Site Address:	Land To West Of Toftcombs Crescent, Stonehouse
Applicant:	Aspis Homes (Clyde Valley) Ltd
Date of Committee Approval:	1 November 2016
Category of Planning Application:	(ii)

Background

The application was presented to Committee in November 2016. Resolved to issue consent subject to a planning obligation to ensure payment of a financial contribution towards affordable housing, education provision and the improvement/upgrading of community facilities.

Whilst initial progress was made concerning the planning obligation, there has been little progress made since 2017. It now appears that there is little desire to conclude the planning obligation.

Recommendation

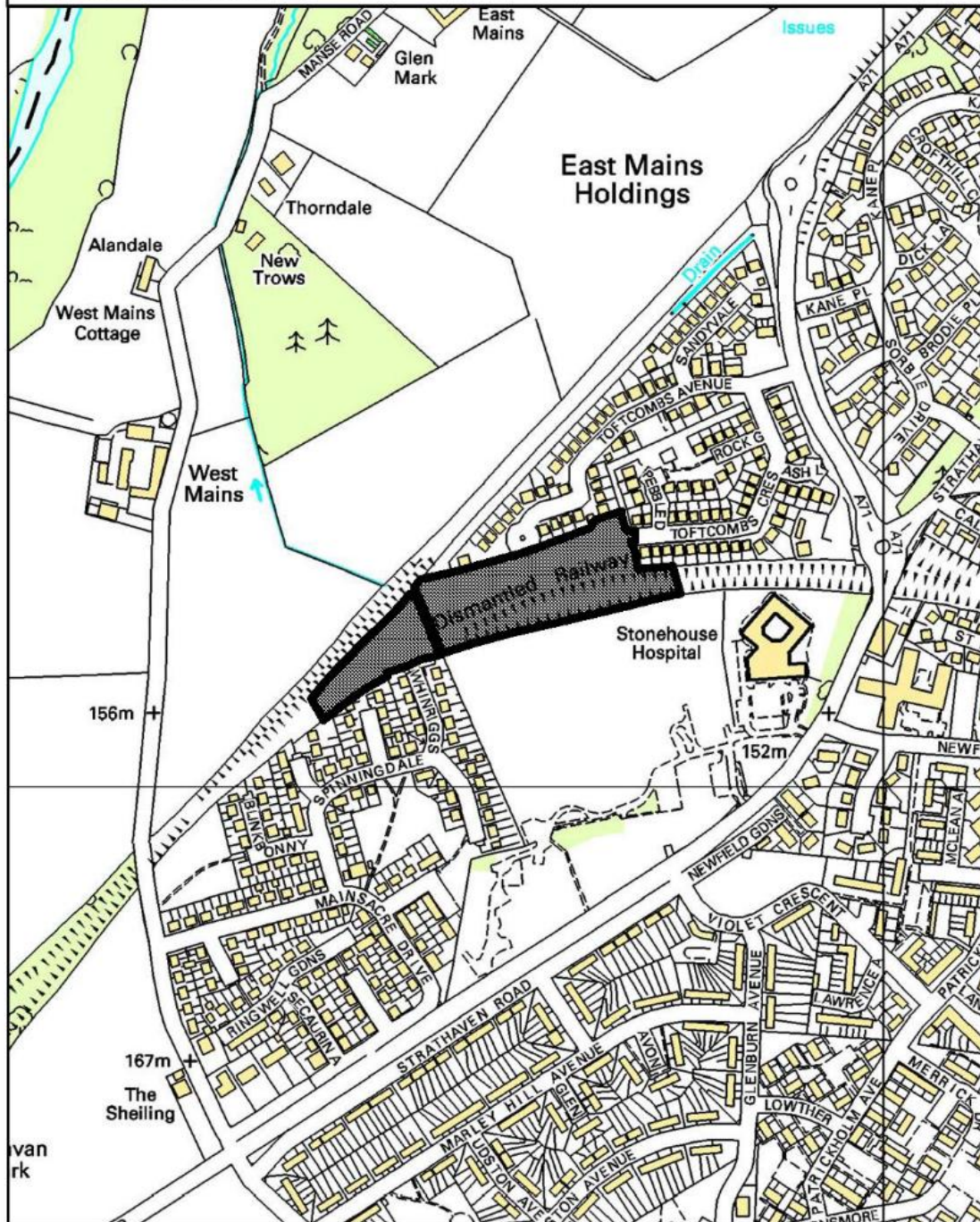
Refuse detailed planning permission

Reasons for Refusal

The proposal is contrary to the terms of Policy 4 (Development Management and Placemaking), Policy 5 (Community Infrastructure Assessment) of the South Lanarkshire Local Plan (adopted 2015), Policy 5 (Development Management and Placemaking), Policy 7 (Community Infrastructure Assessment) of the proposed South Lanarkshire Local Development Plan (2018), Supplementary Planning Guidance - Residential Design Guide (2011), Supplementary Guidance 3 - Development Management Place Making and Design, Supplementary Guidance 4 – Community Infrastructure Assessment, as the appropriate contribution towards affordable housing, education provision and the improvement/upgrading of community facilities has not been agreed and formalised through the completion of a Planning Obligation.

HM/10/0414

Toftcombs Crescent, Stonehouse



© Crown copyright and database rights 2019 OS
100020730. You are permitted to use this data solely
to enable you to respond to, or interact with, the
organisation that provided you with the data. You are
not permitted to copy, sub-licence, distribute or sell
any of this data to third parties in any form.



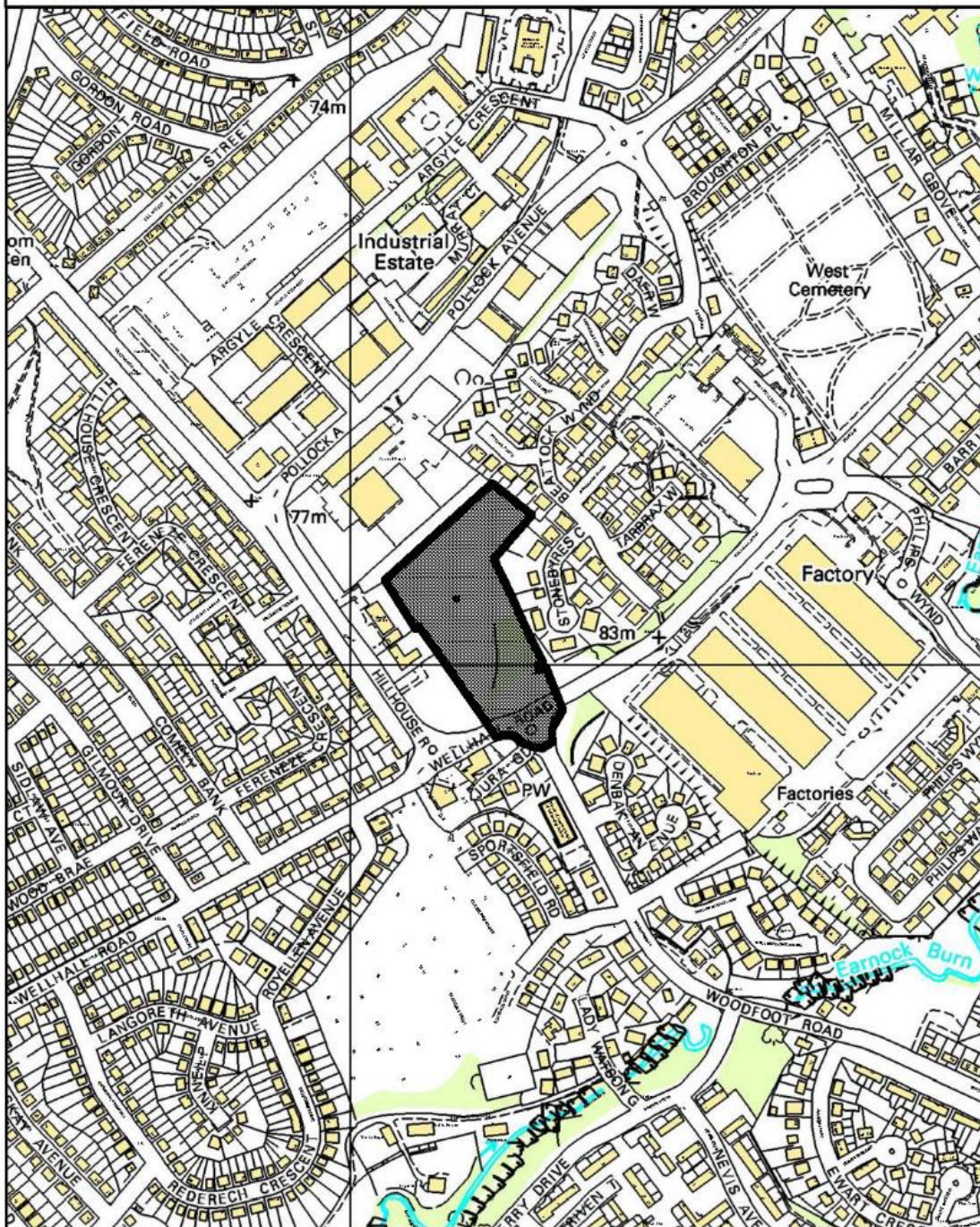
Scale:
1:5,000
Date:
26/02/2020



South Lanarkshire Council
Community and Enterprise Resources
Planning and Economic Development

HM/15/0261

Wellhall Road, Hamilton



© Crown copyright and database rights 2019 OS 100020730. You are permitted to use this data solely to enable you to respond to, or interact with, the organisation that provided you with the data. You are not permitted to copy, sub-licence, distribute or sell any of this data to third parties in any form.



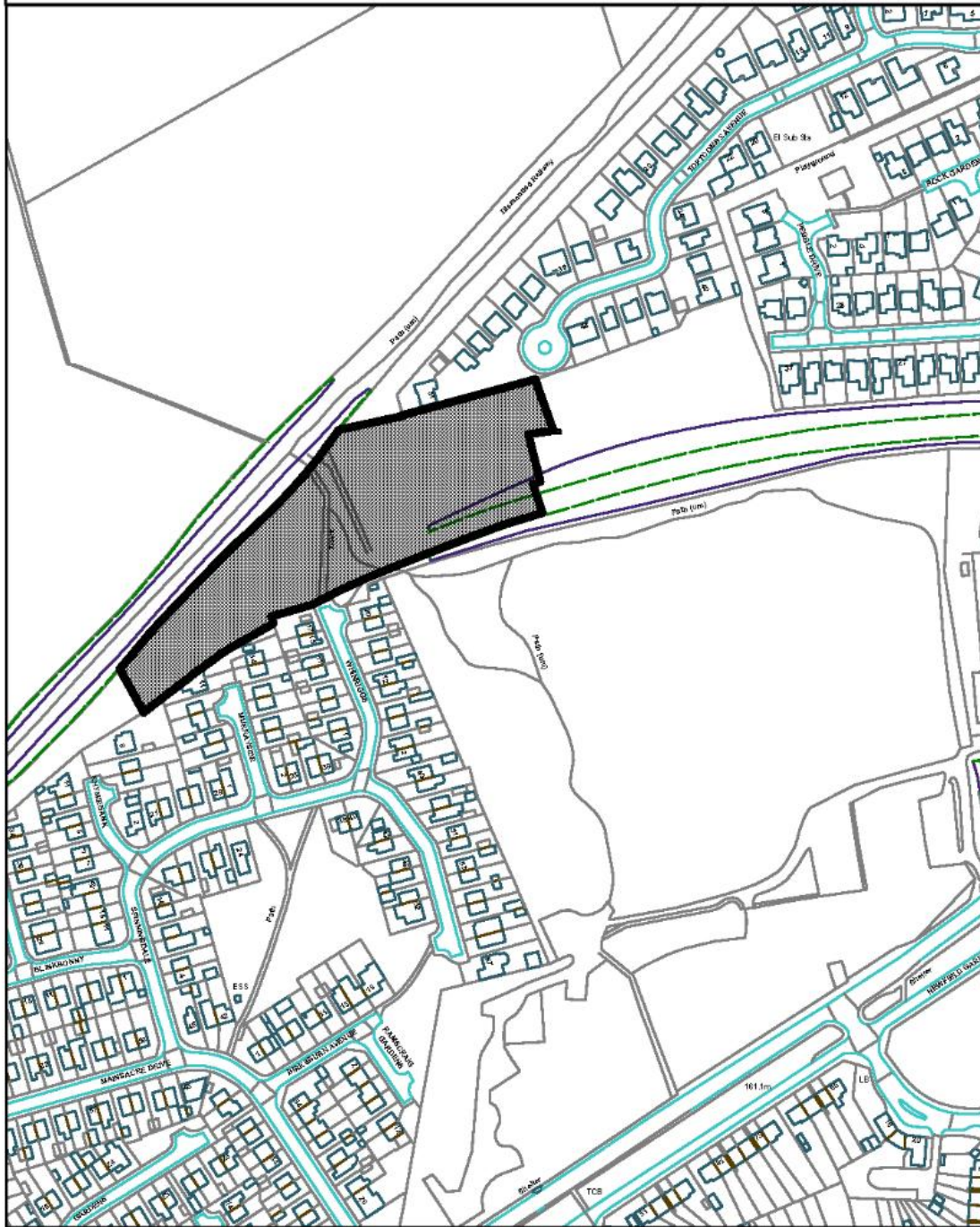
Scale:
1:5,000
Date:
26/02/2020



South Lanarkshire Council
Community and Enterprise Resources
Planning and Economic Development

HM/15/0470

Land to west of Toftcombs Crescent, Stonehouse



© Crown copyright and database rights 2019 OS 100020730. You are permitted to use this data solely to enable you to respond to, or interact with, the organisation that provided you with the data. You are not permitted to copy, sub-licence, distribute or sell any of this data to third parties in any form.



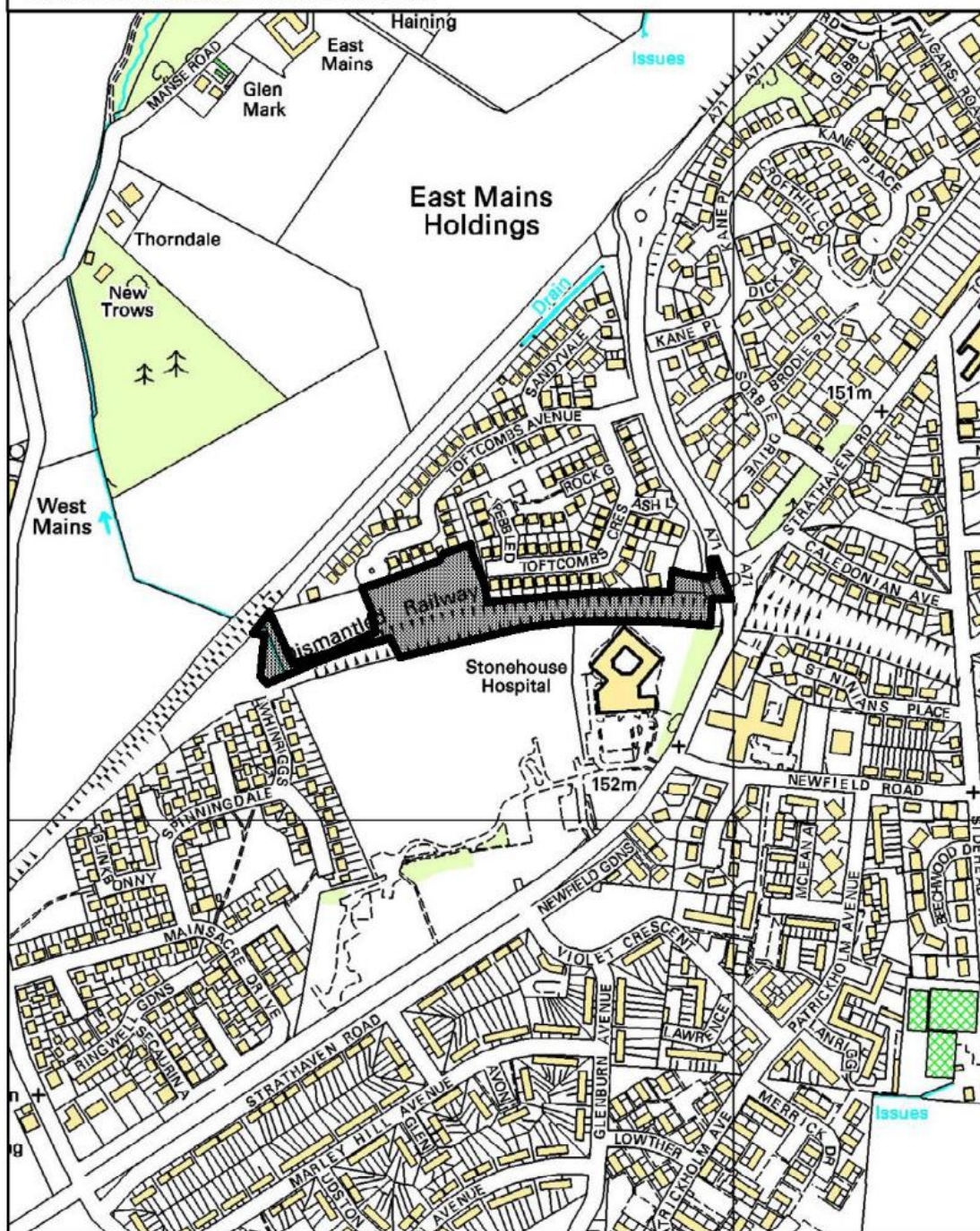
Scale:
1:2,500
Date:
26/02/2020



South Lanarkshire Council
Community and Enterprise Resources
Planning and Economic Development

HM/15/0471

Land to west of Toftcombs Crescent, Stonehouse



© Crown copyright and database rights 2019 OS 100020730. You are permitted to use this data solely to enable you to respond to, or interact with, the organisation that provided you with the data. You are not permitted to copy, sub-licence, distribute or sell any of this data to third parties in any form.



Scale:
1:5,000
Date:
28/02/2020



South Lanarkshire Council
Community and Enterprise Resources
Planning and Economic Development