



Council Offices, Almada Street  
Hamilton, ML3 0AA

Monday, 11 November 2019

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, 19 November 2019

**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

**Paul Manning**  
**Depute 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, Catherine McClymont, Colin McGavigan, Mark McGeever, Richard Nelson, Jared Wark, Josh Wilson

## BUSINESS

### 1 Declaration of Interests

### 2 Minutes of Previous Meeting

5 - 14

Minutes of the Meeting of the Planning Committee held on 8 October 2019 submitted for approval as a correct record. (Copy attached)

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### Item(s) for Decision

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- |          |  |           |
|----------|--|-----------|
| <b>3</b> | <b>Application P/19/1176 for Erection of House, Formation of Associated Vehicular Access, Erection of Gate (2.5 Metres in Height) and Boundary Fence (1.8 Metres in Height) and Erection of Temporary Storage Building at 77 Carlisle Road, Crawford</b><br>Report dated 24 October 2019 by the Executive Director (Community and Enterprise Resources). (Copy attached)   | 15 - 28   |
| <b>4</b> | <b>Application P/19/0727 for a Residential Development with Associated Engineering Works, Landscaping and Open Space (Planning Permission in Principle) at Land 250 Metres Southwest of The Beeches, Boghall Road, Biggar</b><br>Report dated 7 November 2019 by the Executive Director (Community and Enterprise Resources). (Copy attached)  | 29 - 50   |
| <b>5</b> | <b>Application P/19/0362 for Approval of Matters Specified in Conditions 1a, b, d, h, 4 to 8, 11, 14, 16, 20, 22, 24 to 26, 29, 30, 33, 35, 39 and 44 of Planning Consent in Principle HM/13/0352 in Relation to Site Layout and Design, Dust Management, Site Investigation, Noise, Flood Risk, Archaeology, Outdoor Access, Travel Pack and Habitat Management in Relation to a Residential Development (Phase 2) at Larkhall Community Growth Area, Sumerlee Road, Larkhall</b><br>Report dated 7 November 2019 by the Executive Director (Community and Enterprise Resources). (Copy attached) | 51 - 68   |
| <b>6</b> | <b>Application P/19/0510 for Erection of 3 Chalets for Tourist Accommodation, Erection of Guest House (Class 7) with Integrated Owner's Accommodation and Formation of Vehicle Access and Parking Areas at Land 115 Metres North Northeast of Clydesbank, St Patricks Road, Lanark</b><br>Report dated 29 October 2019 by the Executive Director (Community and Enterprise Resources). (Copy attached)   | 69 - 82   |
| <b>7</b> | <b>Application P/19/0916 for Amendments to House Types within Specified Plots and Provision of Additional Units (Amendment to Planning Consent HM/16/0486) at Little Earnock Farm 2, Highstonehall Road, Hamilton</b><br>Report dated 31 October 2019 by the Executive Director (Community and Enterprise Resources). (Copy attached)  | 83 - 94   |
| <b>8</b> | <b>Application P/19/1153 for Erection of 24 Houses and Associated Road and Services at Land at Edinburgh Road/Carwood Road, Biggar</b><br>Report dated 29 October 2019 by the Executive Director (Community and Enterprise Resources). (Copy attached)   | 95 - 106  |
| <b>9</b> | <b>Application P/19/1232 for Reduction of Plot Numbers from 114 to 108, Update of House Types and Various House Type Changes at 37 Plots (Amendment to Planning Consent HM/16/0022) at Area D, Site of Former Brackenhill Farm, Meikle Earnock Road, Hamilton</b><br>Report dated 30 October 2019 by the Executive Director (Community and Enterprise Resources). (Copy attached)  | 107 - 120 |

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## **Urgent Business**

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### **10 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](mailto:pauline.macrae@southlanarkshire.gov.uk)



## PLANNING COMMITTEE

## 2

Minutes of meeting held in Committee Room 1, Council Offices, Almada Street, Hamilton on 8 October 2019

### Chair:

Councillor Isobel Dorman

### Councillors Present:

Councillor Alex Allison, Councillor John Bradley, Councillor Archie Buchanan, Councillor Stephanie Callaghan, Councillor Gerry Convery (*substitute for Councillor Walter Brogan*), Councillor Margaret Cowie, Councillor Peter Craig, Councillor Maureen Devlin, Councillor Mary Donnelly, Councillor Fiona Dryburgh, Councillor Mark Horsham (Depute), Councillor Martin Lennon, Councillor Richard Lockhart, Councillor Kenny McCreary, Councillor Davie McLachlan, Councillor Lynne Nailon, Councillor Carol Nugent, Councillor Graham Scott, Councillor Collette Stevenson, Councillor Bert Thomson, Councillor Jim Wardhaugh, Councillor Jared Wark (*substitute for Councillor Ann Le Blond*)

### Councillors' Apologies:

Councillor Walter Brogan, Councillor Jackie Burns, Councillor Ann Le Blond, Councillor John Ross, Councillor David Shearer

### 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 Officer; P MacRae, Administration Officer; K Moore, Legal Services Adviser; A Norris, Administration Assistant; A Thompson, Media Officer

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## 1 Declaration of Interests

The following interest was declared:-

<b>Councillor(s)</b>	<b>Item(s)</b>	<b>Nature of Interest(s)</b>
Dryburgh	Application P/19/0662 – Change of Use from Agricultural Field to 3 Dog Running Fields, Erection of 3 Shelters and Formation of 2 Car Parks (Retrospective) at Land 180 Metres South Southwest of Loanend Cottages, Loanend Road, Cambuslang	User of the facility

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## 2 Minutes of Previous Meeting

The minutes of the meeting of the Planning Committee held on 10 September 2019 were submitted for approval as a correct record.

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

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

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A report dated 16 September 2019 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 construction waste recycling facility at Wellbrae Reservoir, Muttonhole Road, Hamilton.

After a full discussion, Councillor Dorman, seconded by Councillor Horsham, moved that the application be granted subject to the conditions specified in the Executive Director's report. Councillor Donnelly, seconded by Councillor Thomson, moved as an amendment that consideration of the application be continued to a future meeting of the Committee to allow for further information to be provided on road access/issues, including details of potential road realignment. On a vote being taken by a show of hands, 20 members voted for the amendment and 3 for the motion. The amendment was declared carried.

**The Committee decided:**

that consideration of 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 construction waste recycling facility at Wellbrae Reservoir, Muttonhole Road, Hamilton be continued to a future meeting of the Committee to allow for further information to be provided on road access/issues, including details of potential road realignment.

*[Reference: Minutes of 23 August 2011 (Paragraph 3)]*

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### **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 at Wellbrae Reservoir, Muttonhole Road, Hamilton**

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A report dated 16 September 2019 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 a former reservoir to agricultural land at Wellbrae Reservoir, Muttonhole Road, Hamilton.

After a full discussion, Councillor Dorman, seconded by Councillor Horsham, moved that the application be granted subject to the conditions specified in the Executive Director's report. Councillor Donnelly, seconded by Councillor Thomson, moved as an amendment that consideration of the application be continued to a future meeting of the Committee to allow for further information to be provided on road access/issues, including details of potential road realignment. On a vote being taken by a show of hands, 20 members voted for the amendment and 3 for the motion. The amendment was declared carried.

**The Committee decided:**

that consideration of 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 a former reservoir to agricultural land at Wellbrae Reservoir, Muttonhole Road, Hamilton be continued to a future meeting of the Committee to allow for further information to be provided on road access/issues, including details of potential road realignment.

*[Reference: Minutes of 23 August 2011 (Paragraph 3)]*

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**5 Application P/19/0662 for Change of Use from Agricultural Field to 3 Dog Running Fields, Erection of Boundary Fencing, Erection of 3 Shelters and Formation of 2 Car Parks (Retrospective) at Land 180 Metres South Southwest of Loanend Cottages, Loanend Road, Cambuslang**

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A report dated 26 September 2019 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/19/0662 by Run Free Dog Fields Limited for the change of use from an agricultural field to 3 dog running fields, erection of boundary fencing, erection of 3 shelters and formation of 2 car parks (retrospective) at land 180 metres south southwest of Loanend Cottages, Loanend Road, Cambuslang.

The Headquarters and Area Manager (Clydesdale):-

- ◆ advised that a letter had been received from Ged Killin, MP requesting a hearing and a site visit in respect of the application but that, in both cases, the criteria had not been met
- ◆ referred to and addressed points raised in late letters of representation from Councillor Fulton, a local member, and Clare Haughey, MSP
- ◆ advised that further representations had been received from Halfway Community Council but that these had raised no new issues

The Committee heard Councillor Loudon, a local member, on concerns raised by local residents in relation to the proposal, including:-

- ◆ impact on the amenity of adjacent residential properties
- ◆ lack of on-site monitoring by the applicant

After a full discussion, Councillor Dorman, seconded by Councillor Horsham, moved that the application be granted subject to the conditions specified in the Executive Director's report but that consent for the third (Halfway) dog running field be for a temporary period of 1 year. Councillor Lockhart, seconded by Councillor Craig, moved as an amendment that the application be granted subject to the conditions specified in the Executive Director's report but that the consent be restricted to 2 of the 3 dog running fields and that no consent be granted for the third (Halfway) dog running field. On a vote being taken by a show of hands, 16 members voted for the amendment and 5 for the motion. The amendment was declared carried.

**The Committee decided:**

that planning application P/19/0662 for the change of use from an agricultural field to 3 dog running fields, erection of boundary fencing, erection of 3 shelters and formation of 2 car parks (retrospective) at land 180 metres south southwest of Loanend Cottages, Loanend Road, Cambuslang be granted subject to the conditions specified in the Executive Director's report but that the consent be restricted to 2 of the 3 dog running fields and, consequently, that an additional condition be attached to the consent as follows:-

"That no consent is granted for the use of Halfway Field as a dog running field.

**Reason**

To safeguard the residential amenity of the area"

*Councillor Dryburgh, having declared an interest in the above application, withdrew from the meeting during its consideration. Councillor Loudon, having made representations to the Committee on this application as a local member, then withdrew from the meeting during its consideration*

*In terms of Standing Order No 13, the Chair adjourned the meeting at 11.20am for a 10 minute period. The meeting reconvened at 11.30am*

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**6 Application P/19/0970 for Installation of 13 Kilometres of Underground Electrical Cable, Erection of New Sub-station and Extension to Existing Sub-station with Associated Access, Infrastructure and Ancillary Works (Including Temporary Construction Compounds) at Kennoxhead Wind Farm, Glentaggart Road, Glespin, Lanark**

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A report dated 17 September 2019 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/19/0970 by Brookfield Renewable UK Limited for the installation of 13 kilometres of underground electrical cable, erection of a new sub-station and extension to existing sub-station with associated access, infrastructure and ancillary works (including temporary construction compounds) at Kennoxhead Wind Farm, Glentaggart Road, Glespin, Lanark.

**The Committee decided:**

that planning application P/19/0970 by Brookfield Renewable UK Limited for the installation of 13 kilometres of underground electrical cable, erection of a new sub-station and extension to existing sub-station with associated access, infrastructure and ancillary works (including temporary construction compounds) at Kennoxhead Wind Farm, Glentaggart Road, Glespin, Lanark be granted subject to the conditions specified in the Executive Director's report.

*[Reference: Minutes of 4 December 2018 (Paragraph 6)]*



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## **7 Application P/19/1145 for Erection of 19 Wind Turbines, 180 Metres Maximum Height to Blade Tip, Access Tracks, Sub-station and Other Associated Infrastructure (Section 36C Application) at Kennoxhead Wind Farm, Glentaggart Road, Glespin, Lanark**

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A report dated 16 September 2019 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/19/1145 by Brookfield Renewables UK Limited for the erection of 19 wind turbines with a maximum height to blade tip of 180 metres, access tracks, sub-station and other associated infrastructure at Kennoxhead Wind Farm, Glentaggart Road, Glespin, Lanark.

At its meeting on 24 March 2015, the Committee had agreed that the Scottish Government be advised that the Council had no objections to an application (CL/13/0042) under Section 36 of the Electricity Act 1989 for the erection of 19 wind turbines, 145 metres maximum height to blade tip and other works at Kennoxhead Wind Farm, Glentaggart Road, Glespin, Lanark. The current application (P/19/1145) had been made to the Scottish Government to amend the original consent under Section 36C of the Electricity Act 1989 to increase the height of the turbines to 180 metres to blade tip and to increase the consented steel lattice anemometer mast from 90 metres to 113.5 metres.

The proposal had been submitted to the Scottish Government under Section 36 of the Electricity Act 1989 as it had an electricity generating capacity of over 50 megawatts (MW). As a result, the Council was a consultee to the application and not the consenting authority.

The proposal was considered acceptable on the basis that:-

- ◆ the increase in turbine height did not have any significant, adverse impact in relation to the previous consented development
- ◆ it was consistent with National Policy and the relevant provisions of the development plan

### **The Committee decided:**

- (1) that the Scottish Government be advised that the Council had no objections to planning application P/19/1145, for the erection of 19 wind turbines with a maximum height to blade tip of 180 metres, access tracks, sub-station and other associated infrastructure under Section 36C of the Electricity Act 1989, subject to conditions based on the conditions attached to the Executive Director's report;
- (2) that, in addition, the Scottish Government be advised that approval should be subject to the conclusion of legal agreements covering:-
  - ◆ community contribution payments
  - ◆ the funding of a Planning Monitoring Officer
  - ◆ control over turbine transportation and the repair of any damage to roads and bridges arising from extraordinary wear and tear associated with the development and associated indemnity insurance requirements
- (3) that the applicant be responsible for the Council's costs associated with the legal agreements; and
- (4) that the Head of Planning and Economic Development be authorised to undertake any discussions, further agreements of conditions and planning obligations, if required, with the Scottish Government.

*[Reference: Minutes of 24 March 2015 (Paragraph 14)]*

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**8 Application P/18/1629 for Erection of 112 Houses and Associated Infrastructure Works (Approval of Matters Specified in Conditions 1 (a to r), 3, 4, 6 to 10 and 12 of Planning Permission in Principle EK/09/0218) at Land to the Southwest of East Kilbride, Largely Bounded by Eaglesham Road, Jackton Road and Newlands Road**

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A report dated 26 September 2019 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/18/1629 by Abbey Developments (Jackton) Limited/Bellway Homes Limited Scotland for the erection of 112 houses and associated infrastructure works (approval of matters specified in Conditions 1 (a to r), 3, 4, 6 to 10 and 12 of planning permission in principle EK/09/0218) at land to the southwest of East Kilbride, largely bounded by Eaglesham Road, Jackton Road and Newlands Road.

**The Committee decided:**

that planning application P/18/1629 by Abbey Developments (Jackton) Limited/Bellway Homes Limited Scotland for the erection of 112 houses and associated infrastructure works (approval of matters specified in Conditions 1 (a to r), 3, 4, 6 to 10 and 12 of planning permission in principle EK/09/0218) at land to the southwest of East Kilbride, largely bounded by Eaglesham Road, Jackton Road and Newlands Road be granted subject to:-

- ◆ the conditions specified in the Executive Director's report
- ◆ an amended Condition 11 as follows:-  
"That notwithstanding the plans hereby approved and prior to the start of the development, a construction and traffic management plan to include development phasing, location of construction compounds, appropriate turning and parking facilities, construction routes and hours of operation, where required, shall be submitted to and approved in writing by the Planning Authority

**Reason:**

To ensure that sufficient facilities are in place to minimise disturbance during construction"

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

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**9 Application P/19/1100 for Erection of 57 Residential Units (Including 12 Cottage Flats) with Associated Roads and Landscaping at Land 45 Metres South of 56 Ell Crescent, Cambuslang**

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A report dated 19 September 2019 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/19/1100 by Persimmon Homes and South Lanarkshire Council for the erection of 57 residential units (including 12 cottage flats) with associated roads and landscaping at land 45 metres south of 56 Ell Crescent, Cambuslang.

Points raised in a letter from Councillor Walker were referred to at the meeting and addressed by officers.

**The Committee decided:** that planning application P/19/1100 by Persimmon Homes and South Lanarkshire Council for the erection of 57 residential units (including 12 cottage flats) with associated roads and landscaping at land 45 metres south of 56 Ell Crescent, Cambuslang be granted subject to the conditions specified in the Executive Director's report.

*[Reference: Minutes of Housing and Technical Resources Committee of 15 June 2019 (Paragraph 10)]*

*Councillor Nugent left the meeting following consideration of this item of business*

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**10 Application P/19/0368 for Erection of 11 Houses, Associated Access Road and Ground and Retention Works at Land 140 Metres West of 165 Lanark Road, Crossford, Carluke**

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The Chair advised that this application had been withdrawn at the request of the applicant.

**The Committee decided:** to note the position.

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**11 Application P/19/1022 for Extension to Church to Form New Entrance at Moncrieff Parish Church, Maxwellton Road, East Kilbride**

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A report dated 26 September 2019 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/19/1022 by Moncrieff Parish Church for an extension to a church to form a new entrance at Moncrieff Parish Church, Maxwellton Road, East Kilbride.

**The Committee decided:** that planning application P/19/1022 by Moncrieff Parish Church for an extension to a church to form a new entrance at Moncrieff Parish Church, Maxwellton Road, East Kilbride be granted subject to the conditions specified in the Executive Director's report.

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**12 Application P/19/1045 for Erection of 19 Single Storey and Two Storey Detached Houses, Detached Garages, Associated Access Road, Infrastructure and Landscaping at Land East of Hyndford Road, Hyndford Bridge, Lanark**

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A report dated 17 September 2019 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/19/1045 by Hyndford Development Company Limited for the erection of 19 single storey and two storey detached houses, detached garages, associated access road, infrastructure and landscaping at land east of Hyndford Road, Hyndford Bridge, Lanark.

**The Committee decided:** that planning application P/19/1045 by Hyndford Development Company Limited for the erection of 19 single storey and two storey detached houses, detached garages, associated access road, infrastructure and landscaping at land east of Hyndford Road, Hyndford Bridge, Lanark be granted subject to the conditions specified in the Executive Director's report.

*Councillor Cowie left the meeting following consideration of this item of business*

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### **13 Application HM/17/0089 for Formation of Roundabout, SUDs Pond and Associated Works at Land at Former Waterworks Site, Strathaven Road, Hamilton**

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A report dated 26 September 2019 by the Executive Director (Community and Enterprise Resources) was submitted on planning application HM/17/0089 by Robertson Homes and Paterson Partners for the formation of a roundabout, SUDs pond and associated works at land at the former waterworks site, Strathaven Road, Hamilton.

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

#### **The Committee decided:**

- (1) that planning application HM/17/0089 by Robertson Homes and Paterson Partners for the formation of a roundabout, SUDs pond and associated works at land at the former waterworks site, Strathaven Road, Hamilton be granted subject to:-
  - ◆ the conditions specified in the Executive Director's report
  - ◆ prior conclusion of a Planning Obligation to ensure the submission of an equitable financial contribution, on an agreed pro-rata basis, in relation to infrastructure and other costs associated with the Hamilton Community Growth Area namely:-
    - ◆ roads infrastructure
    - ◆ education provision
    - ◆ community facilities
    - ◆ affordable housing
  - ◆ the applicants meeting the Council's legal costs associated with the Planning Obligation and/or other legal agreements
- (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 Planning Obligation 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 would be secured by the Planning Obligation, the proposed development would be unacceptable; and
- (3) that it be noted that, if the Planning Obligation 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 Planning Obligation.

*[Reference: Minutes of 21 June 2011 (Paragraph 3) and 7 July 2015 (Paragraph 15)]*

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### **14 Application HM/17/0090 for a Residential Development (37 Units) and Associated Drainage, Infrastructure and Landscape Works at Land at Former Waterworks Site, Strathaven Road, Hamilton**

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A report dated 26 September 2019 by the Executive Director (Community and Enterprise Resources) was submitted on planning application HM/17/0090 by Robertson Homes and Paterson Partners for a residential development (37 units) and associated drainage, infrastructure and landscape works at land at the former waterworks site, Strathaven Road, Hamilton.

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

**The Committee decided:**

- (1) that planning application HM/17/0090 by Robertson Homes and Paterson Partners for a residential development (37 units) and associated drainage, infrastructure and landscape works at land at the former waterworks site, Strathaven Road, Hamilton P/19/1038 be granted subject to:-
  - ◆ the conditions specified in the Executive Director's report
  - ◆ prior conclusion of a Planning Obligation to ensure the submission of an equitable financial contribution, on an agreed pro-rata basis, in relation to infrastructure and other costs associated with the Hamilton Community Growth Area namely:-
    - ◆ roads infrastructure
    - ◆ education provision
    - ◆ community facilities
    - ◆ affordable housing
  - ◆ the applicants meeting the Council's legal costs associated with the Planning Obligation and/or other legal agreements
- (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 Planning Obligation 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 would be secured by the Planning Obligation, the proposed development would be unacceptable; and
- (3) that it be noted that, if the Planning Obligation 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 Planning Obligation.

*[Reference: Minutes of 21 June 2011 (Paragraph 3) and 7 July 2015 (Paragraph 15)]*

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**15 Application P/19/0628 for Erection of 13 Wind Turbines with a Maximum Height of 200 Metres to Blade Tip (Section 36 Consultation) at Douglas West Wind Farm, Middlemuir Road, Coalburn, Lanark**

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A report dated 19 September 2019 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/19/0628 for the erection of 13 wind turbines with a maximum height of 200 metres to blade tip at Douglas West Wind Farm, Middlemuir Road, Coalburn, Lanark.

The proposal had been submitted to the Scottish Government under Section 36 of the Electricity Act 1989 as it added additional capacity to an existing wind farm with a generating capacity of over 50 megawatts (MW). As a result, the Council was a consultee to the application and not the consenting authority.

The application was considered acceptable on the basis that it:-

- ◆ accorded with the relevant policies in the Adopted South Lanarkshire Local Development Plan and associated Supplementary Guidance

- ♦ accorded with National Policy
- ♦ would not have any significant adverse impact within the surrounding area

**The Committee decided:**

- (1) that the Scottish Government be advised that the Council had no objection to the proposed erection of 13 wind turbines with a maximum height of 200 metres to blade tip at Douglas West Wind Farm, Middlemuir Road, Coalburn, Lanark subject to conditions based on the conditions attached to the Executive Director's report;
- (2) that the Head of Planning and Economic Development be authorised to undertake any discussions or agreements on the proposed conditions and planning obligations, if required, with the Scottish Government;
- (3) that the Scottish Government be advised that approval should be subject to a legal agreement(s) covering:-
  - ♦ community contribution payments
  - ♦ the funding of a Planning Monitoring Officer
  - ♦ control over turbine transportation and the repair of any damage to roads and bridges arising from extraordinary wear and tear associated with the development and associated indemnity insurance requirements; and
- (4) that the applicant be responsible for meeting the Council's reasonably incurred legal expenses in respect of the legal agreement and restoration guarantee quantum.

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**16 Application P/19/1126 for Erection of 48 Houses (Including Cottage Flats) with Associated Roads, Parking and Landscaping at Land 350 Metres East of Kennedies Farm of Highstonehall Road, Hamilton**

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A report dated 26 September 2019 by the Executive Director (Community and Enterprise Resources) was submitted on planning application P/19/1126 by South Lanarkshire Council/HUB for the erection of 48 houses (including cottage flats) with associated roads, parking and landscaping at land 350 metres east of Kennedies Farm of Highstonehall Road, Hamilton.

**The Committee decided:**

that planning application P/19/1126 by South Lanarkshire Council/HUB for the erection of 48 houses (including cottage flats) with associated roads, parking and landscaping at land 350 metres east of Kennedies Farm of Highstonehall Road, Hamilton be granted subject to the conditions specified in the Executive Director's report.

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**17 Urgent Business**

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There were no items of urgent business.

# Report

3

Report to:	<b>Planning Committee</b>
Date of Meeting:	<b>19 November 2019</b>
Report by:	<b>Executive Director (Community and Enterprise Resources)</b>

Application no.	P/19/1176
Planning proposal:	Erection of dwellinghouse, formation of associated vehicular access, erection of a 2.5m high gate and 1.8m high boundary fence and erection of temporary storage building.

## 1 Summary application information

Application type:	Detailed planning application
Applicant:	Mr Velina Georgieva
Location:	77 Carlisle Road Crawford ML12 6TP

## 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: Burrell Design Studio
- ♦ Council Area/Ward: 03 Clydesdale East
- ♦ Policy Reference(s): **South Lanarkshire Local Development Plan (2015)**  
Policy 4 - Development Management and Placemaking  
Policy 6 - General Urban Area/Settlements

**Supplementary Guidance 3: Development Management, Placemaking and Design (2015)**  
Policy DM13 Development within General Urban Area/Settlement

**Proposed South Lanarkshire Local  
Development Plan 2**

Policy 3 - General Urban Areas and Settlements  
Policy 5 - Development Management and  
Placemaking

♦ **Representation(s):**

▶	9	Objection Letters
▶	0	Support Letters
▶	0	Comment Letter

♦ **Consultation(s):**

Roads Development Management Team

SEPA

Scottish Water



## **Planning Application Report**

### **1 Application Site**

- 1.1 The application site, extending to approximately 690 square metres, is located within an established residential area of Crawford village, at 77 Carlisle Road. It is a rectangular area of sloping ground with a frontage width of approximately 16.2 metres and a depth of approximately 43.55 metres. The site previously formed part of the garden ground of the neighbouring dwellinghouse, at 79 Carlisle Road.
- 1.2 The site is bounded on all sides by housing, the majority of which are traditionally designed properties. Two modern designed, detached single storey dwellings are located approximately 20 metres to the south east of the proposed site. The dwellings located at the rear of the site, on Caledonian Avenue, are sited close to the rear boundary of the properties adjoining them on Carlisle Road, with rear garden depths of approximately 3 metres in some cases. The front garden depths of the existing dwellings on this section of Carlisle Road vary from 7.5 metres at the former Church at 69 Carlisle Road to 17 metres at numbers 71 to 75 Carlisle Road.

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

- 2.1 The applicant seeks detailed planning permission for the erection of a 4 bedroom detached dwellinghouse, with accommodation arranged over three levels. In addition, the applicant seeks retrospective consent for the erection of a temporary storage shed for materials and the erection of a 2.5m high gate and 1.8m high boundary fence.
- 2.2 An integral double garage element would be formed and the garage's front elevation projection would be set back 11.5 metres from the public footpath on Carlisle Road with the upper storey of the dwelling set back 13.8 metres. To the rear, basement accommodation would be formed.
- 2.3 The footprint of the proposed dwellinghouse is 162 square metres, providing a plot ratio of 23% dwelling to 77% garden ground. Vehicular access to the proposed plot would be taken directly from Carlisle Road, over the existing public footpath. The external materials proposed are painted wet dash render and brick base course, with a flat grey concrete roof tile. The submitted plans indicate that the front elevation of the dwelling would be two storey in height and form. Thereafter, the applicant proposes to utilise the sloping garden ground to form a three storey element at the rear, similar to the shape and form exhibited at the neighbouring dwellinghouse which adjoins the site.
- 2.4 The current application has been submitted following the expiry of consent for a previous application for the same dwellinghouse on the site (planning ref: CL/15/0281). However, retrospective planning consent is now also sought for the erection of a 2.5m high gate to the front of the property and a 1.8m high boundary fence to the side of the property adjacent to 79 Carlisle Road. Whilst planning consent is not required for the erection of a temporary building in connection with development while construction work is taking place, the applicant has also applied for consent to erect a storage shed within the front garden of the

application site in order to store materials. This shed has already been constructed.

### **3 Background**

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

3.1.1 The 2015 adopted South Lanarkshire Local Development Plan identifies the application site as being within the settlement boundary of the village of Crawford, subject to assessment against Policy 4 - Development Management and Place Making and Policy 6 - General Urban Area/Settlements. The proposals also require to be assessed against the guidance contained within the associated supplementary guidance documents, namely the Development Management, Place Making and Design SG and the Residential Design Guide. These policies and guidance 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.

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 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. Therefore, Policy 3 - General Urban Areas and Settlements and Policy 5 - Development Management and Placemaking are relevant to this application.

#### **3.2 Planning background**

3.2.1 The land, subject of the current application, has been subject to a number of previous planning applications. In October 2002, Outline Planning Permission was granted for a single dwellinghouse on the site (ref: CL/02/0431). A further application for Outline Planning Permission for a single dwellinghouse was approved in March 2009 (ref: CL/08/0510). A detailed planning application was submitted for a detached garage/workshop building on the site in September 2014 (ref: CL/14/0399). That application was withdrawn by the applicant in November 2014. In September 2015, planning permission was granted for the erection of a dwellinghouse and formation of associated vehicular access. (CL/15/0281). The consent for this dwellinghouse has expired and the applicant seeks to renew this consent.

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

4.1 **Roads and Transportation Services** – have no objections to the proposal subject to conditions covering access arrangements, parking provision, driveway length, turning facilities, land drainage provision and the proposal adhering to the requirements of the visibility splay for the site.

**Response:** Noted. Appropriate planning conditions can be applied if consent is granted.

4.2 **SEPA** - no site specific advice given.

**Response:** Noted.

4.3 **Scottish Water** – No objection to the proposal.

**Response:** Noted.

## **5 Representation(s)**

5.1 Statutory neighbour notification was undertaken, 9 letters of representation have been received

a) **A fence erected along my boundary wall has not been removed despite no permission.**

**Response:** The applicant stated a temporary boundary fence was erected along the boundary to 75 Carlisle Road to allow privacy and prevent any overlooking. After discussions with the landowner, the temporary fence has now been removed.

b) **The plans are a revamp of previous lapsed version. The frontage should be brought back in line with other dwellinghouses.**

**Response:** There is no rigid, established building line in this part of Crawford and the existing dwellings located to the north west of the site all have generous front garden depths of 17 metres, far in excess of the minimum requirement of 6 metres stipulated in the Council's Residential Development Guide. The proposed positioning of the new dwelling at 11.5 metres front garden depth is an appropriate distance in terms of acceptable visual integration with the existing streetscape character and in terms of potential impacts on the residential amenity of the adjacent properties. Notwithstanding, it should be noted that this planning application is identical to that previously approved in 2015.

c) **The huge shed will block my view and the term 'temporary' in regard to the storage building is vague. Therefore the length of time needs to be limited.**

**Response:** The shed has been reduced in size since the application was submitted. Consent is sought for a temporary period only. If approved, a condition will be attached limiting the period of time the shed can remain on site to during construction works.

d) **The plans as they stand will devalue my property**

**Response:** The property value of neighbouring properties is not a material consideration.

e) **What will be the noise impact and working hours.**

**Response:** Any excessive noise issues should be reported to the Council's Environmental Services.

f) **The design of this property in its current form is not consistent with the other properties within the village. This cumbersome, out of scale,**

**modern property with its front double garage, painted wet dash render and concrete roof tiles is not in keeping with the rural village streetscape.**

**Response:** There are a number of different house types and sizes within this part of Crawford, reflecting the varying age of those Victorian, Edwardian and modern properties. The submitted application seeks consent for a dwelling of an appropriate design that would not detract from the local vernacular character in terms of scale, mass, storey height and external finishes. Comments have been raised that a dwelling with an integral double garage on the front elevation is inappropriate in terms of the local streetscape character. The scale and design of the proposed dwelling will have no notable adverse impact on the existing streetscape character. The site is not within a designated Conservation Area and will not affect the setting of any Listed Building within the village. The proposed dwelling would be located on a large plot and accommodate 23% of the total plot area. Furthermore, it should be noted that the principle of a dwellinghouse on the site has been approved on previous occasions. The design of the proposed dwellinghouse is exactly the same as that most recently approved (CL/15/0281).

- g) Road safety, parking and traffic generation. The access point is proposed to be positioned directly across from an existing access point serving a dwelling on the western side of Carlisle Road. Increased traffic and on street parking will be created by approval of the development, both during the construction phase and possibly following occupation of the dwelling. This is the only route for children to walk to the local primary school.**

**Response:** Roads and Transportation Services have confirmed that the proposed access onto Carlisle Road is acceptable. The site has been subject to a site visit by officers from both Planning and Roads and Transportation Services to assess the existing road layout, the achievable levels of vehicular visibility, existing access/driveway locations, pedestrian provision and existing traffic levels/speeds. Following these visits, no adverse issues or concerns have been raised, so long as appropriate planning conditions are imposed. With regard to the issue of construction traffic, this element will only be an issue for a temporary period. The concerns over increased traffic following occupation of the dwelling are also noted, however, the anticipated levels of noise and activity associated with a 4 bedroom dwelling on the site does not warrant refusal of the application.

- h) As a large development in a small village undoubtedly this will lead to unpleasantness in terms of noise, dust, traffic and disturbance during any building work.**

**Response:** It is recognised in order for developments to progress some disruptions will occur. However they will be temporary.

- i) The height of the fencing and gate appears to be excessively above SLC guidelines for fencing. The height and material for the fence and gate are not in keeping with the other dwelling houses or the character of the village.**

**Response:** The Council does not issue any specific guidelines regarding gates or fences. This matter will be fully considered within the assessment and conclusion section of the report.

- j) **The planning permission for the land lapsed last year. The plot has been marked out and fencing and oversize gate has been erected. The work has completed without consent.**

**Response:** This planning application has been submitted to renew the consent for the dwellinghouse, to erect a temporary storage shed and for the fencing and gate.

- k) **The site has been fenced off and is now in an unsatisfactory state with rubbish lying about, posing a potential health and safety risk and possibly attracting vermin.**

**Response:** This is not a planning matter. However Environmental Services can be contacted if they suspect the rubbish is attracting vermin.

- l) **The objector states they have been advised by Scottish Water there is a fractured water pipe close to the boundary of the site and there is no room to connect to the sewage system. The objector also states that Scottish Water have advised they are normally consulted on developments prior to commencement.**

**Response:** Scottish Water were consulted and have no objection to the proposal. The responsibility of connecting to the Scottish Water Network lies with the applicant.

- m) **These builders have shown no regards for their neighbours and are lighting fires, smoking out my property and within range of my flammable gas tank. They are also urinating in full view. A chemical toilet should be provided.**

**Response:** This is not a planning matter. However the Health and Safety Executive can be contacted if these behaviours continue.

- 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 applicant seeks detailed planning permission for the erection of a detached dwellinghouse, formation of associated vehicular access, erection of 2.5m high gate and 1.8m boundary fence and erection of temporary storage building, located within Crawford village. The determining issues in consideration of this application are its compliance with local development plan policy, impacts on both the residential and visual amenity of the surrounding area and compliance with the Council's Residential Design Guide.

- 6.2 The application site lies within the settlement boundary of Crawford and has had the benefit of 2 previous outline planning consents and one detailed planning consent granted for a single dwellinghouse, the most recent of which expired in September 2018. The principle of constructing a single dwellinghouse on the site has, therefore, been established by the previous consents. The site is identified in the adopted South Lanarkshire Local Development Plan as being subject to Policy

4 - Development Management and Place Making and Policy 6 - General Urban Area /Settlements. The proposals also require to be assessed against the guidance contained within the associated supplementary guidance documents, namely that within the Development Management, Place Making and Design SG and its Residential Design Guide (Appendix 2). These policies seek to promote the principles of sustainability in development and seek proposals 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. Following a detailed assessment, the application site is of a sufficient size (690 sq. metres) to accommodate the proposed dwelling without having any detrimental impact on the amenity of the existing adjoining houses. The rear of the dwelling would be located a sufficient distance from the properties on Caledonian Avenue to ensure that their amenity and privacy is not compromised. In addition, subject to the approval and use of appropriate external materials which are in keeping with the streetscape character of the immediate area, the new development can be constructed on the site in an acceptable manner. There are no infrastructure constraints and the site can be served by an acceptable private vehicular access. In view of all of the above, the proposals comply with Policies 4 and 6 of the adopted South Lanarkshire Local Development Plan. The proposals are also considered to comply with the relevant policies and guidance contained in the Development Management, Place Making and Design SG and that of its Residential Design Guide. In addition, the proposal accords with Policy 3 - General Urban Areas and Settlements and Policy 5 - Development Management and Placemaking of the Proposed SLLDP2. The proposal has been considered against the relevant policies in the proposed plan and these policies are broadly consistent with the current adopted South Lanarkshire Local Development Plan.

- 6.3 The proposal also seeks retrospective planning permission for a temporary storage shed. The storage shed is 9.6m in length, 3.6m wide and is 2.4m in height and it has been erected adjacent to the front boundary wall and is within the required visibility splay. Revised drawings now show that the building will be set back 2.5m from the front boundary thus allowing it to be sited outwith the visibility splay. The storage shed is constructed from timber with a corrugated tin roof. The shed will be used for storing materials and allowing contractors an area to take breaks. Whilst planning consent is not required for the erection of a temporary building while construction work is taking place, the applicant in this case has constructed the shed prematurely. In order to accord with permitted development rights for this type of development, if approved, a condition limiting the time period for the shed until completion of the construction work would be applied to the planning permission.
- 6.4 Retrospective consent is also sought for a 2.5m high gate and 1.8m high boundary fence. The gate is constructed from wrought iron and would be painted black with gold finials. The 1.8m high side boundary fence is located between the boundaries of the application site and 79 Carlisle Road. The fence would replace a wooden boundary fence similar in height. The fence is constructed from iron and is similar in design to the gate. In terms of design, scale and materials the gate and fence do not have significant adverse impact on the amenity of the area. However, it is noted that, in order to comply with Roads and Transportation

requirements, the gate and some of the fencing would require to be repositioned outwith the visibility splay. Plans have been provided to demonstrate that this can be achieved and, should planning consent be granted, this matter will be controlled further with appropriate planning conditions. Therefore in view of all of the above, the gate and the fence can comply with Policies 4 and 6 of the adopted South Lanarkshire Local Development Plan and that of the relevant policies and guidance contained in the Development Management, Place Making and Design SG. In addition, the proposal accords with Policy 3 - General Urban Areas and Settlements and Policy 5 - Development Management and Placemaking of the Proposed SLLDP2. The proposal has been considered against the relevant policies in the proposed plan and these policies are broadly consistent with the current adopted South Lanarkshire Local Development Plan.

- 6.5 Whilst it is noted that a number of objections have been submitted in relation to this planning application, it is not considered that any of the concerns raised warrant refusal of the development. The proposed dwellinghouse is the same design as that previously approved in 2015. The retrospective shed is temporary to allow for storage of building materials and it will be removed on completion of the dwelling. The retrospective gate and fencing, subject to it repositioning outwith the visibility splay of the plot, is also considered to be acceptable in terms of impact on amenity and it is considered that appropriate planning conditions can be imposed to control these matters should planning consent be granted.
- 6.6 In view of the above, the proposed development represents an appropriate form of development for the site that is in accordance with the local development and would not have adverse impact on amenity subject to the attached planning conditions. The recommendation is, therefore, to grant consent.

## **7 Reasons for Decision**

- 7.1 The proposals will have no adverse impact on amenity and comply with Policies 4 and 6 of the adopted South Lanarkshire Local Development Local Plan, Policy DM13 of the Development Management, Place Making & Design Supplementary Guidance and Policies 3 and 5 of the Proposed South Lanarkshire Local Development Plan 2.

**Michael McGlynn**

**Executive Director (Community and Enterprise Resources)**

Date: 24 October 2019

### **Previous references**

- ◆ CL/02/0431
- ◆ CL/08/0510
- ◆ CL/14/0399
- ◆ CL/15/0281

### **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 1 August 2019 & 14 October 2019
  
- ▶ Consultations
 

Roads Development Management Team	13.08.2019
SEPA West Region	05.08.2019
Scottish Water	23.08.2019
  
- ▶ Representations
 

	Dated:
Mr And Mrs Brady, 86 Carlisle Road, Crawford, Biggar, South Lanarkshire, ML12 6TW	13.08.2019
Mr E And Mrs A Tysler, 84 Carlisle Road, Crawford, Biggar, South Lanarkshire, ML12 6TW	19.08.2019
Vivienne Shaw, 75 Carlisle Road, Crawford, Biggar, ML12 6TP	08.08.2019
Ms Marian Kayes, 7 Caledonian Avenue, Crawford, Biggar, South Lanarkshire, ML12 6TX	20.08.2019
Mr & Mrs Brady, 86 Carlisle Road, Crawford, South Lanarkshire, ML12 6TW	16.08.2019
Mr Greg Bashford, 4 Woodside House, Upper left, Alloa Rd, Cambus Clackmananshire, FK10 2NT	18.08.2019
Mr And Mrs Brady, 86 Carlisle Road, Crawford, Biggar, South Lanarkshire, ML12 6TW	23.08.2019
Vivienne Shaw, 75 Carlisle Road, Crawford, Biggar, South Lanarkshire, ML12 6TP	21.10.2019
Mr And Mrs Brady, 86 Carlisle Road, Crawford, Biggar, South Lanarkshire, ML12 6TW	28.10.2019

**Contact for further information**

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

Mohammed Hussain, Planning Officer, Montrose House, 154 Montrose Crescent,  
 Hamilton, ML3 6LB  
 Phone: 01698 455269  
 Email: [mohammed.hussain@southlanarkshire.gov.uk](mailto:mohammed.hussain@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: In the interests of amenity and in order to retain effective planning control.

02. 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: These details have not been submitted or approved.

03. 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 Condition 2 above, shall be erected and thereafter maintained to the satisfaction of the Council.

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

04. That before the dwellinghouse hereby approved is brought into use, a minimum 3 metre wide 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 interest of public safety.

05. That before the dwellinghouse hereby approved is completed or brought into use, a private vehicular access or driveway of at least 6 metres in length shall be provided and the first 2 metres of this access from the heel of the existing footway on Carlisle Road shall be hard surfaced across its full width, to prevent deleterious material being carried on to the road.

Reason: To prevent deleterious material being carried into the highway.

06. That before the dwellinghouse 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 interest of public safety

07. That before the dwellinghouse hereby permitted is occupied, 2 car parking spaces shall be provided within the curtilage of the plot and out with 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.

08. That the developer shall arrange for any alteration, deviation or reinstatement of statutory undertakers apparatus necessitated by this proposal all at his or her own expense.

Reason: In order to retain effective planning control

09. That before the dwellinghouse hereby approved is occupied, a drainage system capable of preventing any flow of water from the site onto the public road or neighbouring land, or into the site from surrounding land shall be provided and maintained to the satisfaction of the Council as Roads and Planning Authority.

Reason: To ensure the provision of a satisfactory drainage system

10. That the window(s) hatched on the side elevation of the dwellinghouse hereby approved shall be glazed in obscure glass and thereafter shall be maintained as such to the satisfaction of the Council as Planning Authority.

Reason: In the interests of amenity.

11. That no development shall commence until details of surface water drainage arrangements have been submitted to and approved in writing by the Council as Planning Authority; such drainage arrangements will require to comply with the principles of sustainable urban drainage systems and with the Council's Sustainable Drainage Design Criteria and shall include signed appendices as required. The development shall not be occupied until the surface drainage works have been completed in accordance with the details submitted to and approved by the Council as Planning Authority.

Reason: To ensure the provision of a satisfactory system to treat surface water.

12. The temporary storage shed hereby approved shall be removed from the site within 28 days from the date the house is completed.

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

13. That before the development hereby approved is completed or brought into use, a visibility splay of 2.5m metres by 35 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.

14. That no development shall commence on site until a detailed sewerage scheme is submitted and approved by the Council as the Planning Authority.

Reason: To ensure the provision of a satisfactory sewerage system.

- 15 That no development shall commence on site until details of existing and proposed ground levels of the rear garden and any retaining structures are submitted and approved by the Council as Planning Authority.

Reason: In the interest of public safety

P/19/1176

77 Carlisle Road, Crawford



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Scale:  
1:1,250  
Date:  
28/10/2019



**South Lanarkshire Council**  
**Community and Enterprise Resources**  
Planning and Economic Development

# Report

4

Report to:	<b>Planning Committee</b>
Date of Meeting:	<b>19 November 2019</b>
Report by:	<b>Executive Director (Community and Enterprise Resources)</b>

Application no.	P/19/0727
Planning proposal:	Residential development with associated engineering works, landscaping and open space (planning permission in principle)

## 1 Summary application information

Application type:	Permission in principle
Applicant:	Gladman Developments Ltd.
Location:	Land 250M Southwest Of The Beeches Boghall Road Biggar South Lanarkshire

## 2 Recommendation(s)

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

- (1) Refuse planning permission in principle for the reasons stated

### 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: 03 Clydesdale East
- ♦ Policy Reference(s): **South Lanarkshire Local Development Plan (adopted 2015)**
  - Policy 1: Spatial Strategy
  - Policy 3: Green belt and rural areas
  - Policy 4: Development management and placemaking
  - Policy 5: Community infrastructure assessment
  - Policy 12 Housing Land
  - Policy 13: Affordable housing and housing choice
  - Policy 15: Natural and historic environment
  - Policy 16: Travel and Transport
  - Policy 17: Water environment and flooding

**Supplementary Guidance 1: Sustainable Development and Climate Change**

SDCC2 – Flood Risk  
SDCC3 – Sustainable Drainage Systems

**Supplementary Guidance 3: Development management, Placemaking and Design**

DM1 - Design

**Supplementary Guidance 9: Natural and Historic Environment**

NHE10 - Prime Agricultural Land

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

Policy 1 Spatial Strategy  
Policy 2 Climate Change  
Policy 5 Development Management and Placemaking  
Policy 7 Community Infrastructure Assessment  
Policy 11 Housing  
Policy 12 Affordable Housing  
Policy 14 Natural and Historic Environment  
Policy 15 Travel and Transport  
Policy 16 Water Environment and Flooding

◆ **Representation(s):**

▶	34	Objection Letters
▶	1	Support Letters
▶	0	Comment Letters

◆ **Consultation(s):**

Roads Flood Risk Management

SEPA West Region

SP Energy Network

Countryside and Greenspace

Housing Services

Biggar Civic Society

Environmental Services

Scottish Water

Roads Development Management Team

CER Play Provision Community Contris

Education Resources School Modernisation Team

Biggar Community Council

WOSAS

Transport Scotland

## **Planning Application Report**

### **1 Application Site**

- 1.1 The application site is an area of approximately 11.1 hectares of agricultural land, located on the south west of the settlement of Biggar. The south of the site is bound by further agricultural land with established housing on the north and west sides of the site. The eastern boundary is formed by Boghall Road, the opposite side of which is a mixture of housing and agricultural land, forming the eastern boundary of the site. The site is also located within the Upper Clyde Valley and Tinto Special Landscape Area (SLA).
- 1.2 The application site is land classed as Prime Agricultural Land (PAL). The topography of the site is generally flat and low lying and, given its agricultural use, the aspect of the site is open.

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

- 2.1 The application is for Planning Permission in Principle for a residential development and associated infrastructure. Whilst in principle, the indicative proposals show a site layout accommodating 100 dwellinghouses. Access is proposed to be taken directly off Boghall Road. The access point would be located on a currently rural part of Boghall Road which is currently outwith the 30mph zone. The indicative plan shows the location of a second access into the site, again off Boghall Road, should two access points be required.
- 2.2 The application is supported by a suite of technical documents to inform consideration of the proposals. These include a Design and Access Statement, Ecological Surveys and Assessments, Socio and Economic Appraisal, Noise Assessment, Geo-technical Surveys, Transport Assessment and a Landscape and Visual Assessment.

### **3 Background**

#### **3.1 National Policy**

- 3.1.1 National Planning Framework 3 (NPF3) June 2014 identifies 4 primary outcomes for the long-term spatial development of Scotland:
  - A successful sustainable place
  - A low carbon place
  - A natural resilient place
  - A connected place
- 3.1.2 Scottish Planning Policy (SPP) June 2014 advises that the planning system is about where development should happen, where it should not and how it would interact with its surroundings. Proposals should, inter alia, take a positive approach to sustainable and high-quality development and make efficient use of land to deliver long-term benefits for the public whilst protecting and enhancing natural and cultural resources and the wider environment. SPP also emphasises the importance of the plan-led approach to development, which is especially important in the provision of housing land. The planning system should, in all rural



areas, promote a pattern of development that is appropriate to the character of that particular area, encourage rural development that supports prosperous and sustainable communities and businesses whilst protecting and enhancing environmental quality.

- 3.1.3 SPP further advises that developments for new residential units should be concentrated within existing settlements, particularly in areas where there is continuing pressure for growth, and through the use of innovative approaches to rural housing. SPP 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 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.

## **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 3: Green belt and rural areas
- Policy 4: Development management and placemaking
- Policy 5: Community infrastructure assessment
- Policy 12 Housing Land
- Policy 13: Affordable housing and housing choice
- Policy 15: Natural and historic environment
- Policy 16: Travel and Transport
- Policy 17: Water environment and flooding

- 3.2.4 The following approved Supplementary Guidance documents support the policies in the SLLDP and also require assessment:

- Supplementary Guidance 2: Green Belt and Rural Area

- Supplementary Guidance 3: Development Management, Placemaking and Design
- Supplementary Guidance 9: Natural and Historic Environment

3.2.5 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:

#### Volume 1

- Policy 1 Spatial Strategy
- Policy 4 Green Belt and Rural Area
- Policy 5 Development Management and Placemaking
- Policy 7 Community Infrastructure Assessment
- Policy 11 Housing
- Policy 12 Affordable Housing
- Policy 14 Natural and Historic Environment
- Policy 15 Travel and Transport
- Policy 16 Water Environment and Flooding

#### Volume 2

### 3.3 Planning Background

- 3.3.1 In terms of planning applications, there is no relevant planning history for the site. However, following consultation on the proposed LDP2 in the summer of 2018, a representation was submitted by the current applicant to designate the site for housing and include it within the settlement boundary of Biggar. This representation stated that there is a housing land shortfall within South Lanarkshire and specifically within the Clydesdale Area. Following consideration of all representations for sites, it was concluded that there is an adequate provision of housing land within South Lanarkshire and more specifically within the Clydesdale Area. The representation for the site to be designated for housing was, therefore, not supported for inclusion within LDP2.
- 3.3.2 Following Committee approval of the proposed LDP2 in March 2019 the plan has been submitted to the Planning and Environmental Appeals Division of the Scottish Government (DPEA) for examination. Whilst not included within the LDP2, all representations regarding sites (including this one) form part of the examination by the DPEA. The examination process is not expected to be completed until early 2020.
- 3.3.3 The proposals involve a major development as the site area is over 2 hectares in size and therefore the applicant was required to carry out statutory pre-application consultation (Planning Ref: P/19/0001/PAN). A Pre-Application Consultation Report has been submitted as part of this application.

- 3.3.4 Due to the scale and nature of the application, an EIA screening was carried out prior to the application being submitted (Planning Ref: P/18/1218). It was assessed that the proposals did not constitute an EIA development.

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

- 4.1 **SEPA** – originally objected to the proposals on the grounds of flood risk. Following the submission of updated Flood Risk Assessment information, they have removed their objection subject to any permission including the provisions of the updated Flood Risk Assessment and installation of sustainable surface water drainage.  
**Response:** Noted and, if approved, conditions relating to flood risk and drainage would be attached to the consent.
- 4.2 **West of Scotland Archaeology Service (WOSAS)** – no objections to the proposals subject to a suitable archaeological condition.  
**Response:** Noted and if approved conditions relating to flood risk and drainage would be attached to the consent
- 4.3 **Transportation Scotland** – do not advise against granting planning permission.  
**Response:** Noted.
- 4.4 **Roads and Transportation Services (Development Management)** – no objections subject to conditions relating to details of proposed access, parking and visibility splays.  
**Response:** Noted and, if approved, conditions relating to these matters would be attached to the consent
- 4.5 **Roads and Transportation (Flood Management)** – no objections to the proposals subject to the submission of drainage details.  
**Response:** Noted and, if approved, conditions relating to flood risk and drainage would be attached to the consent.
- 4.6 **Countryside and Greenspace** – note that the site is primarily agricultural land on mineral soils and, therefore, has little biodiversity and habitat potential. Agree with the findings of the phase 1 habitat surveys. If planning permission were to be granted, a condition requiring habitat creation within the site should be attached.  
**Response:** Noted. If permission were to be granted a condition regarding habitat creation would be added to the consent.
- 4.7 **CER Play Provision** – a financial contribution towards community projects in the area should be sought if consent is granted.  
**Response:** If consent is granted, the Council would seek to conclude a legal agreement to ensure suitable contributions are made.
- 4.8 **Housing Services** – no objections to the proposals subject to the onsite provision of 25% of the units being affordable housing.  
**Response:** If consent is granted, the Council would seek to conclude a legal agreement to ensure the onsite provision of 25% of the units being affordable housing.

- 4.9 **Education Services** – No objections subject to a financial contribution to address the impact of the development on the capacity of schools and nursery provision in the catchment area of the site.  
**Response:** If consent is granted the Council would seek to conclude a legal agreement to ensure these contributions are made to upgrade education facilities within the local area.
- 4.10 **Scottish Water**– no objection  
**Response:** Noted.
- 4.11 **Biggar Community Council**– carried out a public consultation exercise and survey in relation to the application. Following the results of the survey, which had a majority in opposition to the proposals, object with the primary concerns being infrastructure capacity, Highway issues (including traffic volumes and road safety) and the increased risk of flooding.  
**Response:** The impact of the development on education facilities would be addressed by a financial contribution to increase facilities in the catchment area. With regard to the impact on health provision, it is considered that an additional 100 residential units would not be considered to be of a scale that would impact medical provision in the area. Transport Scotland and Roads and Transportation Services have no road safety concerns, subject to conditions. The concerns regarding flooding are not supported by SEPA.
- 4.12 **Biggar & District Civic Society** – object to the proposals on the following grounds:-
  - Not allocated within the LDP, no shortfall in housing land supply or need for development.
  - Impact on water supply and on existing sewage treatment capacity.
  - Flooding/ Drainage.
  - Road Safety, access visibility.
  - Impact on education infrastructure and on Health provision.**Response:** The concerns regarding the LDP and housing land requirement are addressed within section 6 below. Concerns regarding the impact on services, road safety and flood risk are addressed in 4.11 above.
- 4.13 The following consultees had no comments to make in relation to the proposed development:  
  
SP Energy Networks  
Environmental Services

## **5 Representation(s)**

- 5.1 Statutory Neighbour notification was carried out by the Council on 22 May 2019. The proposal was publicised as an application requiring advertisement due to the non-notification of neighbours and development which is contrary to the development plan in the Lanark Gazette on 29 May 2019. Following this publicity, 34 letters of objection have been received (including 5 representations from one party). The points raised are summarised as follows:-

### **a) The site is not zoned for housing within the LDP**

**Response:** This concern is further assessed in section 6 of the report.

**b) The proposals involve the loss of Prime Agricultural Land**

**Response:** This concern is further assessed in section 6 of the report.

**c) Impact on infrastructure including roads, schools and medical facilities**

**Response:** Concerns regarding the impact on services, road safety and flood risk are addressed in 4.11 above. Scottish Water are content that there is capacity for public water supply and sewerage.

**d) Impact on protected species and wildlife**

**Response:** The site is an existing agricultural field and protected species surveys and a phase 1 habitat survey have been carried out. Assessment of the ecological impact is set out in para 6.16 below.

**e) Drainage and flooding**

**Response:** SEPA are content with the findings of the FRA and drainage proposals and do not consider the application would exacerbate flooding in the area.

**f) Impact on the Conservation Area**

**Response:** It is considered that the proposals are on the edge of Biggar with existing built development shielding the site from having any impact upon the Conservation Area.

**g) Road Safety, increase in traffic, unsafe access**

**Response:** Neither Transport Scotland nor Roads and Transportation (Development Management) have concerns regarding the impact of the proposals on existing road network. Both are content that the proposals would not be to the detriment of road safety to the area and that, subject to visibility conditions, the access point proposed would be suitable.

**h) Lack of public transport**

**Response:** If consent were granted, conditions could be added to ensure walking routes to the town centre are provided. The lack of frequency of public transport is outwith the control of the applicant.

**i) Loss of privacy and overlooking**

**Response:** The application is at planning permission in principle stage only and, therefore, if approved, details of window to window distances and other development management criteria would be required to be further assessed through further application(s). It is noted that the indicative masterplan sets the proposed houses back from Boghall Avenue which would minimise impacts of privacy.

**j) Light pollution**

**Response:** The application is at planning permission in principle stage only and, therefore, if approved, details of any lighting and other development management criteria would be required to be further assessed through further application(s).

**k) Noise pollution**

**Response:** Residential housing is not considered to be a use that leads to noise pollution.

**l) Air pollution**

**Response:** The application site is not within any Air Quality Management Area. In addition Environmental Services have not raised objection to the application.

**m) Landscape Impact**

**Response:** This is assessed in para 6.11 in section 6 of the report

**n) Increase in anti-social behaviour and security issues**

**Response:** This is not a material planning consideration.

**o) New houses may lead to a supermarket locating to Biggar**

**Response:** This issue is not relevant to the assessment of a planning application of this scale or nature.

**p) Aircraft carry out low flying training within the valley and 2 storey houses may be at risk**

**Response:** Other housing in the vicinity of the site comprises two storey buildings.

**q) Impact extra users/ residents would have on mobile phone coverage**

**Response:** This is not a material planning consideration.

5.2 One letter of support has been submitted stating that the proposals are positive because they involve building new, affordable houses in the area.

5.3 These representations have been copied and made available for inspection in the usual manner and on the Planning Portal.

## **6 Assessment and Conclusions**

6.1 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. Other material considerations include the impact on road safety, ecology, infrastructure and landscape.

6.2 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 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. For the purposes of this report, SLLDP2 Policies are only referenced where they differ from the aims of SLLDP.

- 6.3 In terms of national planning policy, National Planning Framework 3 (NPF3) June 2014 identifies 4 primary outcomes for the long-term spatial development of Scotland:
- A successful sustainable place
  - A low carbon place
  - A natural resilient place
  - A connected place
- 6.4 Scottish Planning Policy (SPP) June 2014 builds on the primary outcomes set out within NPF3 and advises that the planning system is about where development should happen, where it should not and how it would interact with its surroundings. Proposals should, inter alia, take a positive approach to sustainable and high-quality development and make efficient use of land to deliver long-term benefits for the public whilst protecting and enhancing natural and cultural resources and the wider environment. SPP also emphasises the importance of the plan-led approach to development, which is especially important in the provision of housing land. The planning system should, in all rural areas, promote a pattern of development that is appropriate to the character of that particular area, encourage rural development that supports prosperous and sustainable communities and businesses whilst protecting and enhancing environmental quality.
- 6.5 SPP further advises that developments for new residential units should be concentrated within existing settlements, particularly in areas where there is continuing pressure for growth, and through the use of innovative approaches to rural housing. SPP 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 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. SPP advises that the delivery of housing land should be identified through up to date Development Plans maintaining at least a 5 year supply of effective housing land at all times.
- 6.6 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 plan was approved in 2017 and is, therefore, considered to be up to date as per the requirements of SPP (para 6.5). 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. Policy 8 of GCVSDP states that Local Authorities should, inter alia, make provision through Local Development Plans for the all tenure Housing Land Requirement set out in GCVSDP Schedule 8, the Private Housing Land Requirement by Housing Sub-Market Area set out in GCVSDP Schedule 9 and for the Private Housing Land Requirement by Local Authority set out in GCVSDP Schedule 10.

- 6.6 GCVSDP Schedule 7 sets out the all tenure housing supply targets for the Clydeplan Area by Local Authority Area. It also splits the housing supply targets into 2 time periods (2012 to 2024 and 2024 to 2029) as well as providing overall figures for 2012 to 2029. For South Lanarkshire a requirement of 18,640 housing units in the 2012 to 2024 period is established. In turn, this land supply is to be delivered through the identification of appropriate sites in the Local Development Plan. As part of the preparation of LDP2, an audit showed that 5,402 units had been completed between 2012 and 2018 which, therefore, reduced the GCVSDP requirement from 18,640 to 13,238 units within a revised time frame of 2018 to 2029.
- 6.7 Paragraph 66 of Scottish Planning Policy (SPP) advises a generous supply of land should be provided to meet identified housing needs and continued rolling 5 year effective land supply over the plan period. As part of the LDP2 process, a Housing Technical Report was prepared which set out the position regarding housing land in South Lanarkshire. This was based on the 2018 housing land audit which was relevant at the time of the preparation of the Technical Report. The figures within it are subject to change as new sites are brought forward and non-effective sites become effective. The effectiveness of sites is agreed annually with Homes for Scotland.
- 6.8 Overall 13,238 units require to be built in South Lanarkshire by 2029 to meet the strategic development requirement as set out above. The housing land supply to 2029 is currently sitting at 13,942 which gives a surplus of 704 units. For that reason, a very limited number of new housing sites have been identified in the proposed LDP2. The Council, therefore, contends that there is not a shortfall in its housing land and that there is no requirement to make further additions to the housing land audit to meet any 'shortfall' as suggested by the applicant. As a result, there is no need for the site to be released since there is no shortfall in housing land requirement. The Council is satisfied that the supply of housing land meets the requirements set out by the Scottish Government and the Glasgow and Clyde Valley Strategic Development Plan (Clydeplan).
- 6.9 In terms of the adopted South Lanarkshire Local Development Plan, it should firstly be noted that this plan was adopted in 2015 with a 5 year life span and is therefore, up to date as per the requirements set out within SPP (para 6.5 above); in particular, it sets out a 5 year supply of effective housing. This adequate 5 year supply does not identify the application site as being required to contribute to housing land supply and, therefore, has not been designated as such. As also noted above, the proposed LDP2 that is now undergoing examination by the DPEA provides an adequate supply of housing land to 2029 and again does not include the application site as being required to meet this supply. Whilst the examination of LDP2 could lead to the Reporter recommending sites being added or removed, it is considered that LDP2 demonstrates that there is adequate housing land supply in South Lanarkshire. In its 'Policy Principles', SPP introduces 'a presumption in favour of development that contributes to sustainable development'. In support of this presumption, SPP states that the planning system should support economically, environmentally and social sustainable places by enabling development that balances the costs and benefits of a proposal over the longer term. The aim is to achieve the right development in the right place; it is not to allow development at any cost.' Further to this, SPP states that, in regard to Development Management, this 'presumption in favour of sustainable



development' does not change the statutory status of the development plan (as outlined in para 6.1 above) as the starting point for decision making and that, where proposals that do not accord with the up-to-date development plans, the primacy of the plan is maintained and this SPP and the 'presumption in favour of development that contributes to sustainable development will be material considerations'. As previously stated, the Development Plan (GCVSDP and SLLDP) is up to date and, therefore, the primacy of the plan is maintained and this application must be determined in accordance with the development plan unless material considerations indicate otherwise.

- 6.10 Policy 1 sets out the strategic vision of SLDP which is to encourage sustainable economic growth and regeneration, protect and enhance the built and natural environment and move towards a low carbon economy and that this will be achieved, inter alia, by supporting 'development that accords with and supports the policies and proposals in the development plan and supplementary guidance. In this instance, the site is located within land designated as rural within the SLLDP. Policy 3 'Green Belt and Rural Area' of the SLLDP, states that support will not be given for development proposals within the Countryside, unless they relate to uses which must have a countryside location. Policy 3 recognises that there are specific circumstances where proposals may require to be located within a rural area if it can be demonstrated that there is an established need for the proposed development. As noted in 3.3, LDP2 maintains the rural designation of the site and in LDP2 Policy 4, sets out the same criteria of where development proposals within the rural area would not be supported.
- 6.11 As noted above, it is considered that there is no identified need for additional housing land within the Clydesdale area and that there is an adequate supply of designated sites to ensure South Lanarkshire meets the Housing Land requirement as set out within the GCVSDP. It is, therefore, considered that the proposals are contrary to the criteria of SLLDP Policy 3 and LDP2 Policy 4. Whilst it is acknowledged that the proposed development may result in net economic benefits as set out within the Socio-Economic Appraisal submitted as part of the application, this is only one of a number of principles SPP sets out in regard to guiding policies and decisions in relation to supporting 'economically, environmentally and socially sustainable places' in order to ensure the planning system achieves 'the right development in the right place'. The proposals are for a development on the outskirts of a rural settlement and, therefore, whilst, through the planning submission, attempts at integrating the development with the existing settlement through a proposed footpath network and access to public transport nodes, it cannot be considered that these would intrinsically be sustainable given they relate to an unplanned extension of the edge of a rural settlement. It is, therefore, considered that the proposed development fails to meet the requirements for sustainable development, involves the development of greenfield land with a rural designation and there is no shortfall in the housing land supply. It is, therefore, considered that there is no material consideration that would outweigh the primacy of the Development Plan in this instance and as such the principle of the development cannot be supported.
- 6.12 The applicant has stated that they would be prepared to accept a condition on any permission restricting occupation of any units until the year 2022/23 or 2023/24 when the Story Homes site at Edinburgh Road in Biggar is due to be completed. Firstly it should be noted that Biggar is in the Clydesdale Housing Market Area

which covers a significant area and therefore the housing demand for the wider area is the key issue rather than Biggar itself. Secondly as noted above, it is considered that housing need across the Council area is addressed in the identified housing land supply until 2029. The suggested restriction on occupancy until 2022/23 or 2023/24 would not address these matters.

- 6.13 Whilst the principle of development is not considered acceptable, the application does also require further assessment through other Development Management criteria. Scottish Government Policy Statements Creating Places and Designing Streets both state that an emphasis should be placed on design providing a 'sense of place' and taking cognisance of the context of the surrounding area and that design should connect and relate to the surrounding environment. 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.
- 6.14 Whilst the application is made in principle, an indicative masterplan has been submitted in tandem with a Landscape and Visual Assessment. It is considered that the indicative proposals have been designed to tie in with the existing urban fringe of Biggar. The indicative proposals cluster the dwellinghouses in the north east of the site which locates them adjacent to the existing houses on the north and east of the site. This location would minimise the development's visual impact on the surrounding landscape as they would be viewed collectively with this existing part of Biggar from views looking north and the existing houses would screen the proposals when viewed from the east, west and south. The indicative location of the housing also ensures that they would be read as an extension of Biggar and, therefore, integrated within this part of the town. The indicative masterplan shows a development footprint of only about 50% of the whole site and one where each proposed dwelling would have its own garden which mirrors the existing settlement pattern on this part of Biggar. The indicative greenspace with planting that forms the southern boundary of the site would soften the development within the landscape and again minimise its impact in views from the south. It is, therefore, considered that, based on the indicative masterplan forming the basis of any subsequent detailed application, the proposals comply with the relevant criteria of the development plan in this instance.
- 6.15 SLLDP Policy 5 states that new development proposals must be assessed in relation to the impact they may have on existing infrastructure and, where reasonable, may require financial contributions from the developer to offset these impacts. In this instance, the proposals would involve approximately an additional 100 dwellinghouses adjacent to Biggar that have not been designated, and, therefore, planned for, within the Development Plan. It is, therefore, considered that they would have an additional impact upon existing infrastructure within the area. Transportation infrastructure is fully assessed below under the Transportation Policy criteria. With regard other infrastructure, Education Services have stated that, whilst they would not have any objection to the proposals, they would have the potential to generate additional pupils for the local catchment area. Education Services have, therefore, advised that in order to offset any additional impact within the local catchment area, a financial contribution would be required. The financial contributions would be used to upgrade education facilities within the

local area. Similarly contributions would be sought to address community provision. If consent were granted, it would be subject to a legal agreement to ensure contributions are made. On sites proposing 20 units or more, SLLDP Policy 13 requires up to 25% of the site's capacity to be affordable. In this instance, the applicant has stated that they would provide affordable housing on site and at the maximum ratio required of 25%. Again, this would be required to be secured by legal agreement if this application were to be successful.

- 6.16 Policy 15 'Natural and Historic Environment' sets out a 3 tier category of protected natural and historic designations. Category 1 are international designations, category 2 are national designations with category 3 being local designations. There are no category 1 or 3 designations within the site. Within Biggar itself, there are some category 2 designations (A Listed Buildings) and category 3 designations (a Conservation Area and B and C Listed Buildings) but it is considered that the proposals are not within a distance that would impact upon the settings of any of these heritage assets and there is already built development that would screen the new proposals from these assets. Whilst there are no scheduled monuments within the application site, there are 2 located quite close to the site. Boghall Castle is located approximately 175m to the east of the site and the remains of an earthwork (Scheduled monument Ref SM2618) located some 195m to the south. Given these distances, it is unlikely that the setting of either scheduled monument would be affected by the proposals. WOSAS agree that it is unlikely that the proposals would affect either monument but, given their location in the vicinity, results in the site having potential for archaeological interest. WOSAS, therefore, advise that, should permission be granted, a condition requiring a programme of archaeological evaluation, trial trenching should be attached to any consent.
- 6.17 The application site comprises of Prime Agricultural Land which is a category 2 designation. Policy NHE10 Prime Agricultural Land within the Supplementary Guidance 9: Natural and Historic Environment provides further policy advice in relation to the loss of PAL. Policy NHE10 states that development on PAL will only be supported where it is a component of the settlement strategy or necessary to meet an established need such as for the provision of essential infrastructure. There are other exceptions but they relate to rural businesses or renewable energy which are not applicable in this instance. As previously stated above, as there is adequate housing land supply within the area and South Lanarkshire as a whole, there is no need for the development that would negate the loss of PAL.
- 6.18 Policy 15 also only supports development that would have an adverse impact upon protected species. An extended phase 1 habitat survey has been submitted in support of the proposals which concluded that there would be no adverse effect on protected species. It is considered that, whilst rural in nature, the land is cultivated farmland and, therefore, is unlikely to provide high quality habitat which would result in the presence of protected species.
- 6.19 The site is also located within the Upper Clyde Valley and Tinto Special Landscape Area (SLA) which is a category 3 designation. As assessed above in para 6.11, due to the site's positioning on the edge of an existing settlement, it is considered that it would not have a significant, detrimental visual impact to the landscape and as such would not adversely impact the integrity of this SLA.

- 6.20 It is, therefore, considered that whilst the proposals could be considered to comply with the majority of the criteria of Policy 15, the unjustified loss of PAL results in the proposals being contrary to Policy 15 and as such not according with the development plan in this instance.
- 6.21 Policy 16 'Travel and Transport' states that new development must conform to South Lanarkshire's Guidelines for Development Roads. A Transportation Statement (TS) has been submitted as part of the planning submission. This TS has been reviewed by both the Council's Roads and Transportation Development Management Team and Transport Scotland. Both are content with the findings of the TS and have no objections to the proposals. It is, therefore, considered that the proposals would accord with the policy criteria in this instance.
- 6.22 Policy 17 'Water Environment and Flooding' states that on sites where flooding or surface water may be an issue, development shall be the subject of a local flood risk management assessment. Development will only be supported if suitable flood management can be achieved. Further guidance on flood management and sustainable drainage is also provided within Supplementary Guidance Sustainable Development and Climate Change in Policies SDCC2 – Flood Risk and SDCC 3 – Sustainable Drainage Systems. The southern part of the site is located within an area as identified as having medium likelihood for flood risk on the SEPA Flood Map and is, therefore, at medium to high risk of flooding. A Flood Risk Assessment (FRA) was submitted as part of the planning application. The indicative masterplan takes cognisance of the southern part of the site being at medium flood risk and, therefore, only public open space and planting is proposed within this area. It is considered that open space and planting would not exacerbate flooding nor be considered incompatible development within a flood risk area. SEPA are content with the proposals in relation to flood risk and have no objection to the proposals subject to the provisions of the FRA being implemented and the use of sustainable drainage being used for surface water within the site. South Lanarkshire Council's Flooding Team have no objections to the proposals subject to the use and maintenance of sustainable drainage of surface water from the access tracks and that the Council's documentation required under the terms of design criteria guidance is completed and submitted. It is, therefore, considered that, subject to conditions relating to the provisions of the FRA being implemented and surface water drainage, the proposals could accord with the development plan in this instance.
- 6.23 In conclusion, the application site is not allocated for housing within the approved SLLDP nor the LDP2. The SLLDP and the proposed LDP2 both identify sites with sufficient capacity to meet the required 5 year housing land supply. Whilst meeting other policy criteria within the Development Plan and partially conforming to some of the sustainable principles set out within SPP, it is considered that the principle of the development cannot be supported given there is no need for additional housing development within the next 5 years outwith the sites designated within the Development Plan. In addition, the site is identified as Prime Agricultural Land. In addition the suitability of developing the site for new residential development was considered during the preparation of the proposed LDP2 and the Planning Committee has already agreed not to support its inclusion in the plan. There has been no change in circumstances since that decision was taken. It is, therefore, recommended that permission in principle be refused.

## **7 Reasons for Decision**

- 7.1 The application site is on land designated as rural within the South Lanarkshire Development Plan and proposed Local Development Plan 2 and there is an adequate housing land supply within both plans that would negate the need for allowing any large scale housing on an undesignated site containing Prime Agricultural Land. The proposals do not adequately pertain to sustainable development to allow the SPP material consideration presumption to outweigh the primacy of the Development Plan in this instance, given there is no justifiable need for houses at this location. As such, the proposals are, therefore, contrary to SPP (2014), Policy 8 of the Glasgow and Clyde Valley Strategic Development Plan (2017), Policies 1 and 3 of the South Lanarkshire Local Development Plan (2015), Policy NHE10 Supplementary Guidance 9: Natural and Historic Environment and Policies 1 and 4 of the Local Development Plan 2 and cannot be supported.

**Michael McGlynn**

**Executive Director (Community and Enterprise Resources)**

Date: 7 November 2019

### **Previous references**

- ◆ P/18/1218
- ◆ P/19/0001/PAN

### **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 12.06.2019
  
- ▶ Consultations
  - Roads Flood Risk Management 20.06.2019
  - SEPA West Region 07.06.2019
  - Countryside And Greenspace 03.07.2019
  - Housing 07.06.2019
  - Biggar Civic Society 02.07.2019
  - Scottish Water 07.06.2019
  - Roads Development Management Team 13.08.2019
  - CER Play Provision Community 07.06.2019
  - Education Resources School Modernisation Team 31.05.2019
  - Biggar Community Council 18.06.2019
  - WOSAS 04.06.2019

► Representations	Dated:
Mr Steven Ward, Upper Glengorm, 14 Station Road, Biggar, South Lanarkshire, ML12 6JN	13.06.2019
Roger Curtis, 7 Moss Side Drive, Biggar, ML12 6GD	29.05.2019
Peter Rae,	10.06.2019
Mr & Mrs Leiper, Received Via Email	13.06.2019
Mrs Jill Allen, 18 Moss Side Road, Biggar, South Lanarkshire, ML12 6GF	05.06.2019
Mr John Porteous, 8 Fleming Way, Biggar, South Lanarkshire, ML12 6EX	10.06.2019
Mr Ken Foulis, 9 Rathmor Road, Biggar, South Lanarkshire, ML12 6QG	18.06.2019
Mrs Margaret Chapman, 12 Moss Side Crescent, Biggar, South Lanarkshire, ML12 6GE	12.06.2019
Mrs Sharon Bradley, 5 Colliehill Road, Biggar, South Lanarkshire, ML12 6PN	16.06.2019
Jill Calder, Received Via E-mail	27.06.2019
Mrs Robert Leishman, 6 Fleming Way, Biggar, South Lanarkshire, ML12 6EX	09.06.2019
Jill Calder, 8 Fleming Way, Biggar, South Lanarkshire, ML12 6EX	07.06.2019
Robert And Anna Boyd, 10 Fleming Way, Biggar, South Lanarkshire, ML12 6EX	10.06.2019
Mr James Chapman, 12 Moss Side Crescent, Biggar, South Lanarkshire, ML12 6GE	12.06.2019
Mr And Mrs Potter, 8 Moss Side Crescent, Biggar, South Lanarkshire, ML12 6GE	11.06.2019
John Armstrong, 2 Boghall Avenue, Biggar, South Lanarkshire, ML12 6JL	06.06.2019
Mr Sandy Jackson, 4 Boghall Avenue, Biggar, South Lanarkshire, ML12 6JL	30.05.2019

Mrs Robertson, 9 Lodge Park, Biggar, ML12 6ER	12.06.2019
Miss Fiona Chapman, 12 Moss Side Crescent, Biggar, South Lanarkshire, ML12 6GE	12.06.2019
Chris H Barr,	13.06.2019
Fiona Armstrong, 2 Boghall Avenue, Biggar, ML12 6JL	14.06.2019
William R P Allen, 18 Moss Side Road, Biggar, South Lanarkshire, ML12 6GF	07.06.2019
Mr Ken Foulis, 139 High Street, Biggar, ML12 6DL	19.06.2019
Roger Curtis, 7 Moss Side Drive, Biggar, ML12 6GD	05.06.2019
Scott And Alana Souter, Received Via E-mail	05.06.2019
John And Anne Lindsay, 16 Cardon Drive, Biggar, ML12 6EZ	14.06.2019
Mr Bob Brownlie, 1 Fleming Way, Biggar, South Lanarkshire, ML12 6EX	10.06.2019
Mr Colin Chapman, 12 Moss Side Crescent, Biggar, South Lanarkshire, ML12 6GE	12.06.2019
Carol Logan, Via E-mail	12.06.2019
Dr Janet Moxley, Wallace Cottage,, 1 Gas Works Rd,, Biggar,, ML12 6BZ	02.07.2019

#### **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

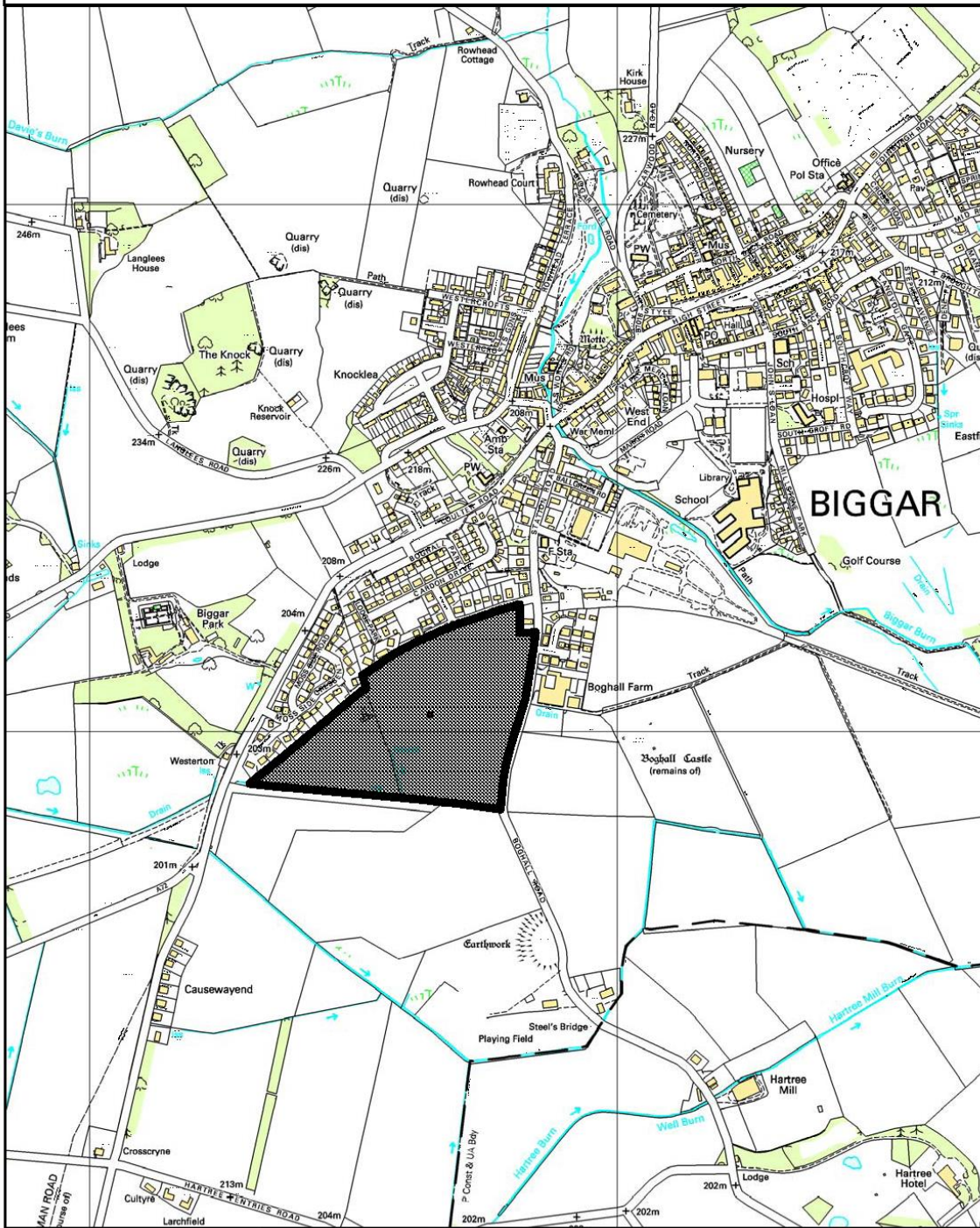
### **Reasons for refusal**

- 01.** The application site lies within the Rural Area and outwith the defined settlement boundary of Biggar. The site is not allocated for housing and there is no housing land shortfall within the Clydesdale Housing Market Area or South Lanarkshire Council as a whole and therefore the proposals are not considered to be required in relation to maintaining an effective 5 year supply of housing land. The proposal is therefore contrary to SPP (2014), Glasgow and Clyde Valley Strategic Development (2017) Plan Policy 8 and Policies 1 and 3 of the approved South Lanarkshire Local Development Plan (2015) and Policies 1 and 4 of the proposed Local Development Plan2 (2018).
  
- 02.** The application site is located upon Prime Agricultural Land and given the lack of need for housing land outwith that already designated within the Development Plan there is no justification or demonstrable need, in this instance, to allow the irreparable loss of Prime Agricultural Land. As such the proposals are contrary to Policy 15 of the approved South Lanarkshire Local Plan (2015) and Policy NHE10 of Supplementary Guidance 9 (2015).



P/19/0727

Land 250m Southeast of The Beeches, Boghall Road, Biggar



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Scale:  
1:10,000  
Date:  
28/10/2019



**South Lanarkshire Council**  
**Community and Enterprise Resources**  
Planning and Economic Development



# Report

Report to:	<b>Planning Committee</b>
Date of Meeting:	<b>19 November 2019</b>
Report by:	<b>Executive Director (Community and Enterprise Resources)</b>

Application no.	P/19/0362
Planning proposal:	Residential development (Phase 2): approval of matters specified in conditions relating to 1a), b), d), h), 4-8, 11, 14, 16, 20, 22, 24-26, 29, 30, 33, 35, 39 and 44 of planning consent in principle HM/13/0352 (re: site layout & design, dust management, site investigation, noise, flood risk, archaeology, outdoor access, travel pack and habitat management).

## 1 Summary application information

Application type:	Approval of matters specified in conditions
Applicant:	Persimmon Homes
Location:	Larkhall Community Growth Area Summerlee Road Larkhall South Lanarkshire

## 2 Recommendation(s)

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

- (1) Grant matters specified in conditions (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: N/A
- ♦ Council Area/Ward: 20 - Larkhall
- ♦ Policy Reference(s): **South Lanarkshire Local Development Plan (adopted 2015)**  
Policy 1 - Spatial Strategy  
Policy 2 - Climate Change  
Policy 4 - Development management and Place Making  
Policy 5 - Community Infrastructure Assessment

Policy 12 - Housing Land  
 Policy 13 - Affordable Housing and Housing Choice  
 Policy 14 - Green Network and Greenspace  
 Policy 16 - Travel and Transport  
 Policy 17 - Water Environment and Flooding

**Development Management, Place Making and Design  
 Supplementary Guidance (2015)**

**Residential Design Guide (2011)**

**Proposed South Lanarkshire Local Development Plan 2  
 (Volumes 1 and 2) (2018)**

Policy 1 - Spatial Strategy  
 Policy 2 - Climate Change  
 Policy 5 - Development Management and Place Making  
 Policy 7 - Community Infrastructure Assessment  
 Policy 15 - Travel and Transport  
 Policy 16 - Water Environment and Flooding  
 Policy DM1 - New Development Design  
 Policy - SDCC2 - Flood Risk  
 Policy SDCC3 - Sustainable Drainage Systems  
 Policy SDCC4 - Sustainable Transport  
 Policy DM15 - Water Supply  
 Policy NHE18 - Walking, cycling and riding routes  
 Policy NHE20 – Biodiversity

◆ **Representation(s):**

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

◆ **Consultation(s):**

SEPA Flooding

Roads Flood Risk Management

Roads Development Management Team

Environmental Services

Larkhall Community Council

Transport Scotland

Countryside & Greenspace

Education Resources

Roads Geotechnical

Coal Authority Planning Local Authority Liaison Department

Scottish Natural Heritage

West of Scotland Archaeology Service

## **Planning Application Report**

### **1 Application Site**

- 1.1 The application relates to an area of land located to the north-eastern edge of Larkhall. The site forms part of the eastern section of Larkhall Community Growth Area (CGA) and extends to approximately 10.60 hectares. The site is greenfield former farmland which gradually slopes from Duke Street towards the south eastern corner of the site. A road serving R&J Leather to the south of the site also provides access to a Scottish Water facility to the north of the M74 and splits the site down the middle in a north/south axis. To the north and south of the site there are woodland strips bounding the M74 or commercial premises and open space to the south. Phase 1 of the CGA is currently being constructed to the west of the site. There are two existing trees within the site in the vicinity of the former Tile Cottage and hedges line either side of the Scottish Water access road.
- 1.2 Vehicular access to the western half of the site is taken from the south western corner, off Duke Street, whilst access to the eastern half of the site is taken from the north west of the Scottish Water access road. There is currently no footway along the full frontage of Duke Street. A recently constructed roundabout includes footways on that section of the site frontage.

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

- 2.1 The applicant seeks approval of matters specified in conditions 1a), b), d), h), 4-8, 11, 14, 16, 20, 22, 24-26, 29, 30, 33, 35, 39 and 44 of planning permission in principle (HM/13/0352) granted for residential development with associated landscaping, roads, neighbourhood centre, community facilities and infrastructure works. This current proposal relates to Phase 2 of the Larkhall Community Growth Area (CGA). In terms of the detail of the proposal, the submitted layout shows the provision of 273 dwellinghouses within the site incorporating a variety of two and three bedroom terraced, semi-detached and detached two storey properties. The proposed dwellings would incorporate a variety of parking arrangements including integral or detached garages. The proposed external materials for the dwellings would be a mixture of red or grey concrete roof tiles, render and brick walls and UPVC windows.
- 2.2 The site would be accessed via the recently constructed roundabout on Duke Street which is located along the western boundary of the site and links into the Phase 1 CGA development. The layout includes pockets of amenity open space in addition to a green corridor running along the route to the existing Scottish Water infrastructure facility located to the north. A SUDS facility will be located in the north-eastern area of the site. Noise mitigation in the form of a bund and/or acoustic fence would be created along the north-eastern edge of the site where the ground levels dip towards the M74.
- 2.3 A Design Statement, Habitat Management Plan, Dust Management Plan, Flood Risk Assessment, Outdoor Access Plan and Site Investigation are among the documents which were submitted as supporting information.

### **3 Background**

#### **3.1 Local Plan Background**

3.1.1 The site forms part of the Larkhall Community Growth Area identified under Policy 1 – Spatial Strategy of the adopted South Lanarkshire Local Development Plan. The site also forms part of the 2014 Housing Land Supply under Policy 12 – Housing Land and is covered by the Green Network under Policy 14 – Green Network and Greenspace. The relevant policies in terms of the assessment of this application are Policy 1 – Spatial Strategy, Policy 2 - Climate Change, Policy 4 - Development Management and Place Making, Policy 5 - Community Infrastructure Assessment, Policy 12 – Housing Land, Policy 13 - Affordable Housing and Housing Choice, Policy 14 – Green Network and Greenspace, Policy 16 - Travel and Transport and Policy 17 - Water Environment and Flooding. The Development Management, Place Making and Design Supplementary Guidance relating to 'Design' is also relevant to the assessment of the application. An assessment of the proposal against the above policies is contained in Section 6 of this report.

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 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, Policy 1 - Spatial Strategy, Policy 2 – Climate Change, Policy 5 - Development Management and Place Making Policy, Policy 7 - Community Infrastructure Assessment, Policy 11 - Housing, Policy 13 - Green Network and Greenspace, Policy 15 - Travel and Transport and Policy 16 - Water Environment and Flooding are relevant. Volume 2 of the Proposed Plan contains further policy guidance that will be used when assessing planning applications. In this instance, Policies DM1 - New Development Design, SDCC2 - Flood Risk, SDCC3 - Sustainable Drainage Systems, SDCC4 - Sustainable Transport, DM15 - Water Supply, NHE18 - Walking, cycling and riding routes and NHE20 – Biodiversity are relevant.

#### **3.2 Relevant Government Advice/Policy**

3.2.1 In terms of Housing, Scottish Planning Policy states that the planning system should enable the development of well designed, energy efficient, good quality housing in sustainable locations and allocate a generous supply of land to meet identified housing requirements across all tenures. New housing developments should be integrated with public transport and active travel networks, such as footpaths and cycle routes, rather than encouraging dependence on the car. New streets should connect well with existing streets and with walking and cycling networks, and allow for links into future areas of development.

3.2.2 Designing Streets – A Policy Statement for Scotland supports Designing Places and was introduced in March 2010 and marks the Scottish Government's commitment to move away from a standardised engineering approach to streets and to raise the quality of design in urban and rural development. Development layouts should be designed to encourage a safe environment for pedestrians and cyclists with narrower streets, carefully positioned dwellings, landscaping and off-street parking which can be more effective at achieving slower traffic movements.

Permeability which encourages walking is now seen as a high priority and footpath links are encouraged to ensure that houses can be easily accessed from main public transport routes.

### 3.3 **Planning Background**

3.3.1 The application site forms part of the land associated with the planning permission in principle consent which was approved by the Planning Committee on 27 May 2014 for Residential Development with Associated Landscaping, Roads, Neighbourhood Centre, Community Facilities and Infrastructure Works (With Environmental Impact Analysis) (HM/13/0352). The planning permission was issued on 25 April 2016 and was subject to the conclusion of a Section 75 Obligation to ensure that appropriate financial contributions are made at appropriate times during the development towards the following:

- The provision of additional nursery, primary and secondary education accommodation as agreed to address the effect of the proposed development.
- The provision of improvements to roads infrastructure including identified junction improvements.
- The provision of appropriate community facilities (either on site or off) in order to support the population associated with the proposed development.
- Transportation infrastructure and services provision (including subsidised bus routes).
- The provision of affordable housing on site and by way of a commuted sum, or a mixture of both.

3.3.2 Detailed planning permission was granted to Persimmon Homes for the formation of a roundabout, pavement and associated services to access Phase 1 of Larkhall CGA residential development on 27 June 2016 (HM/16/0215).

3.3.3 Persimmon Homes obtained approval of matters specified in conditions 1a), b), 4-8, 11, 14, 16, 19, 20, 22, 24, 26, 29, 30, 33, 34, and 44 of planning permission HM/13/0352 on 23 August 2016 (HM/16/00198) which essentially formed Phase 1 of the Larkhall CGA residential development.

## 4 **Consultation(s)**

4.1 **Countryside and Greenspace** – have no objection to the application. The submitted Habitat Management and Access Plans are considered to be acceptable.

**Response:** Noted.

4.2 **Education Resources** – have no objection to the application.

**Response:** Noted.

4.3 **Environmental Services** – the noise impact assessment (NIA) recommends acoustic fences along the boundary facing the motorway, around Shaws scrap yard and around plots 124-128. The fence around the scrap yard is not shown on the submitted drawings and the NIA states that the fence facing the motorway is to be of different heights at different points along its length although these heights are not shown. The acoustic fence is unlikely to achieve the required minimum surface density of 15 kg/m<sup>2</sup> as stated in section 9 of the NIA as 19mm is far too thin based on any type of timber typically used in fencing. Further information will



be required to demonstrate that the proposed fence can achieve the required surface density. Properties requiring practicable mitigation should be identified and details of the proposed glazing and ventilation systems should be supplied prior to the completion of the development. The submitted site investigation is satisfactory, however, it details necessary remedial works and verification which will be required. The Dust Mitigation Strategy is satisfactory and, provided there is space at all properties for the 4 bins and suitable access/egress for those bins to be presented for uplift, there should be no problems in terms of storage and collection of refuse.

**Response:** Noted. The above matters have been discussed with the applicant and appropriately worded conditions would be incorporated into any consent that is issued to address the matters raised.

- 4.4 **Roads Development Management** – have no objection to the application subject to conditions requiring appropriate footway provision, visibility splays, car parking and driveway surfacing.

**Response:** Noted. Appropriately worded conditions and informatives would be incorporated into any consent to address the above matters.

- 4.5 **West of Scotland Archaeology Service (WOSAS)** – have no objection to the application. The application site has already been adequately investigated through trial trenching in several phases over previous years. There is no requirement for any further archaeological works on this site, therefore, the condition dealing with archaeology can be satisfactorily discharged.

**Response:** Noted.

- 4.6 **Roads and Transportation Services (Geotechnical Section)** – have no objection to the application.

**Response:** Noted.

- 4.7 **Roads and Transportation Services (Flood Risk Management Section)** – have no objection to the application subject to the Council's Sustainable Urban Drainage Systems (SUDS) design criteria being satisfied through the completion of a self-certification document.

**Response:** Noted. Any consent would incorporate appropriately worded conditions to address the matters raised.

- 4.8 **Scottish Water** – no response to date. However, Scottish Water previously raised no objection to the proposed development under the application for planning permission in principle and advised that Skellyton Waste Water Treatment Works has capacity to service the proposed development.

**Response:** Noted. Any planning consent would be conditioned to ensure that no dwellings are occupied until the site is served by a sewerage scheme constructed in accordance with Scottish Water standards.

- 4.9 **SEPA** – have no objection to the application. SEPA have reviewed the submitted details on the flood risk assessment undertaken for the proposed development and are satisfied that the issues in relation to their interests have been adequately addressed.

**Response:** Noted.

- 4.10 **Transport Scotland** – have no objection to the application.  
**Response:** Noted.
- 4.11 **Scottish Natural Heritage (SNH)** – have no objection to the application.  
**Response:** Noted.
- 4.12 **Larkhall Community Council** – no response to date.  
**Response:** Noted.
- 4.13 **The Coal Authority** – on the basis that the situation regarding coal mining legacy issues on the site has now been established, the Coal Authority has no objection to the Council discharging Condition 30 of the planning permission in principle.  
**Response:** Noted.

## **5 Representation(s)**

- 5.1 Statutory neighbour notification procedures were undertaken and the application was advertised under the heading of Non-Notification of Neighbours in the Hamilton Advertiser. No letters of representation were received in relation to the application.

## **6 Assessment and Conclusions**

- 6.1 The applicant seeks approval of matters specified in conditions 1a), b), d), h), 4-8, 11, 14, 16, 20, 22, 24-26, 29, 30, 33, 35, 39 and 44 of the planning permission in principle granted for residential development with associated landscaping, roads, neighbourhood centre, community facilities and infrastructure works under application HM/13/0352. The proposal relates to Phase 2 of the Larkhall Community Growth Area (CGA). The determining issues in consideration of this application are its compliance with national and local plan policy and its impact on the amenity of adjacent properties and on the local road network.
- 6.2 In terms of national planning policy, SPP requires Councils to maintain a five year supply of effective housing land. Planning Authorities are also required to promote the efficient use of land by directing development towards sites within existing settlements, where possible, in order to make effective use of existing infrastructure and service capacity. Designing Streets - A Policy Statement for Scotland supports Designing Places and encourages a move away from a standardised engineering approach to streets and promotes quality of design in urban and rural development. Development layouts should be designed to encourage a safe environment for pedestrians and cyclists with narrower streets, carefully positioned dwellings, landscaping and off-street parking which can be more effective at achieving slower traffic movements. Permeability which encourages walking is now seen as a high priority and footpath links are encouraged to ensure that houses can be easily accessed from main public transport routes.
- 6.3 In general land use and policy terms, the principle of the development at this location has previously been assessed and approved under the application for planning permission in principle (HM/13/0352). The application site is within walking distance of local bus services and well integrated into existing walking and cycling networks and the proposed layout takes cognisance of the main standards

encouraged through Designing Streets. It is, therefore, considered that the proposal is in accordance with national planning policy.

- 6.4 In terms of local plan policy, the application site forms part of the Larkhall Community Growth Area identified under Policy 1 – Spatial Strategy of the adopted South Lanarkshire Local Development Plan. The site also forms part of the 2014 Housing Land Supply under Policy 12 – Housing Land and is covered by the Green Network under Policy 14 – Green Network and Greenspace. The relevant policies in terms of the assessment of this application are Policy 1 – Spatial Strategy, Policy 2 - Climate Change, Policy 4 - Development Management and Place Making, Policy 5 - Community Infrastructure Assessment, Policy 12 – Housing Land, Policy 13 - Affordable Housing and Housing Choice, Policy 14 – Green Network and Greenspace, Policy 16 - Travel and Transport and Policy 17 - Water Environment and Flooding. The Development Management, Place Making and Design Supplementary Guidance relating to ‘Design’ is also relevant to the assessment of the application.
- 6.5 Policy 1 encourages sustainable economic growth and regeneration, protection and enhancement of the built and natural environment and a move towards a low carbon economy partly through the delivery of Community Growth Areas (CGAs), one of which is Larkhall CGA. As discussed, the principle of the development at this location has previously been assessed and approved. The application site is designated as part of Larkhall Community Growth Area and for residential use under the terms of Policy 12. The site is within walking distance of local bus services and well integrated into existing walking and cycling networks, the proposal, therefore, raises no policy issues and conforms with the terms of Policies 1 and 12.
- 6.6 Under Policy 14 – Green Network and Greenspace the Proposals Map identifies a framework of accessible green spaces and corridors which will be supported. Any development proposals should safeguard the local green network, identified on the proposals map, and identify opportunities for enhancement and/or extension which can contribute towards:
- i. Placemaking,
  - ii Mitigating greenhouse gases,
  - iii Supporting biodiversity,
  - iv Enhancing health and quality of life,
  - v Providing water management including flood storage, and buffer strips,
  - vi Providing areas for leisure activity, and
  - vii Promoting active travel.
- 6.7 The proposed layout incorporates several areas of structured landscaping and open space. It is considered that the application site, the surrounding area and the Green Network would benefit from the enhanced leisure and ecological opportunities that the Community Growth Area would provide as a whole. A revised Phase 1 Habitat Survey has been undertaken and no species were identified within Phase 2. The proposed layout provides a green edge to Duke Street and incorporates an appropriate level of amenity space and landscaping linked by footpaths and biodiversity is encouraged in these areas through the provision of areas of open grass, a SUDS facility and structure planting. In addition, informal tree planting along the residential streets would ensure an

enhanced setting for the dwellings proposed. Footpath/cycle connections to the wider Green Network and CGA to the east and west would also be provided to ensure continuity in the Network and pedestrian connections would connect the development with the woodland and open space to the south. This would provide opportunities for informal play and activities such as dog walking. Furthermore, a comprehensive landscape scheme is to be submitted as part of a future approval of matters specified in condition application to ensure that the final layout creates a pleasant environment for residents within the development. It is, therefore, considered that the proposal conforms with the terms of Policy 14.

- 6.8 In terms of the detailed design of the development, Policy 4 generally requires new development to have due regard to the layout, form, design and local context of the area and to promote quality and sustainability in its design. It is considered that the proposed layout for the development is acceptable and that it generally meets the main standards set out in the Council's Residential Design Guide, particularly in relation to road layout, house to plot ratios, rear garden depths, open space and car parking provision. It is considered that the proposed development is of a high quality design incorporating a suitably high standard of materials. The design and massing of the dwellings would be similar to that of Phase 1 of the CGA to the west where a mix of two storey dry dash and brick dwellings are currently under construction and would reflect the scale and massing of more recent residential developments within the surrounding area. The layout has also been designed to preserve Scottish Water's ability to use the access road across the M74. It is, therefore, considered that the proposal conforms with Policy 4.
- 6.9 In line with the Section 75 Obligation associated with the previously approved planning permission in principle (HM/13/0352), the applicant has agreed to the provision of financial contributions towards the provision of education accommodation, improvements to roads infrastructure including identified junction improvements, community facilities, transportation infrastructure and service provision and affordable housing by way of a commuted sum. It is, therefore, considered that the proposal meets the terms of Policies 5 and 13.
- 6.10 Policy 16 - Travel and Transport seeks to ensure that development considers and, where appropriate, mitigates the resulting impacts of traffic growth and encourages sustainable transport options that take account of the need to provide proper provision for walking, cycling and public transport. In this regard, the site is accessible by public transport and the development would be well integrated into existing walking and cycling networks. It is, therefore, considered that the proposal would not have an adverse impact on traffic flows or road safety and that the proposal complies with Policy 16.
- 6.11 Policy 17 seeks to protect and enhance the water environment and to ensure that development takes a precautionary approach to managing flood risk by considering flooding from all sources and working towards sustainable flood management. Both SEPA and Roads and Transportation Services have reviewed the submitted details on the flood risk assessment undertaken for the proposed development and are satisfied that all matters identified through the planning permission in principle have been adequately addressed.

- 6.12 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 adopted South Lanarkshire Local Development Plan 1. It is considered that the proposal accords with Policy 1 - Spatial Strategy, Policy 2 – Climate Change, Policy 5 - Development Management and Place Making Policy, Policy 7 - Community Infrastructure Assessment, Policy 11 - Housing, Policy 13 - Green Network and Greenspace, Policy 15 - Travel and Transport and Policy 16 - Water Environment and Flooding in the Proposed Plan in addition to Policies DM1 - New Development Design, SDCC2 - Flood Risk, SDCC3 - Sustainable Drainage Systems, SDCC4 - Sustainable Transport, DM15 - Water Supply, NHE18 - Walking, cycling and riding routes and NHE20 of the SLLDP2 Volume 2.
- 6.13 In summary, it is considered that the application conforms with both national and local plan policy and that the proposal raises no significant environmental or infrastructure issues. It is, therefore, recommended that the application for the approval of matters specified in conditions is granted subject to the conditions listed.

## **7 Reasons for Decision**

- 7.1 The proposal has no adverse impact on residential or visual amenity nor raises any environmental or infrastructure issues and complies with Policies 1, 2, 4, 5, 12, 13, 14, 16 and 17 of the adopted South Lanarkshire Local Development Plan and the supplementary guidance of the Proposed Development Management, Place Making and Design Supplementary Guidance relating to 'Design'. The proposal also complies with Policies 1, 2, 5, 7, 11, 13, 15, 16 and Policies DM1, SDCC2, SDCC3, SDCC4, DM15, NHE18 and NHE20 of the Proposed South Lanarkshire Local Development Plan 2 (Volumes 1 and 2).

**Michael McGlynn**  
**Executive Director (Enterprise Resources)**

7 November 2019

### **Previous References**

HM/16/0198  
HM/16/0215  
HM/13/0352

### **List of background papers**

- ▶ Application Form
- ▶ Application Plans
- ▶ South Lanarkshire Local Development Plan 2015 (adopted)

- ▶ Development Management, Place Making and Design Supplementary Guidance (2015)
- ▶ Residential Design Guide (2011)
- ▶ Proposed South Lanarkshire Development Plan 2
- ▶ Neighbour notification letter dated 11.03.2019
- ▶ Press advertisement, Hamilton Advertiser dated 26.09.2019

▶ Consultations

SEPA Flooding	08.04.2019
Roads Flood Risk Management	02.04.2019
Roads Development Management Team	14.05.2019
Environmental Services	20.09.2019 & 31.10.2019
Transport Scotland	28.05.2019
Countryside & Greenspace	14.03.2019
Roads Geotechnical	28.10.2019
Coal Authority Planning Local Authority Liaison Dept	18.04.2019
SNH	23.09.2019
West Of Scotland Archaeology Service	27.03.2019

▶ Representations

**Contact for further information**

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

Jim Blake, Planning officer, Montrose House, 154 Montrose Crescent, Hamilton, ML3 6LB

Phone: 01698 453657

Email: [jim.blake@southlanarkshire.gov.uk](mailto:jim.blake@southlanarkshire.gov.uk)

## **Planning Application**

**Application number:** P/19/0362

### **Conditions and reasons**

01. 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 interest of public safety.

02. That before the development hereby approved is completed or brought into use, the entire access road and footpath network serving the development shall be laid out and constructed in accordance with the specification of the Council as Roads and Planning Authority.

Reason: To ensure satisfactory vehicular and pedestrian access facilities to the site.

03. That before the development hereby approved is completed or brought into use, a visibility splay of 2.4 metres by 35 metres for all internal roads 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 interest of road safety

04. The surface of all driveways shall be so trapped and finished in hardstanding as to prevent any surface water or deleterious material from running onto or entering the highway.

Reason: In the interests of public safety.

05. That prior to the commencement of development, details of the land drainage works shall be submitted to and approved by the Council as Planning Authority.

Reason: To ensure the provision of a satisfactory land drainage system.

06. That before the development hereby approved is completed or brought into use, all of the parking spaces shown on the approved plans (2.9m x 5.8m modules) shall be laid out, constructed and thereafter maintained to the specification of the Council as Roads and Planning Authority.

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

07. That before the development hereby approved is completed or brought into use, a 2 metre wide footway shall be constructed along the frontage of Duke Street to the specification of the Council as Roads and Planning Authority.

Reason: In the interest of public safety

08. That no development shall commence until details of surface water drainage arrangements have been submitted to and approved in writing by the Council as Planning Authority; such drainage arrangements will require to comply with the principles of sustainable urban drainage systems and with the Council's Sustainable Drainage Design Criteria and shall include signed appendices as required. The development shall not be occupied until the surface drainage works have been completed in accordance with the details submitted to and approved by the Council as Planning Authority.

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 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: These details have not been submitted or approved.

10. 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 9 above, shall be erected and thereafter maintained to the satisfaction of the Council.

Reason: In order to retain effective planning control

11. That before development starts, details of all boundary treatment(s) shall be submitted to and approved by the Council as Planning Authority and thereafter all approved works shall be completed to the satisfaction of the Council prior to the development hereby approved being occupied or brought into use.

Reason: These details have not been submitted or approved.

12. That unless otherwise agreed, before development starts, full details of the design and location of a fence enclosing the proposed SUDS Facility shall be submitted to and approved by the Council as Planning Authority. Thereafter, the fence shall be erected and maintained to the Council's satisfaction.

Reason: These details have not been submitted or approved.

13. 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: These details have not been submitted or approved.

14. 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:

15. That no further changes in ground levels within the site shall take place without the prior written consent of the Council as Planning Authority.

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

16. That the use of the garages hereby permitted shall be restricted to private use incidental to the enjoyment of the dwellinghouse on the site and no commercial activity shall be carried out in or from the garage.

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

17. That no dwellinghouse shall be occupied until the site is served by a sewerage scheme constructed in accordance with Scottish Water standards and as approved by the Council as Planning Authority in consultation with Scottish Water as Sewerage Authority.

Reason: To ensure the provision of a satisfactory sewerage system

18. Details of the phasing of the development shall be submitted to the Council for approval, and no work shall begin until the phasing scheme has been approved in writing. Following approval, the development shall be implemented in accordance with the approved scheme.

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

19. That all works shall comply with the recommendations set out in the Protected Species Survey undertaken by Envirocentre (Reference: 167697j/KH/001) and dated 12 January 2016 to the satisfaction of the Council as Planning Authority.

Reason: In order to retain effective planning control.

20. That the geotechnical constraints identified in the Johnson Poole and Bloomer ground investigation report, OG120-81/MAK of December 2014 shall be dealt with in the design of the development and no construction works shall commence on site until a remediation strategy has been submitted to and approved by the

Council as Planning Authority. This strategy shall include, in particular, measures in relation to mineral stability and contamination.

Reason: In order to retain effective planning control.

21. That, on completion of the approved remediation works and prior to occupation of the development, a verification report, prepared by a suitably experienced firm of consulting engineers, confirming that the works have been carried out in accordance with the approved remediation strategy shall be submitted to and approved in writing by the Council as Planning Authority.

Reason: These details have not been submitted or approved.

22. That unless otherwise agreed in writing, an updated Bus Service Strategy shall be submitted for the consideration of the Council as Planning and Roads Authority and shall cover details in respect of:

- i) the frequency and routing of new/amended bus services
- ii) details of bus infrastructure design for that phase of development including lay-by, shelter (with a power supply), pole and lighting details;
- iii) location/position of bus stops and bus layover; and
- iv) a temporary bus turning circle at an appropriate location, at the end of each phase of the development.

Reason: These details have not been submitted or approved.

23. That notwithstanding the details shown on the approved plans the boundary treatment details are not approved.

Reason: Full details have not been submitted.

24. That before any work commences on the site, full details of the proposed gate for the road serving the Scottish Water Facility, including its design, location and method of operation and associated road crossing along with the proposed emergency vehicle access, shall be submitted to and approved by the Council as Planning and Roads Authority. Thereafter, the gate and emergency vehicle access shall be installed and maintained to the Council's satisfaction.

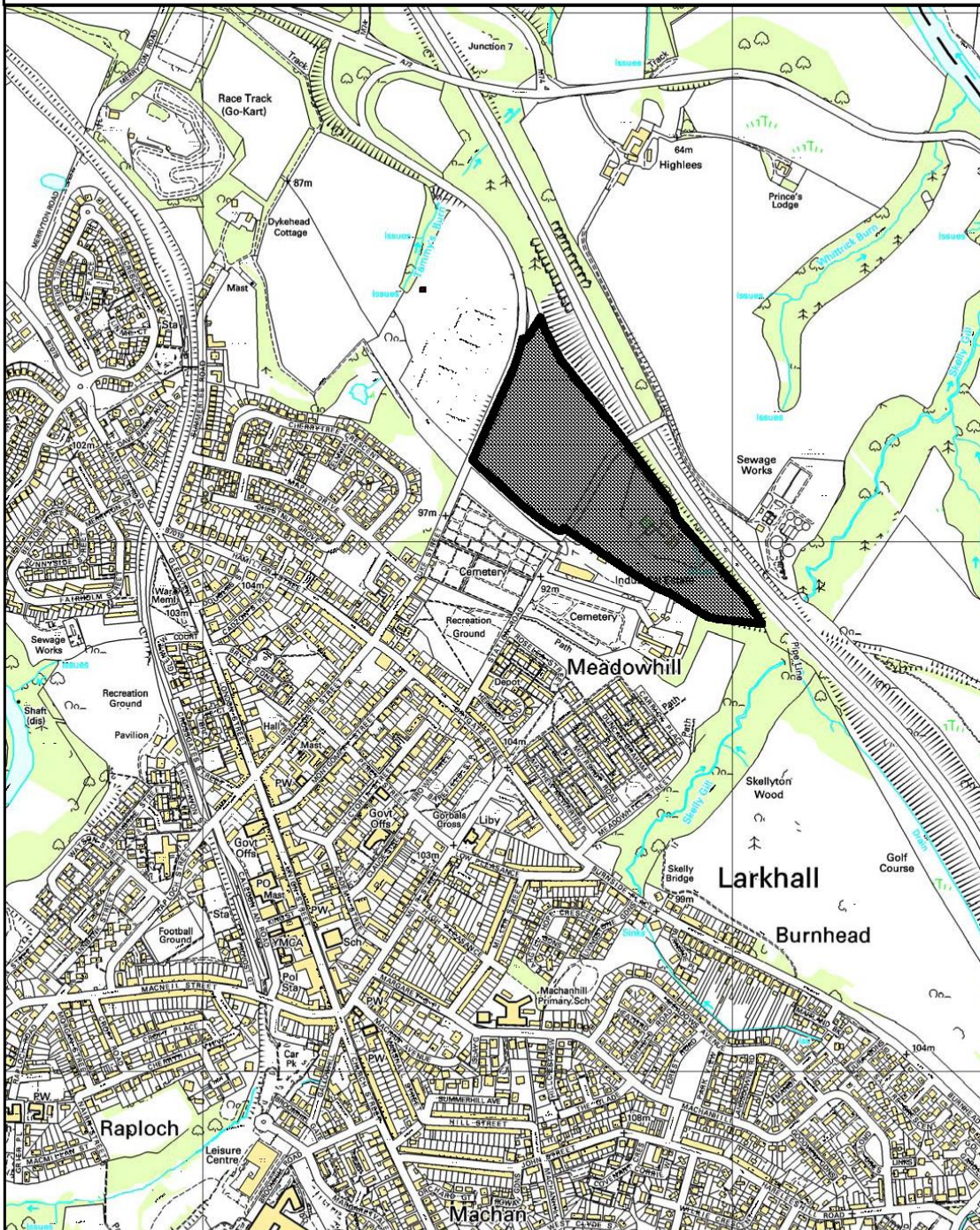
Reason: These details have not been submitted or approved.

25. That before any work commences on site, full details of the acoustic fences and glazing specification for the development shall be submitted to and approved by the Council as Planning Authority to ensure compliance with the acoustic requirements specified in the KSG Acoustics Ltd Noise Impact Assessment (Ref: 1710/R1/rev 4) dated 21 February 2019. Thereafter, the approved mitigation measures shall be implemented in full to the Council's satisfaction.

Reason: To protect the occupiers of dwellings or noise sensitive buildings from excessive noise.

P/19/0362

Larkhall Community Growth Area, Summerlee Road, Larkhall



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Date:  
06/09/2019



**South Lanarkshire Council**  
**Community and Enterprise Resources**  
Planning and Economic Development



# Report

6

Report to:	<b>Planning Committee</b>
Date of Meeting:	<b>19 November 2019</b>
Report by:	<b>Executive Director (Community and Enterprise Resources)</b>

Application no.	P/19/0510
Planning proposal:	Erection of three chalets for tourist accommodation, erection of guest house (Class 7) with integrated owner's accommodation and formation of vehicle access and parking areas

## 1 Summary application information

Application type:	Detailed planning application
Applicant:	Mrs Caroline Nicholson
Location:	Land 115M NNE Of Clydesbank St Patricks Road Lanark South Lanarkshire

## 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: Robert Murray
- ♦ Council Area/Ward: 02 Clydesdale North
- ♦ Policy Reference(s): **South Lanarkshire Local Development Plan**  
Policy 3 Green Belt and Rural Area  
Policy 4 Development Management and Placemaking  
Policy 11 Economic Development and Regeneration  
Policy 15 Natural and Historic Environment  
**Supplementary Guidance 2: Green Belt and Rural Area**  
Policy GBRA1 Economy/business related developments  
**Supplementary Guidance 9: Natural and Historical Environment.**  
Policy NHE1 New Lanark World Heritage Site  
Policy NHE16 Landscape  
**Proposed South Lanarkshire Local Development**

## **Plan 2**

Policy 4 Green Belt and Rural Area

Policy 5 Development Management and Placemaking

Policy 8 Employment

Policy 14 Natural and Historic Environment

Policy GBRA2 Business Proposals within Green Belt  
and Rural Area

### ◆ **Representation(s):**

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

### ◆ **Consultation(s):**

Roads Development Management Team

Roads Flood Risk Management

Regeneration Service

Environmental Services

Lanark Community Council



## **Planning Application Report**

### **1 Application Site**

- 1.1 The application site is located in the rural area just outside the settlement boundary of Lanark and is currently laid to rough grazing land, sloping fairly steeply from the road. The site is currently unoccupied but had previously been used by the applicant for equestrian use with a stable block (now removed) located adjacent to the road. The site sits at the end of St Patricks Road and, while it is within the rural area and outside the settlement boundary of Lanark, the site has residential properties on three sides with open agricultural land on the other. The area consists of detached single and 1½ storey dwellings on large plots. At this point, St Patricks Road is part of the Clyde Walkway and connects to a footpath link at the termination of the public road on the southern boundary of the application site. The site lies at the edge of the New Lanark World Heritage Site buffer zone.

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

- 2.1 The applicant seeks detailed planning consent for the erection of a guest house and ancillary residential accommodation (Class 7 use) and three self-catering chalets at land off St Patricks Road, Lanark. The application site is located just outside the settlement boundary of Lanark with the settlement boundary lying to the north of the site and rural residential properties located to the east and south.
- 2.2 The guest house would provide 3 bedrooms for rent, a residents' lounge and breakfast room. It would also provide integrated owner's accommodation comprising a bedroom, lounge and kitchen dining area. The applicant and owner would reside within the guest house on a permanent basis and would undertake the running of the business including the provision of breakfast to the B&B guests. To maintain the guest house, holiday chalets and outdoor amenity areas, domestic help would be employed. The bedroom and private space within the guest house as shown on the plans are required as part of the ancillary residential accommodation to manage the business.
- 2.3 The three single storey, two bedroom timber chalets would be located at the southern boundary of the site adjacent to St Patricks Road. They would be arranged in a row with views over the valley and have decking as well as allocated parking spaces.

### **3 Background**

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

- 3.1.1 The adopted South Lanarkshire Local Development Plan identifies the site as lying within the rural area where Policy 3 Green Belt and Rural Area applies. In addition, Policy 4 Development Management and Placemaking, Policy 11 Economic Development and Regeneration and Policy 15 Natural and Historic Environment are relevant as is Policy GBRA1 Economy/Business Related Developments of Supplementary Guidance 2: Green Belt and Rural Area.

### 3.2 Relevant Government Advice/Policy

- 3.2.1 Scottish Planning Policy (2014) (SPP) advises that proposals that accord with up-to-date plans should be considered acceptable in principle. It states that Planning Authorities should promote development that sets out a vision for vibrant rural, coastal and island areas, with growing, sustainable communities supported by new opportunities for employment and education reflecting the development pressures, environmental assets, and economic needs of the area, and also reflecting the overarching aim of supporting diversification and growth of the rural economy. These should promote economic activity and diversification, including, where appropriate, sustainable development linked to tourism and leisure, forestry, farm and croft diversification and aquaculture, nature conservation, and renewable energy developments, while ensuring that the distinctive character of the area, the service function of small towns and natural and cultural heritage are protected and enhanced and, where appropriate, sets out policies and proposals for leisure accommodation, such as holiday units, caravans, and huts.

### 3.3 Planning Background

- 3.3.1 There is no relevant planning history on the site.

## 4 Consultation(s)

- 4.1 **Roads Development Management Team** - have no objections to the proposed development subject to conditions on visibility, access construction, provision of passing place, surfacing and drainage.

**Response:** Noted: The applicant has demonstrated that the requirements of the Roads and Transportation Service can be met. Should consent be granted, these requirements will be the subject of conditions.

- 4.2 **Roads and Transportation Services (Flood Risk Management Section)** – no objections subject to the provision of a Flood Risk Assessment and SUDS scheme with maintenance details.

**Response:** Noted: These matters will be addressed by conditions should consent be granted.

- 4.3 **Regeneration Service** - has considered the business plan submitted with the application and advises that the business should be successful and profitable at this location providing it is managed appropriately.

**Response:** Noted

- 4.4 **Environmental Services** – no objections subject to the use of informatives on noise and food safety

**Response:** Noted: Should consent be granted, these requirements will be the subject of informatives.

- 4.5 **Lanark Community Council** – Has objected to the proposed development on the grounds of traffic concerns and its location in the Green Belt. The community council believes that, due to the width and condition of the road, the development will present a significant hazard to pedestrians using the road and make the access unsuitable for the proposed use. It argues that, due to the scale of development and its location close to the settlement boundary, the development



will affect the distinct separation between the rural and historic urban areas of Lanark.

**Response:** Noted. Roads and Transportation Services have made no objections to the proposed development and have not raised any issues in terms of pedestrian safety or road condition. An assessment of the location of the development and scale of the proposed building has been carried out in section 6 below to address the issues raised.

## 5 Representation(s)

5.1 In response to the carrying out of neighbour notification and the advertisement of the application in the local press due to the non-notification of neighbours, 8 letters of objection were received. The contents of the letters are summarised below:

- a) **The application contravenes Council Policy 3 Green Belt and Rural Area and Policy GBRA5 of the Local Plan in the following ways: the site is outwith the Lanark settlement area; It is not an infill site nor is it a consolidation of an existing building group, and the application fails to demonstrate any specific locational requirement which might justify a development of this type as an exemption to the Council's Green Belt policy.**

**Response:** The site is not in the Green Belt where stricter controls on new development are relevant. The proposed development for tourist accommodation is an acceptable use within the rural area while the criteria stated above relate to proposals for mainstream residential development in rural areas and do not form part of the considerations for this application.

- b) **The site is contrary to policy as it lies within a Special Landscape Designation / New Lanark World Heritage Site Buffer Zone in a key section of the Clyde Walkway and it does not enhance the environmental quality of the area. Due to its scale this commercial development would adversely affect the landscape character and would not be in keeping with existing buildings.**

**Response:** It is considered that the proposed development would not adversely affect the landscape character of the area or the special interest of the New Lanark World Heritage Site and would successfully integrate into this part of the rural area without any significant effect on the Clyde Walkway. Indeed, it would provide tourist accommodation in an area known to attract visitors from around the world and would bring tourist revenue to the local economy.

- c) **Due to the width and geometry of St Patricks Road, the lack of pavements and the volume of pedestrians using the Clyde Walkway, a commercial development of this scale would significantly increase traffic using St Patricks Road once the development is operational and during the construction phase, all to the detriment of road and pedestrian safety. There have been a number of near misses on this section of road witnessed by local residents. This development will present a significant increased risk of road traffic accidents especially with visiting drivers unfamiliar with the road.**

**Response:** The Council does not consider that the scale of development is out of proportion with its location and considers that it would not constitute a

significant increase in vehicle movements on St Patricks Road. In their consultation response the Roads Development Management Team have advised that the development as proposed is acceptable subject to conditions on surfacing, parking provision, passing place and access visibility. No issues have been raised by them in terms of road safety and they have stated that the development will not have an adverse impact on the existing road network.

- d) **This is a large commercial development on a quiet residential street. Given the current condition of the road significant repairs and resurfacing would be required by South Lanarkshire Council if this development went ahead. Would it not make more sense for this development to have its own access, either directly from Kirkfieldbank Brae or via the Swinton House?**

**Response:** The Council would consider that the proposed development is a small scale commercial business in the rural area and it is not considered that the scale of the proposed development would significantly affect rural character. The applicant has applied to access their land via the public road network and no other access points require to be considered. In addition, the applicant has no control over either of the two access points suggested.

- e) **Has there been an environmental impact study done on this proposal as the development could have a detrimental impact on the environment.**

**Response:** Due to the scale and nature of the proposed development and the absence of protected species occupying the application site, an environmental impact assessment was not required to assess this application.

- f) **Stretches of St Patricks Road show evidence of subsidence with visible cracks and bounding walls with significant leaning and /or breakdown. Additional road traffic will hasten the breakdown of the current road surface and bounding walls. It would be necessary for the appropriate authority to undertake a full assessment of the road and bounding walls such that provision could be made for the rectification of the current subsidence and provision made for further repairs should the degradation of the road hasten due to the additional traffic.**

**Response:** As previously outlined above, Roads have not raised any issues with the existing road network used to access this site and have not requested that the applicant do any survey work or repairs to St Patricks Road. Concerns about the stability or condition of the existing road network then this should be raised directly with the Roads Service.

- 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 proposal involves the creation of tourist accommodation and ancillary residential use on a site at St Patricks Road in Lanark. The adopted local development plan policies relevant in assessing this application are: Policy 3

Green Belt and Rural Area, Policy 4 Development Management and Placemaking, Policy 11 Economic Development and Regeneration, Policy 15 Natural and Historic Environment and Policy GBRA1 Economy/business related developments of Supplementary Guidance 2: Green Belt and Rural Area. In addition, the impact of the proposals on residential amenity, impact on the rural and landscape character of the area and road safety are also material considerations in assessing the application.

- 6.2 The site is outside the settlement boundary of Lanark and is located within the rural area. Policy 3 Green Belt and Rural Area of the adopted South Lanarkshire Local Development Plan states that these areas functions primarily for agriculture, forestry, recreation and other uses appropriate to the countryside. In both the Green Belt and Rural Area, isolated and sporadic development will not be supported. Supplementary Guidance 2: Green Belt and Rural Area policy GBRA1 states that the Council will seek to support the rural economy by promoting rural diversification and facilitating job creation by encouraging development of an appropriate type and scale. This policy further advises that appropriate uses in the rural area includes tourist related development including the provision of tourist accommodation. In this case, the proposed development is, therefore, considered to involve an acceptable use at the site. The business plan submitted with the application has been reviewed by the Council's Regeneration Service and it has demonstrated a requirement for additional holiday accommodation of the type proposed in the Clydesdale area. It has also demonstrated that there is an ability to create the business in terms of capital required and the experience of the applicant and that the return from the business could result in a viable operation which would be an asset to the town of Lanark and the wider area. The proximity to the settlement of Lanark and its close links to the countryside would also enable services and provide tourism attractions to attract a diverse range of guests. The provision of ancillary residential accommodation would enable security of the business, hands- on personal care for guests, and would facilitate the necessary day to day running of the business. The proposed business will also create employment opportunities, excluding that of the applicant, to service the business. On balance, the applicant has submitted a comprehensive business plan to demonstrate the need for the business at this location and its long term financial viability and, on that basis, it is considered that the proposal complies with the aims of Policy 3.
- 6.3 The application site is located within the rural area which is also an area of special landscape and the New Lanark World Heritage Site buffer zone, where policies Policy 15 Natural and Historic Environment, Policy NHE1 New Lanark World Heritage Site and NHE16 Landscape of the adopted local development plan aim to ensure development does not adversely affect the integrity or character of the area, and provides development of a high quality design using appropriate materials to the rural setting. Policy 15 states that the Council will assess all development proposals in terms of their effect on the character and amenity of the natural and built environment. Policy NHE1 advises that, in determining planning applications, within the World Heritage Site and its buffer zone and setting, the Council will not permit development that adversely impacts on the historical and topographical character and landscape quality; skylines and views to and from the Site; the natural diversity and ecology of the area; and landscape and ecological links with the surrounding areas. Policy NHE16 states that development proposals within special landscape areas will only be permitted if they satisfy the

requirements of Policy 3 Green Belt and Rural Area and can be accommodated without significantly and adversely affecting the landscape character, scenic interest and special qualities and features for that area.

- 6.4 The applicant has submitted what is considered to be a high quality contemporary design for the guest house, suitable to its rural setting, and will incorporate materials which will enhance its rural character. The small timber built chalets are of a scale and design that are an acceptable form of development for a rural setting. The guest house would be integrated into the topography of the area and have a backdrop of existing development. It is also intended to surround the buildings with an orchard to enable the development to nestle into the hillside and visually integrate with its surroundings. The development is not considered to be out of context with its surrounding building pattern and has development on three sides. It is, therefore, not being developed in isolation at this location within the rural area.
- 6.5 The site represents the western edge of development at this section of Lanark and, while the proposal will introduce a level of physical impact in a rural setting, it is considered that this will not adversely impact on the character and landscape quality, skylines and views to and from New Lanark, the area's natural diversity and ecology or the landscape and ecological links within the buffer zone of the World Heritage Site. It is considered that the proposal will not significantly or adversely affect the landscape character, scenic interest and special qualities of the area. In view of the above, the proposal complies with the aforementioned adopted policies.
- 6.6 Policy 11 Economic Development and Regeneration states that the Council will support activities that maximise economic development and regeneration, particularly through implementation of the policies in this plan. Priority will be given to development proposals that deliver physical and community regeneration and positively contribute to the local economy. Policy 7, Employment, advises that the Council will support the provision of good quality visitor attractions and accommodation based on the sustainable management and interpretation of the area's natural, built and cultural resources. It is considered that the proposal is consistent with the aims of these policies in that, with the high standard of design and finish for the proposed development, it can be successfully integrated on this site, while the supporting business case shows the economic sustainability of the business. If consent is granted, a condition would be attached to ensure that the guest house (excluding the ancillary residential accommodation) is restricted to use for short term holidays only. In view of the above, the proposal complies with Policies 7 and 11 of the adopted local development plan and the aims of the Council to encourage tourist accommodation provision within the rural areas of South Lanarkshire.
- 6.7 Policy 4 requires development to take account of and be integrated with the local context and built form. Development proposals should have no significant adverse impacts on the local community. It is considered that this site is capable of accommodating a development of the scale submitted and that this will be acceptable in terms of design, density and material choice and would be in compliance with Policies 4 and associated Supplementary Guidance on design.

- 6.8 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 Policies 4, 5, 8, 14 and GBRA2 in the proposed plan.
- 6.9 In view of the above, it is considered that the proposal meets the aims of local development plan policy and is an appropriate form of development for the site. The proposal will provide additional high quality tourist accommodation within the rural area, and is of a high standard of design and finishes which will not adversely affect the character of the wider area. It is, therefore, recommended that planning permission is granted subject to conditions.

## **7 Reason for decision**

- 7.1 The proposal meets the aims of policies 3, 4, 11 and 15 of the adopted local development plan and associated Supplementary Guidance policies GBRA1 and NHE1 and NHE16. The proposal will not adversely affect the Special Landscape Area or the setting of the World Heritage Site or the surrounding rural area, and will provide high quality of tourist accommodation which will cater for visitors to South Lanarkshire. In addition the development is consistent with the policies in the proposed SLLDP2.

**Michael McGlynn**  
**Executive Director (Community and Enterprise Resources)**

Date: 29 October 2019

### **Previous references**

- ◆ None

### **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
- ▶ Consultations

Roads Development Management Team

26.06.2019

Roads Flood Risk Management	17.07.2019
Regeneration Service	
Environmental Services	01.07.2019
Lanark Community Council	

► Representations	Dated:
Peter And Jean Sanders, St Patricks House, St Patricks Road, Lanark, ML11 9EH	26.06.2019
Chris Whitehead, Limewood, 16 St Patrick's Road, Lanark, ML11 9EH	27.06.2019
Mr Douglas MacMillan, Clydesbank, St Patricks Road, Lanark, South Lanarkshire, ML11 9EH	01.07.2019
Steven And Valerie Laing, Clydesholm Braes, 18 St Patricks Road, Lanark, ML11 9EH	08.07.2019
Miss Elizabeth Brown, Auldtoun Farm, Millburn Road, Ashgill Larkhall, South Lanarkshire, ML9 3BH	30.06.2019
Mrs Joan M Scouler, 14 St Patricks Road, Lanark, ML11 9EH	11.07.2019
Mr Richard Wallace, Welldale House, Welldale Lane, Nemphar Lanark, South Lanarkshire, ML11 9JF	02.07.2019
Sylvia And Roy Russell, 9 Friarsdene, Lanark, ML11 9EJ	04.07.2019

### **Contact for further information**

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

Steven Boertien, Planning Officer, Montrose House, 154 Montrose Crescent, Hamilton, ML3 6LB  
Phone: 01698 455116  
Email: [steven.boertien@southlanarkshire.gov.uk](mailto:steven.boertien@southlanarkshire.gov.uk)

### Conditions and reasons

01. That the use of the guest house and chalets hereby approved (excluding the ancillary residential accommodation) shall be restricted to holiday occupation only and shall not be let or used as the sole residence of any one person, family or group. No individual, family, company, group or any other type of occupant shall occupy the accommodation for more than 12 weeks in any calendar year. To facilitate monitoring, a record system of all lettings, to include names, addresses and duration of stay, shall be in place at all times for Council inspection and shall be submitted to the Council as Planning Authority 12 months from the date of initial occupation or completion, whichever is the earlier, and every 12 months thereafter.

Reason: To ensure that the guest house is used for short term holiday accommodation only

02. That notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Scotland) Order 2011 (or any such order revoking or re-enacting that order), the use of the development hereby approved shall be restricted to use as a guest house and for no other purpose within Class 7 as defined in the Schedule to the Town and Country Planning (Use Classes) (Scotland) Order 1997, without the prior written consent of the Council as Planning Authority.

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

03. That the ancillary residential accommodation hereby approved as part of the guest house will be restricted to the use of the owner or manager in association with the guest house and chalets on site and their dependants only, and for no other person to the satisfaction of the Council as Planning Authority.

Reason: To ensure the guest house is operated as per the business plan and the residential element of the building is restricted to the areas as shown on the approved plans.

04. That the roof of the guest house shall be clad externally in natural slate or high quality slate substitute, and prior to development commencing on site a sample will be submitted for the approval of the Council as Planning Authority.

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

05. That before any work commences on the site, a detailed 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 landscaping scheme as shown on the plans approved under condition 5 shall be completed to the satisfaction of the Council as Planning Authority during the first available planting season following occupation of the Guest House or chalets 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 the visual amenity of the area.

07. 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 chalets and guest house 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 notwithstanding the terms of the Town and Country Planning (General Permitted Development) (Scotland) Order 2011 (or any such order revoking or re-enacting that order), no fences, walls or other means of enclosure shall be erected on the site other than post and wire fences up to 1 metre in height or those expressly authorised by this permission without the prior written permission of the Council as Planning Authority.

Reason: To ensure only fencing of a type and height appropriate to the countryside is erected.

09. That before the chalets and guest house are completed or brought into use, all of the parking spaces as shown on the approved plans shall be laid out, constructed and thereafter maintained to the specification of the Council as Roads and Planning Authority.

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

10. That before the development hereby approved is completed or brought into use, a new vehicular access shall be constructed and shall be a minimum 5.5m wide with a dropped kerb access. Access to be 5.5m wide for the first 10m from the road edge with the first 5m of the access to be hard surfaced, sealed and trapped.

Reason: In the interests of traffic and public safety.



11. That before any of 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.

12. That before the development hereby approved is completed or brought into use, a visibility splay of 2.5 metres x 60 metres to the north west and 2.3 metres x 35 metres to the south east measured from the road channel shall be provided for the new 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.

13. That before any development starts, the carriageway of the existing access road shall be widened to form a passing place in the location shown on the approved plans. The passing place shall be constructed in accordance with the specification of the Council as Roads and Planning Authority.

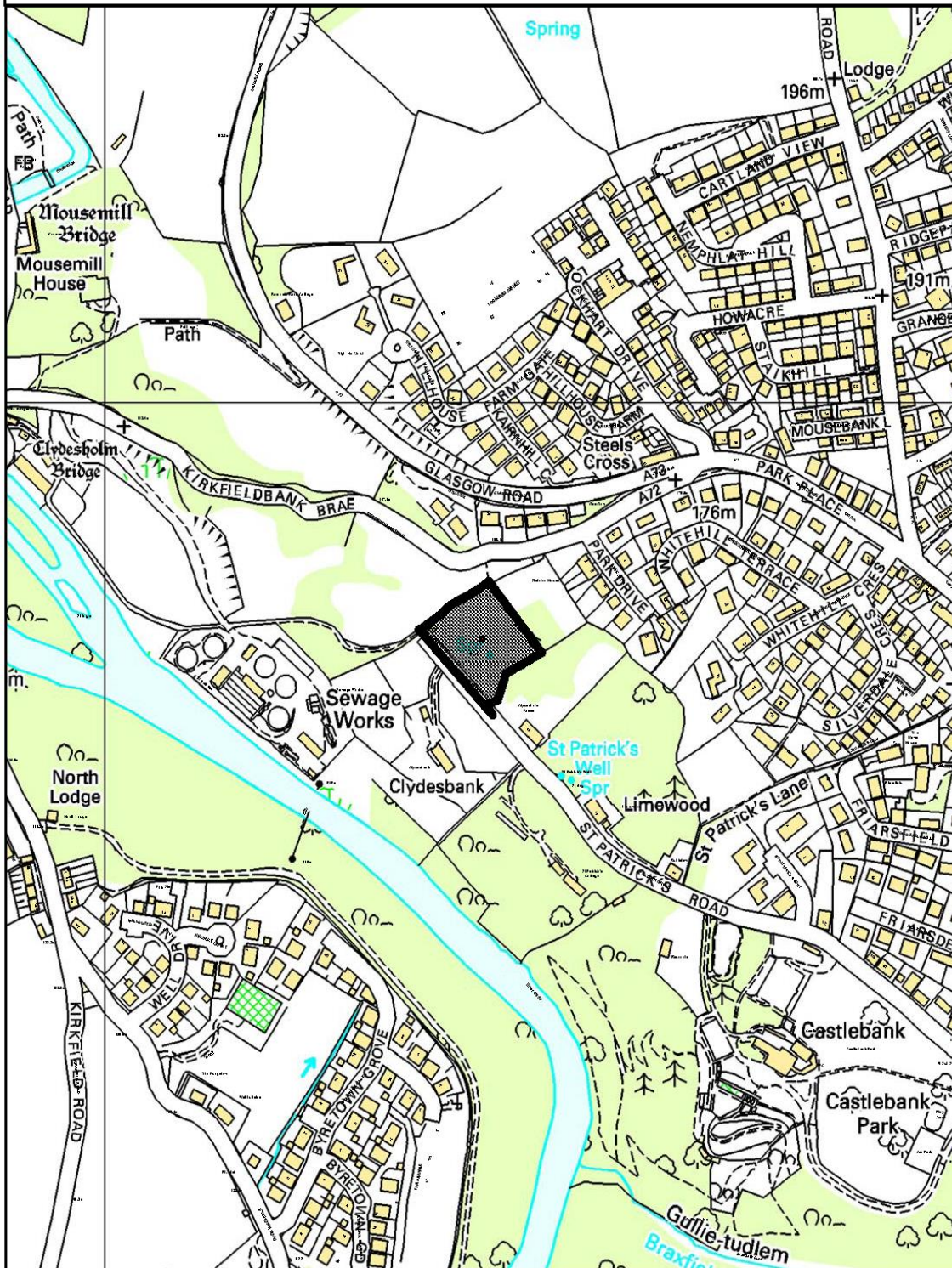
Reason: In the interests to aid traffic movements.

14. That no development shall commence until details of surface water drainage arrangements have been submitted to and approved in writing by the Council as Planning Authority; such drainage arrangements will require to comply with the principles of sustainable urban drainage systems and with the Council's Sustainable Drainage Design Criteria and shall include signed appendices as required. The development shall not be occupied until the surface drainage works have been completed in accordance with the details submitted to and approved by the Council as Planning Authority.

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.

P/19/0510

Land 115m, NNE of Clydesbank, St Patricks Road, Lanark



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28/10/2019



**South Lanarkshire Council**  
**Community and Enterprise Resources**  
Planning and Economic Development

# Report

Report to:	<b>Planning Committee</b>
Date of Meeting:	<b>19 November 2019</b>
Report by:	<b>Executive Director (Community and Enterprise Resources)</b>

Application No	P/19/0916
Planning Proposal:	Amendments to house types within specified plots and provision of 5 additional units (HM/16/0486)

## 1 Summary Application Information

Application Type :	Further Application
Applicant :	Avant Homes
Location :	Little Earnock Farm 2 Highstonehall Road Hamilton

## 2 Recommendation(s)

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

- (1) Grant Detailed Application - Subject to Conditions (based on the conditions attached)

### 2.2 Other Actions/Notes

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

## 3 Other Information

- ◆ Applicant's Agent: None
- ◆ Council Area/Ward: 18 Hamilton West and Earnock
- ◆ Policy Reference(s): **South Lanarkshire Local Development Plan**  
Policy 4 – Development Management and Place Making  
Policy 6 – General Urban Area/Settlements  
  
**South Lanarkshire Local Development Plan: Supplementary Guidance**  
**Development Management, Place Making**

## **and Design SG**

Policy DM1 – Design

Policy DM 13 – Development within General  
Urban Area/Settlements

## **Residential Design Guide**

### **South Lanarkshire Local Development Plan**

**2**

Policy 3 – General Urban Areas/Settlements

Policy 5 – Development Management and  
Place Making

Policy DM1 – New Development Design

- ◆ Representation(s):
- ◆ 0      Objection Letters
- ◆ 0      Support Letters
- ◆ 0      Comments Letter

- ◆ Consultation(s):

None

## **Planning Application Report**

### **1 Application Site**

- 1.1 The applicants, in association with Miller Homes, received planning approval (Application no.: HM/16/0486) in 2017 for the development of the land to the north of Highstonehall Road, located to the west of Hamilton, as part of the Hamilton Community Growth Area.
- 1.2 The delivery of this residential development is currently underway. Land surrounding the application site is also being developed as part of the Hamilton CGA proposals.

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

- 2.1 The applicants now seek approval for the amendment of certain house types within specified plots within Phases 2 and 3 of their overall development. In total, 129 units, approved through the previous consent, will be affected. As a result of the revised designs, especially the introduction of semi-detached units and revised house plots, the development will now accommodate an additional 5 units, increasing the numbers of houses within these phases to 134.
- 2.2 In terms of their design, the proposed buildings are fairly typical of the properties being developed within the Hamilton CGA, primarily a mix of detached, semi-detached and terraced properties. The proposed changes to the house types are relatively minor in nature and reflect the applicant's product changes and customer requirements. There are no changes to the road layout previously approved.

### **3 Background**

#### **3.1 Local Plan Policy**

- 3.1.1 In determining planning applications, the Council must assess the proposal against the policies contained within the adopted South Lanarkshire Local Development Plan (SLLDP) and associated Supplementary Guidance (SG) produced in support of the SLLDP.
- 3.1.2 The use of the site for residential purposes is well established through its designation within the SLLDP as a Community Growth Area for Hamilton and by the approval of a number of applications for the delivery of the housing at the Hamilton CGA.
- 3.1.3 Given the nature of the application, it is considered that Policy 4 – Development Management and Place Making and Policy 6 – General Urban Area/Settlements are appropriate to the determination of this application. In addition, Policies DM1 – Design and DM 13 – Development within General Urban Area/Settlements, within the Council's adopted Supplementary Guidance on Development Management, Place Making and Design are of relevance.
- 3.1.4 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 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 3 – General Urban Areas/Settlements, 5 - Development Management and Place Making and DM1 – New Development Design are relevant.

- 3.1.5 The general aim of the above policies and guidance is to seek well designed developments which are located in appropriate locations and result in no adverse impact. The content of the above policies and how they relate to the proposal is assessed in detail in Section 6 of this report.

### **3.2 Planning Background**

- 3.2.1 As previously stated, the application site forms part of the designated Hamilton CGA. An application was submitted in 2010 which sought “Planning Permission in Principle” (Application no. HM/10/0052, approved May 2017) for the delivery of a large part of the designated Hamilton CGA. A subsequent application, for the approval of Matters Specified in the Conditions attached to HM/10/0052 (application no. HM/16/0486, approved May 2017), by Miller Homes and Avant Homes, proposed the residential development of the land to the north of Highstonehall Road, Hamilton.

## **4 Consultation(s)**

- 4.1 No consultations were undertaken in respect of the application proposals.

## **5 Representation(s)**

- 5.1 None.

## **6 Assessment and Conclusions**

- 6.1 The application site relates to an existing residential development within the Hamilton Community Growth Area, to the west of Hamilton. Permission has been issued to Miller Homes and Avant Homes, for a residential development of approximately 400 dwellinghouses, associated roads, infrastructure and landscaping on land to the north of Highstonehall Road, Hamilton (application no.: HM/16/0486).
- 6.2 The applicants, Avant Homes, now seek consent to amend Phases 2 and 3 within their part of the previously approved scheme.
- 6.3 In terms of Section 25 of the Town and Country Planning (Scotland) Act 1997, planning applications have to be determined in accordance with the development plan unless other material considerations indicate otherwise. The determining issues in consideration of this application, therefore, are its compliance with local plan policy and its impact on the amenity of adjacent properties and on the local road network. Scottish Planning Policy highlights that where a proposal accords with up-to-date development plans, it should be considered acceptable in principle. The site is identified within the adopted local plan as being suitable for residential development through its designation as a part of the Community

Growth Area for Hamilton. The proposed use, therefore, raises no issues from a land use perspective and accords with planning policy.

- 6.4 The principle of the use of the site for housing has been established through the site's designation as the Hamilton Community Growth Area within the adopted South Lanarkshire Local Development Plan and subsequent planning applications that have been approved.
- 6.5 The matters, therefore, considered appropriate in the determination of this application are set out within Section 3.1.3 above. Principally, the stated policies and guidance seek to ensure that development does not adversely impact on the amenity of such areas and has been designed in manner which takes cognisance of the area within which it is located.
- 6.6 The proposals relate to the re-design of the proposed dwellings, and an increase in the housing density, within these areas. The road layout for the development is unaltered by the current proposal. In terms of the design, it is considered that the proposed house types are acceptable and reflect the nature and style of surrounding development, and wider CGA. The increase in the number of units is not significant and has been achieved through the replacement of larger house types and minor changes to plots configurations. It is considered that there is no detrimental impact to neighbouring amenity resultant from these changes. The proposed layout for the development is acceptable and meets the main standards set out in the Council's Residential Design Guide, particularly in relation to road layout, house to plot ratios, rear garden depths, etc. It is considered that the proposed development remains of a high quality design incorporating a suitably high standard of materials. The proposed development raises no road safety concerns, amenity or privacy concerns and, therefore, accords with applicable policies and guidance within both the adopted SLLDP and SLLDP2.
- 6.8 No consultations were required in respect of the application.
- 6.9 On the basis of the above assessment, I would, therefore, raise no objection to the application and recommend that planning permission be granted subject to the conditions listed.

## **7 Reasons for Decision**

- 7.1 The proposal accords with the policies of the South Lanarkshire Local Development Plan and Supplementary Guidance (namely Policies 4 - Development Management and Placemaking, 6 – General Urban Area/Settlements, DM1 – Design and DM 13 – Development within General Urban Area/Settlements).

Furthermore, the proposal accords with the requirements of the policies and guidance within the proposed South Lanarkshire Local Development Plan 2 (namely Policies 3 - General Urban Areas, 5 - Development Management and Place Making and DM1 – Design).

There are no other material considerations that would justify the refusal of consent.



**Michael McGlynn**  
**Executive Director (Community and Enterprise Resources)**

**31 October 2019**

**Previous References**

- ◆ HM/10/0052
- ◆ HM/16/0486

**List of Background Papers**

- ▶ Application Form
- ▶ Application Plans
- ▶ South Lanarkshire Local Development Plan (2015)(adopted)
- ▶ South Lanarkshire Local Development Plan – Supplementary Guidance
- ▶ South Lanarkshire Local Development Plan 2(proposed)
- ▶ Consultations: None
- ▶ Representations: None

**Contact for Further Information**

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

James Watters, Planning Officer  
Montrose House, 154 Montrose Crescent, Hamilton ML3 6LB  
Ext 4970 (Tel: 01698 454970)  
E-mail: [planning@southlanarkshire.gov.uk](mailto:planning@southlanarkshire.gov.uk)



## CONDITIONS

- 1 That, unless otherwise agreed with the Council as Planning Authority, all trees to be retained within the site shall be fully protected, in accordance with methods as set out in BS5837/1991, during the period of construction and prior to any work commencing on the site, written details specifying the nature of such measures shall be submitted to and approved by the Council as Planning Authority.

Reason: To ensure that adequate steps are taken to protect existing trees on the site throughout the period of the proposed building operations.

- 2 That, unless otherwise agreed with the Council as Planning Authority, the landscaping and open space schemes 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.

- 3 That prior to the completion or occupation of the last dwellinghouses within the development or phase within which they are located, all of the works required for the provision of equipped play area(s) included in the submitted scheme (Russell Play 55506-002-001\_Presentation dated 18 January 2017), shall be completed, and thereafter, that area shall not be used for any purpose other than as an equipped play area.

Reason: In order to retain effective planning control.

- 4 That prior to works commencing on site a management plan for the maintenance and management of the structural planting within the site shall be submitted to, and agreed by, the Council as Planning Authority, and thereafter implemented to the satisfaction of the Council as Planning Authority.

Reason: In order to retain effective planning control.

- 5 That, unless otherwise agreed with the Council as Planning Authority, before any work commences on site, a maintenance and management scheme shall be submitted to and approved by the Council as Planning Authority for the continuing care, maintenance and protection of the proposed remote footpaths shown on the approved plans.

Reason: To safeguard the amenity of the area.

- 6 That prior to the completion of the development hereby approved, unless

otherwise agreed with the Council as Planning Authority, the maintenance and management scheme approved under the terms of Condition 5 above shall be in operation.

Reason: To safeguard the amenity of the area.

- 7 That the findings and recommendations of the submitted Biodiversity Survey and Management Plan (Envirocentre, dated August 2016 and 24 November 2016) shall be fully complied with, unless otherwise agreed, in writing, with the Council as Planning Authority.

Reason: To ensure the protection of ecological interests within the site.

- 8 That before any of the dwellinghouses situated on the site upon which a fence is to be erected is occupied; the fence or wall for which the permission of the Council as Planning Authority has been obtained shall be erected and thereafter maintained to the satisfaction of the Council.

Reason: In order to retain effective planning control.

- 9 That prior to development commencing on site, unless otherwise agreed with the Council as Planning Authority, a scheme for the control 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 minimise the risk of nuisance from dust to nearby occupants.

- 10 That, unless otherwise agreed with the Council as Planning Authority, 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 interest of public safety.

- 11 That, unless otherwise agreed with the Council as Planning Authority, before the development hereby approved is completed or brought into use, the entire access road and footpath network, including un-adopted remote footpaths, serving the development shall be laid out and constructed in accordance with the specification of the Council as Roads and Planning Authority.

That no dwellinghouse shall be occupied until the access roads and footpaths leading thereto from the existing public road have been constructed in accordance with the specification of the Council as Roads and Planning Authority. Unless otherwise agreed with the Council as Planning and Roads Authority, all footpaths shall be 2.0 metres in width and be of a bound construction.

The layout of the proposed footpaths shall be agreed with the Council as Roads Authority and thereafter implemented to the satisfaction of the Council as Planning Authority.

Reason: To ensure satisfactory vehicular and pedestrian access facilities to the site.

- 12 That no dwellinghouse shall be occupied until the site is served by a sewerage scheme constructed in accordance with Scottish Water standards and as approved by the Council as Planning Authority in consultation with Scottish Water as Sewerage Authority.

Reason: To ensure the provision of a satisfactory sewerage system.

- 13 That, unless otherwise agreed with the Council as Planning Authority, all private vehicular accesses or driveways are provided to the following standards, unless otherwise agreed by the Council as Planning and Roads Authority:

- i) Driveways should be accessed via a drop kerb.
- ii) Double width driveways should be a minimum 5.0m wide and be a minimum of 6.0m in length.
- iii) Single width driveways should be 2.75m wide and be a minimum of 12.0m in length.
- iv) The first 2.0m of this should be of bound or block construction to ensure that loose material is not deposited on to the road.
- v) All driveways should be perpendicular to the road with 45 degree splays on either side (over verges).
- vi) The minimum gradient of the driveways should be 1:10.
- vii) All surface water should be contained, controlled and discharged within the confines of the driveway so that there is no discharge of water onto the footway/road and compliant with SEPA and Scottish Water requirements.

Reason: To ensure satisfactory vehicular and pedestrian access facilities to the site.

- 14 That, unless otherwise agreed with the Council as Planning Authority, before the development hereby approved is completed or brought into use, a visibility splay of 2.5 metres by 35 metres measured from the road channel shall be provided on both sides of all internal junctions 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 interest of public safety.

- 15 That, unless otherwise agreed with the Council as Planning Authority, before the development or each phase of 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. All turning facilities shall be designed in accordance with

the National Roads Development Guide incorporating South Lanarkshire Council Supplementary Guidance.

Reason: In the interest of public safety.

- 16 That, unless otherwise agreed with the Council as Planning Authority, before the development starts, a certificate or report from a recognised firm of chartered engineers shall be submitted to the Council as Planning Authority confirming the structural stability of all retaining walls within the development site. Thereafter the developer shall incorporate the full recommendations and requirements of the certificate or report in the design and construction of the development approved under this consent.

Reason: In the interest of public safety.

- 17 That, unless otherwise agreed with the Council as Planning and Roads Authority, before the development hereby approved is completed or brought into use, parking shall be provided to the following standards and thereafter maintained to the specification of the Council as Roads and Planning Authority.

Parking Standards

All terraced and detached units up to 3 bedrooms - 2 spaces

All terraced and detached units of 4 or more bedrooms - 3 spaces

Under National Roads Development Guide, a single garage can be counted towards a parking space providing the minimum internal dimensions are equal to or greater than 7.0m x 3.0m.

All parking bays serving terraced properties should be at right angles to the road and be 6.0m in length. All parking courtyards shall have a central aisle width of 6.0m with parking bays of 2.5m x 5.0m.

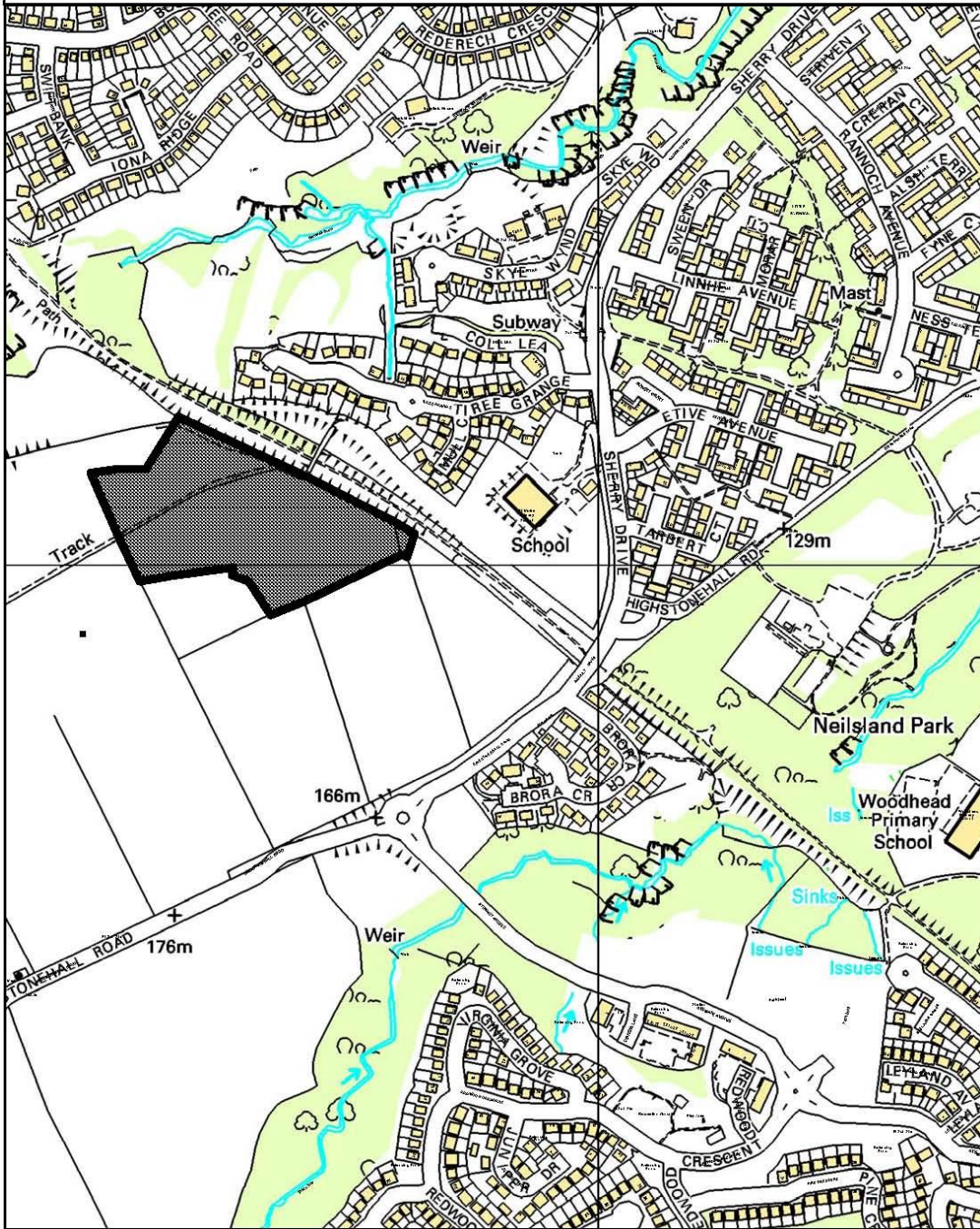
Reason: To ensure the provision of adequate parking facilities within the site.

- 18 That, unless otherwise agreed with the Council as Planning Authority, before the development starts a revised flood risk assessment and swale details shall be submitted to, and agreed by the Council as Planning and Roads Authority. All proposed works shall be accompanied by a completed Appendices 5, in accordance with the Council's SUDs Design Criteria Guidance and thereafter implemented and maintained to the satisfaction of said Council.

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.

P/19/0916

Little Earnock Farm 2, Highstonehall Road, Hamilton



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1:5,000  
Date:  
28/10/2019



**South Lanarkshire Council**  
**Community and Enterprise Resources**  
Planning and Economic Development



# Report

8

Report to: **Planning Committee**  
 Date of Meeting: **19 November 2019**  
 Report by: **Executive Director (Community and Enterprise Resources)**

Application no. P/19/1153  
 Planning proposal: Erection 24 dwellinghouses and associated road and services

## 1 Summary application information

Application type: Detailed planning application  
 Applicant: South Lanarkshire Council  
 Location: Land at Edinburgh Road/Carwood Road  
 Biggar, South Lanarkshire

## 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: Richard Barclay
- ♦ Council Area/Ward: 03 Clydesdale East
- ♦ Policy Reference(s): South Lanarkshire Local Development Plan  
 Policy 1 Spatial strategy  
 Policy 2 Climate change  
 Policy 4 Development management and placemaking  
 Policy 6 General urban area/settlements  
 Policy 12 Housing land  
 Policy 13 Affordable housing and housing choice  
 Policy 14 Green network and green space  
 Supplementary Guidance 3 - Development Management, Placemaking and Design  
 Policy DM13 Development within general urban area/settlement

Proposed South Lanarkshire Local Development

Plan 2  
 Policy 1 Spatial Strategy  
 Policy 2 Climate change  
 Policy 3 General Urban Areas  
 Policy 5 Development Management and  
 Placemaking  
 Policy 11 Housing  
 Policy 12 Affordable Housing  
 Policy 13 Green Network and Greenspace  
 Policy DM1 New Development Design

◆ **Representation(s):**

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

◆ **Consultation(s):**

Roads Development Management Team

Environmental Services

Roads Flood Risk Management

Scottish Water

Biggar Community Council



## **Planning Application Report**

### **1 Application Site**

- 1.1 The application site (0.85 ha) comprises vacant land on the north western edge of Biggar and forms part of Phase 2 of a residential development currently under construction by Story Homes. It is bounded to the west by dwellings situated along Northcrofts Road and to the south by a nursery together with allotments and path linking through to North Back Road proposed as part of the wider development. To the north and east, the site is adjacent to the remaining approved development (construction work has yet to commence on that area of the site) consisting of grass and excavated ground. Further to the east are the completed dwellings, road layout, and landscaping and amenity open space comprising Phase 1 of the wider development. Topographically, the land slopes in a north/south direction.

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

- 2.1 The proposal involves the construction by the Council of 24 semi-detached dwellings as part of its new housebuilding programme. The houses would range in size from one to four bedroom units and include a mix of 1 and 2 storey properties (one of the single storey house types includes attic accommodation and roof lights) incorporating contemporary elements. The application forms part of a wider development CL/12/0358 for 285 dwellings and associated road network, amenity open space, drainage and SUDS pond. A condition of that approval required the developer to provide serviced land to the Council or a Registered Social Landlord for affordable housing. The intention is that the Council will build these houses to meet demand for affordable housing in the Biggar area. The road layout accessing the proposed Council housing links into and accords with the wider road network serving the neighbouring approved residential area. The drainage and sewerage will also connect into associated infrastructure for Phase 1 and 2 of the Storey Homes development.
- 2.2 As supporting documents, the applicant has submitted site and ground investigation reports.

### **3 Background**

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

- 3.1.1 The adopted South Lanarkshire Local Development Plan (SLLDP) identifies the site as being located within the settlement boundary of Lower Braidwood where Policy 6 - General urban area/settlements applies. The site is also identified as a proposed housing site within South Lanarkshire Council's Housing Land Supply audit and a masterplan site including provision for affordable housing within appendix 3 where Policies 12 – Housing Land and 1 'Spatial Strategy' apply.
- 3.1.2 Other relevant policies in the assessment of this application are: Policy 2 - Climate Change; Policy 4 - Development Management and Placemaking; Policy 13 – Affordable housing and housing choice and; Policy 14 – Green network and greenspace together with Supplementary Guidance on Sustainable Development & Climate Change; Development Management, Placemaking and Design; Green

Network and Greenspaces, and Affordable Housing The content of the above policies and how they relate to the proposal is addressed in detail in Section 6 of this report.

### 3.2 **Relevant Government Advice/Policy**

- 3.2.1 SPP advises that Local Development Plans should clearly set out the scale and distribution of the affordable housing requirement for their area. Where Housing Need and Demand Assessment (HNDA) and local housing strategy process identify a shortage of affordable housing, the plan should set out the role that planning will take in addressing this. Planning authorities should consider whether it is appropriate to allocate some small sites specifically for affordable housing.

### 3.3 **Planning Background**

- 3.3.1 Planning Permission CL/12/0358 was granted in August 2014 for 285 dwellings to be built over two phases. Condition 26 of consent set down a requirement that the developer reaches agreement with the Council for on-site provision of affordable housing.

## 4 **Consultation(s)**

- 4.1 **Roads and Transportation Services Development Management Team**– no objections. The layout is acceptable in terms of road width, parking and sightlines.  
**Response:** Noted

- 4.2 **Roads and Transportation Services HQ (Flooding Unit)** – offer no objection subject to conditions requiring a flood risk assessment and a Sustainable Urban Drainage System (SUDS).  
**Response:** Noted. Should consent be granted, conditions can be attached to cover these matters.

- 4.3 **Scottish Water** - No objection. There is currently sufficient capacity at the Coulter Water Treatment Works however capacity at the Biggar Waste Treatment Works cannot as yet be confirmed, therefore, further appraisal will be necessary.  
**Response:** Noted.

- 4.4 **Biggar Community Council** – No response to date.  
**Response:** Noted.

- 4.5 **Environmental Services** – No response to date.  
**Response:** Noted.

## 5 **Representation(s)**

- 5.1 Following the carrying out of statutory neighbour notification and the advertisement of the application in the Lanark Gazette for the non-notification of neighbours, 1 letter of objection was received. The issues raised are summarised as follows:

a) **Noise and disturbance.**

**Response:** There will be a degree of disturbance during construction, however, this will only be for a temporary period of time. Environmental

Services have a responsibility to investigate noise complaints to determine if a statutory noise nuisance has occurred.

- b) **Dust from the site covers garden furniture and potentially has exacerbated a chest infection.**

**Response:** If permission is granted, a condition will be attached requiring dust mitigation measures in the event of a problem arising.

- c) **The proposed boundary fence will prevent access to maintain a shed which sits on the rear boundary of the objector's property.**

**Response:** This is considered to be a legal matter and, therefore, not of direct relevance to the planning assessment of the proposal.

- d) **Loss of privacy.**

**Response:** The proposed dwellings are a sufficient distance back from existing dwellings whereby privacy standards in the Council's Residential Design Guide will not be compromised.

- 5.2 This letter has been copied and is available for inspection in the usual manner and on the planning portal.

## **6 Assessment and Conclusions**

- 6.1 The applicant seeks detailed planning consent for the erection of 24 affordable dwellinghouses and associated infrastructure on land adjacent Northcrofts Road, Biggar. The determining issues in considering this application are its compliance with the policies of the adopted South Lanarkshire Local Development Plan, the associated Supplementary Guidance and the Council's Residential Development Guide, the impact on the amenity of the adjacent properties and surrounding area and road safety.

- 6.2 Policy 1 - Spatial Strategy of the adopted South Lanarkshire Local Development Plan supports the delivery of residential masterplan sites identified in Appendix 3 of the Plan. This includes a site Edinburgh Road in Biggar which the application site forms part of. The masterplan requirements include: that residential development respects the character of Biggar and the setting of adjacent uses; a landscape strategy; green network provision; a robust settlement boundary; contribution to education provision and; provision of affordable housing. Most of these elements have been addressed by the ongoing implementation of Planning Permission CL/12/0358 over two phases and the developer, Story Homes, has already made the necessary education contribution. Policy 13 - Affordable Housing and Housing Choice expects developers to contribute to meeting affordable housing needs by providing, on sites of 20 units or more, up to 25% of the site's capacity as serviced land for the provision of affordable housing, where there is a proven need. Following the carrying out of a viability assessment during the determination of the application for the wider site, Story Homes agreed to the provision of serviced land for affordable housing in the location and of a site area, the subject of this application, and this is reflected in the approved drawings for that development. In consideration, the proposal complies with Policies 1 and 13 and the Affordable Housing supplementary guidance.

- 6.3 The application site is identified as part of the housing land supply in the adopted SLLDP and is included within the settlement boundary of Biggar. The residential development of the site positively contributes towards the Council's requirement to maintain a five year effective supply of housing land provision. Furthermore, effective housing land within the settlement of Biggar meets the aims of Scottish Planning Policy by providing a sufficient and sustainable supply of housing within an existing residential area with access to services nearby. The proposal satisfactorily complies with aims of Policy 12 of the adopted local development plan and, therefore, the principle of the proposed development is acceptable.
- 6.4 The application site is located within the settlement boundary of Biggar as identified in the adopted SLLDP. Policy 6 - General Urban/Settlements and Policy 4 - Development Management and Place Making, together with the Development Management and Placemaking Supplementary Guidance supports residential developments where they do not have a significant adverse effect on the amenity of the area. In addition, any new development must relate satisfactorily to adjacent and surrounding development in terms of scale, massing, materials and intensity of use. The character and amenity of the area must not be impaired by reason of traffic generation, parking, overshadowing, overlooking or visual intrusion. The design, mass, scale, height, size and materials of the dwellings are in keeping with their surroundings and are comparable to the adjacent phases of development. In addition, the development will be able to make use of play areas and games court within the wider development. Adequate garden space for the amenity of residents is proposed and there would not be an adverse impact, on residential amenity due to overlooking or overshadowing. Satisfactory car parking provision is provided for each dwellinghouse and there would be no adverse impact upon traffic safety. The proposals also comply with the aims of the Councils Residential Design Guide. In view of the above, it is considered that the proposal would relate satisfactorily to adjacent development, and the character and amenity of the residential area would not be impaired by reason of traffic generation, parking, visual intrusion or physical impact. The proposal is, therefore, satisfactory in terms of Policy 4 - Development Management and Place Making, Policy 6 - General Urban/Settlements, and the Development Management and Placemaking Supplementary Guidance of the adopted local development plan.
- 6.5 Policy 2, Climate Change, seeks to minimise and mitigate against the effects of climate change by considering criteria, including being sustainably located. The site is sustainably located within the settlement boundary of Biggar and is closely located to bus routes and nearby shops and services. The site is not at risk of flooding and there are no infrastructure constraints. In consideration, the proposals would not undermine the objectives of the policy and the Sustainable Development and Climate Change supplementary guidance.
- 6.6 Policy 14 Green Network and Greenspace advises that any development proposals should safeguard the local green network, identified on the proposals map, and identify opportunities for enhancement. The application site forms part of a wider residential development subject of Planning Permission CL/12/0358 which includes retention of woodland and trees, extensive landscaping and the creation of pockets of greenspace throughout the approved layout. Further, the current planning application includes additional tree planting in the southern section of the site. Therefore, the proposal complies with Policy 14 and the associated supplementary guidance.

- 6.7 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 proposals accord with Policies 1, 2, 3, 5, 11, 12, 13 and DM1 in the proposed plan.
- 6.8 In view of the above, and taking into account of the current local development plan context, the proposal represents an appropriate form of development which will help meet demand for affordable housing in the local community. It is, therefore, recommended that detailed planning consent be granted subject to the conditions listed.

## **7 Reasons for Decision**

- 7.1 The proposal complies with Policies 1, 2, 4, 6, 12, 13 and 14 of the adopted South Lanarkshire Local Development Plan and associated Supplementary Guidance: Affordable Housing, Development Management Place Making and Design; Green Network and Greenspace and; Sustainable Development and Climate Change. The proposals also accord with the Proposed South Lanarkshire Local Development Plan 2.

**Michael McGlynn**  
**Executive Director (Community and Enterprise Resources)**

Date: 29 October 2019

### **Previous references**

- ◆ CL/12/0358

### **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 31 July 2019
  
- ▶ Consultations
  - Roads Development Management Team
  - Environmental Services
  - Roads Flood Risk Management 19.09.2019
  - Scottish Water 06.08.2019

Biggar Community Council

CER Play Provision Community Contribs

22.08.2019

► Representations

Dated:

Alma Smith, By Email

19.08.2019

**Contact for further information**

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

Ian Hamilton, Planning Officer, Montrose House, 154 Montrose Crescent, Hamilton, ML3 6LB

Phone: 01698 455174

Email: [ian.hamilton@southlanarkshire.gov.uk](mailto:ian.hamilton@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. 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.

03. 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 02 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.

04. 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.

05. 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 buildings 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.

06. That no development shall commence until details of surface water drainage arrangements have been submitted to and approved in writing by the Council as Planning Authority; such drainage arrangements will require to comply with the principles of sustainable urban drainage systems and with the Council's Sustainable Drainage Design Criteria and shall include the following signed appendices: 1 'Sustainable drainage design compliance certificate', 2 'Sustainable drainage design - independent check certificate' 3 'Flood risk assessment compliance certificate', 4 'Flood risk assessment - independent check certificate' and 5 'Confirmation of future maintenance of sustainable drainage apparatus'. The development shall not be occupied until the surface drainage works have been completed in accordance with the details submitted to and approved by the Council as Planning Authority.

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.

07. That no dwellinghouse shall be occupied until the site is served by a sewerage scheme and water supply constructed to the specification and satisfaction of Scottish Water as Sewerage Authority.

Reason: To ensure that an appropriate sewerage system and water supply is provided.

08. That, in the event of dust nuisance problems being created by operations on site, the developer shall take reasonable measures to minimise the transmission of dust, to the satisfaction of the Planning Authority.

Reason: In the interests of amenity.

09. That prior to any work starting on site, a programme indicating the phasing of construction of development, together with a Traffic Management Plan indicating the circulation of vehicles and pedestrians, shall be submitted to the Council as Planning Authority for approval. The approved details shall be implemented throughout the period of the development of the site.

Reasons: In the interests of road safety.

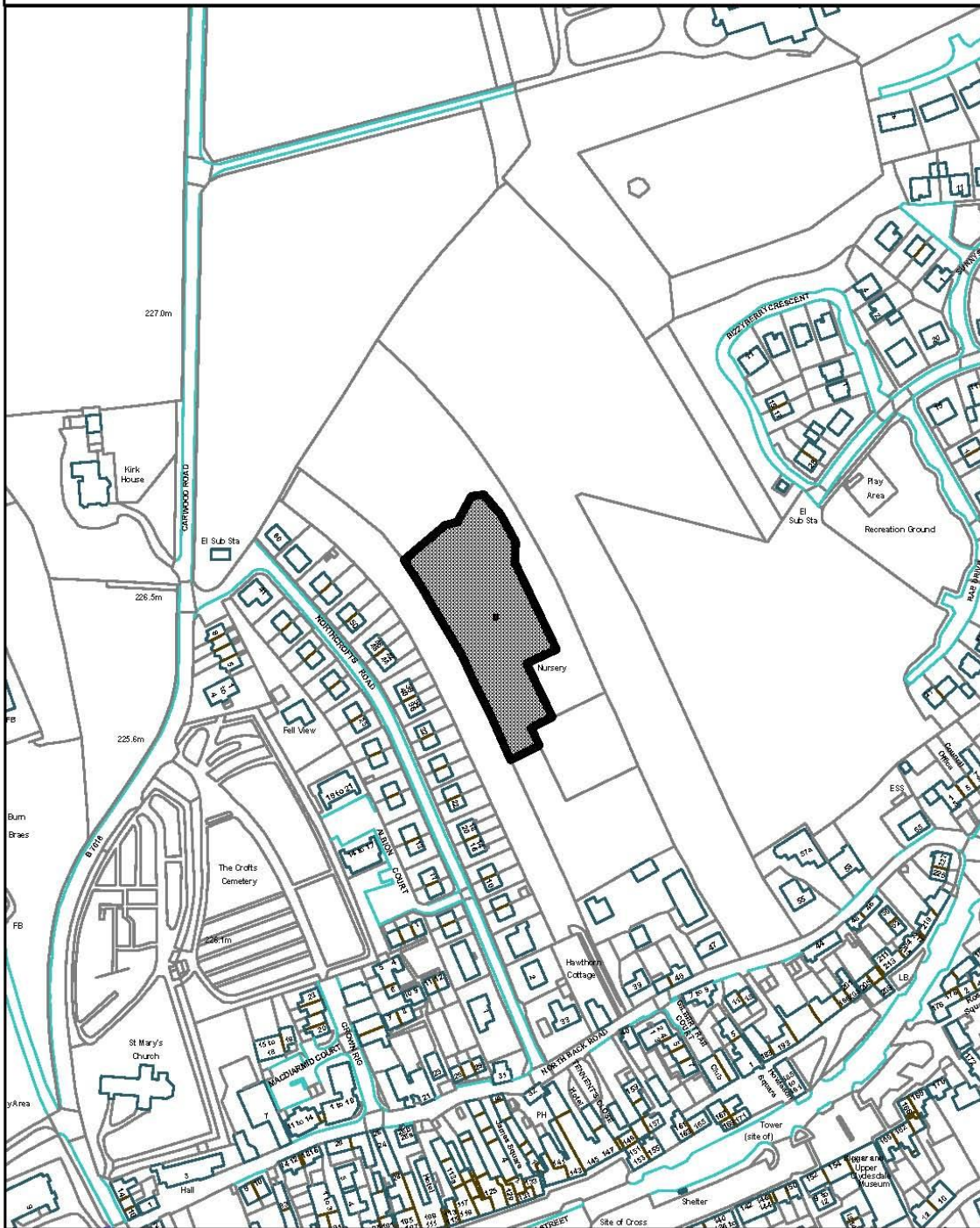
- 10 That unless otherwise agreed, prior to the commencement of the development hereby approved, details of measures to facilitate the provision of full fibre broadband to serve the development, including details of appropriate digital infrastructure and a timescale for implementation, shall be submitted to and approved in writing by the Council as Planning Authority. 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.



P/19/1153

Land 70m East of 52 Northcrofts Road, Loaningdale Avenue, Biggar



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Date:  
28/10/2019



**South Lanarkshire Council**  
**Community and Enterprise Resources**  
Planning and Economic Development



# Report

9

Report to:	<b>Planning Committee</b>
Date of Meeting:	<b>19 November 2019</b>
Report by:	<b>Executive Director (Community and Enterprise Resources)</b>

Application No	P/19/1232
Planning Proposal:	Amendments to planning consent HM/16/0022 in relation to reduction of plot numbers (114 to 108), update of house types and various house type changes at 37 plots

## 1 Summary Application Information

Application Type :	Further application
Applicant :	Stewart Milne Homes
Location :	Area D Site of former Brackenhill Farm Meikle Earnock Road Hamilton

## 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: None
- ◆ Council Area/Ward: 18 Hamilton West and Earnock
- ◆ Policy Reference(s): **South Lanarkshire Local Development Plan**  
Policy 4 – Development Management and Place Making  
Policy 6 – General Urban Area/Settlements

**South Lanarkshire Local Development Plan:  
Supplementary Guidance**  
**Development Management, Place Making  
and Design SG**

Policy DM1 – Design

Policy DM 13 – Development within General  
Urban Area/Settlements

**Residential Design Guide**

**South Lanarkshire Local Development Plan  
2**

Policy 3 – General Urban Areas/Settlements

Policy 5 – Development Management and  
Place Making

Policy DM1 – New Development Design

◆ Representation(s):

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

◆ Consultation(s):

Roads (Development Management)

Environmental Services

Facilities, Waste & Ground Services (Arboriculture)

Scottish Water

## **Planning Application Report**

### **1 Application Site**

- 1.1 The application site relates to an existing residential development site, located to the north of Meikle Earnock Road, Hamilton, on land formerly associated with Brackenhill Farm. The land is currently being developed as part of the wider Hamilton Community Growth Area. Land surrounding the application site is either being developed as part of the Hamilton CGA proposals, or earmarked for that purpose.
- 1.2 The applicants received planning consent in 2017 for a residential development of approximately 320 units (application no.: HM/16/0022).

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

- 2.1 The applicants now seek consent for the amendment of the previously approved scheme through the revision of the proposed house types within 37 plots. The proposed revision will see an overall reduction in the number of units from 114 to 108. The reduction of numbers is as a result of the replacement of 14 terraced properties with 8 detached units.
- 2.2 In terms of the revised designs, the proposed houses are fairly typical of the other houses being built within the Hamilton CGA, which are a mix of detached, semi-detached and terraced properties. The proposed changes also reflect the housing developer's product changes and customer requirements.
- 2.3 A revised Ecological Report, Tree Survey, Tree Protection Plan, Drainage Layout, Engineering Layout, Refuse Vehicle Tracking Plan and Landscape Plans were submitted in support of the application.

### **3 Background**

#### **3.1 Local Plan Policy**

- 3.1.1 In determining planning applications, the Council must assess the proposal against the policies contained within the adopted South Lanarkshire Local Development Plan (SLLDP) and associated Supplementary Guidance (SG) produced in support of the SLLDP.
- 3.1.2 The use of the site for residential purposes is established through both the area's designation as a Community Growth Area for Hamilton in the SLLDP and subsequent planning consents.
- 3.1.3 Given the nature of the application, it is considered that Policy 4 – Development Management and Place Making and Policy 6 – General Urban Area/Settlements are appropriate to the determination of this application. In addition, Policies DM1 – Design and DM 13 – Development within General Urban Area/Settlements, within the Council's adopted Supplementary Guidance on Development Management, Place Making and Design are of relevance. In addition, 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 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 3 – General Urban Areas/Settlements, 5 – Development Management and Place Making and DM1 – New Development Design are relevant.

- 3.1.4 The aim of the above policies and guidance is to seek well designed development that is appropriately located, serviced and results in no adverse impact. The content of the above policies and how they relate to the proposal is assessed in detail in Section 6 of this report.

### 3.2 Planning Background

- 3.2.1 As previously noted, the application site forms part of the designated Hamilton CGA. An application was submitted in 2010 which sought “Planning Permission in Principle” (Application no. HM/10/0052, approved May 2017) for the delivery of a large part of the designated Hamilton CGA. A subsequent application, for the approval of Matters Specified in Conditions attached to HM/10/0052 (application no. HM/16/0022, approved May 2017), proposed the residential development of the land at Meikle Earnock Road, Hamilton.

## 4 Consultation(s)

- 4.1 **Roads and Transportation Services (Hamilton Area)** – have advised that they have no objections to the proposal, subject to conditions relative to visibility splays, road surface finishes, swept path analysis of junctions, footway standards, parking and driveway standards.

**Response:** - Appropriately worded conditions can be incorporated into any consent to address the matters raised.

- 4.2 **Environmental Services** – have confirmed that they have no objection to the proposal subject to the inclusion of an informative relative to construction noise.

**Response:** - An appropriately worded informative can be attached to any consent to address this matter.

- 4.3 **Facilities, Waste and Ground Services (Arboriculture)** – have offered no comments to date.

**Response:** - Whilst it is noted that no response has yet been received, it is confirmed that the site was the subject of assessment, in terms of the impact on trees, through the determination of the previously approved scheme (HM/16/0022). Furthermore, the applicants have submitted further details in respect of the proposed amendments.

- 4.4 **Scottish Water** – have offered no objections to the proposed changes.

**Response:** - Noted.

## 5 Representation(s)

- 5.1 None.

## 6 Assessment and Conclusions

- 6.1 The application site is located to north of Meikle Earnock Road, to the west of

Hamilton and forms part of the wider Hamilton Community Growth Area. Planning permission was granted for a residential development of approximately 320 dwellinghouses, associated roads, footpaths, open space, SUDs and landscaping (application no.: HM/16/0022). This development is currently under construction. The applicants now seek consent for the amendment of a number of plots within the previously approved scheme.

- 6.2 The determining issues in consideration of this application are its compliance with local plan policy and its impact on the amenity of adjacent properties and on the local road network. The site is identified within the adopted local plan as being suitable for residential development through its designation as a part of the Community Growth Area for Hamilton, and subsequent planning consents.
- 6.5 The matters considered appropriate in the determination of this application are set out within Section 3.1.3 above. Principally, the stated policies and guidance seek to ensure that any development does not adversely impact on the amenity of such areas, can be adequately serviced and has been designed in manner which takes cognisance of appropriate guidance and the area within which it is located. Having considered the design and layout of the revised proposal, I am satisfied that the scheme is capable of being developed, subject to conditions, without conflict with the general requirements of the applicable policies and guidance.
- 6.6 In terms of the detailed design of the development, it is considered that the proposed layout for the development is acceptable and that it meets the main standards set out in the Council's Residential Design Guide, particularly in relation to road layout, house to plot ratios, rear garden depths, open space and car parking provision. It is considered that the proposed development is of a high quality design incorporating a suitably high standard of materials. The proposed changes relate primarily to the change of house type/design within specified plots; 37 plots within a development of 320 units. It is considered that the proposed house types are acceptable and reflect the nature and style of surrounding development. The proposed changes will also result in a minor reduction of units, through the removal of a small number of terraced units, within this phase of the development, and replacement with detached dwellings.
- 6.7 It is considered that there is no detrimental impact to the amenity or privacy of future residents resultant from the proposed changes. The proposed layout for the development is acceptable and meets the main standards set out in the Council's Residential Design Guide, particularly in relation to road layout, house to plot ratios, rear garden depths, etc. The proposed development remains of a high quality design incorporating a suitably high standard of materials. The proposed development raises no road safety concerns, amenity or privacy concerns and, therefore, accords with Policies 4, 6, DM 1 and DM 13 of the SLLDP and supplementary guidance. Furthermore, the proposals raise no new issues in terms of Policies 3 and DM1 of the emerging South Lanarkshire Local Development Plan 2, the requirements of which are similar to those within the adopted Plan.
- 6.8 The proposals for the development of the wider area as part of the Hamilton CGA were assessed, and considered acceptable, in terms of flood risk, and drainage will be developed in accordance with the principles of sustainable urban drainage. The current application site formed part of the overall assessment for the wider

CGA with regards to drainage and flood risk. In addition, foul drainage will be treated in accordance with the specification and requirements of both Scottish Water and the Council's Flood Risk Management guidance.

- 6.9 No specific concerns, subject to conditions, have been raised by the various consultees. Any matters raised can be addressed through the use of conditions, when appropriate to do so. No neighbour notifications were required in respect of the application.
- 6.10 On the basis of the above assessment, I would, therefore, raise no objection to the application and recommend that planning permission be granted subject to the conditions listed.

## **7 Reasons for Decision**

- 7.1 The proposal accords with the policies of the South Lanarkshire Local Development Plan and Supplementary Guidance (namely Policies 4 - Development Management and Placemaking, 6 – General Urban Area/Settlements, DM1 – Design and DM 13 – Development within General Urban Area/Settlements).

Furthermore, the proposal accords with the requirements of the policies and guidance within the proposed South Lanarkshire Local Development Plan 2 (namely Policies 3 - General Urban Areas, 5 - Development Management and Place Making and DM1 – Design).

There are no other material considerations that would justify the refusal of consent.

**Michael McGlynn**  
**Executive Director (Community and Enterprise Resources)**

**Dated** 30 October 2019

### **Previous References**

- ◆ HM/10/0052
- ◆ HM/16/0022

### **List of Background Papers**

- ▶ Application Form
- ▶ Application Plans
- ▶ South Lanarkshire Local Development Plan (2015)(adopted)
- ▶ South Lanarkshire Local Development Plan – Supplementary Guidance
  
- ▶ Consultations

Roads (Development Management)

03/09/2019

Environmental Services

29/08/2019



► Representations: None

**Contact for Further Information**

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

James Watters, Planning Officer  
Montrose House,  
154 Montrose Crescent,  
Hamilton  
ML3 6LB  
Ext 4970 (Tel: 01698 454970)  
E-mail: [planning@southlanarkshire.gov.uk](mailto:planning@southlanarkshire.gov.uk)

## CONDITIONS

- 1 That all trees to be retained within the site shall be fully protected during the period of construction and prior to any work commencing on the site, written details specifying the nature of such measures shall be submitted to and approved by the Council as Planning Authority.

Reason: To ensure that adequate steps are taken to protect existing trees on the site throughout the period of the proposed building operations.

- 2 That the existing trees to be retained must be protected in accordance with methods as set out in BS5837/1991 during and until completion of all site operations and building works.

Reason: To ensure that adequate steps are taken to protect existing trees on the site throughout the period of the proposed building operations.

- 3 That the open space relating to the development shall be laid out simultaneously with the development or each phase thereof, and shall be completed to the satisfaction of the Council as Planning Authority.

Reason: In the interests of amenity.

- 4 That proposals for the maintenance of all areas of open space within the development shall be submitted to the Council as Planning Authority and no work on the site shall be commenced until the permission of the Council has been granted for these proposals or such other proposals as may be acceptable.

Reason: In the interests of amenity

- 5 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 amenity

- 6 That the landscaping scheme relating to the development hereby approved shall be carried out simultaneously with the development, or each phase thereof, and shall be completed and thereafter maintained and replaced where necessary to the satisfaction of the Council as Planning Authority.

Reason: In the interests of amenity

- 7 That the landscaping scheme as shown on the approved plan 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

- 8 That before any work commences on the site details of the proposed equipped play area(s) within the application site shall be submitted to the Council as Planning Authority for written approval and this shall include :
- (a) details of the type and location of play equipment, seating and litter bins to be situated within the play area(s);
  - (b) details of the surface treatment of the play area, including the location and type of safety surface to be installed;
  - (c) details of the fences to be erected around the play area(s); and
  - (d) details of the phasing of these works.

Reason: To ensure the provision of adequate play facilities within the site and in order to retain effective planning control.

- 9 That prior to the completion or occupation of the last dwellinghouses within the development or phase within which is located, all of the works required for the provision of equipped play area(s) included in the scheme approved under the terms of Condition 8 above, shall be completed, and thereafter, that area shall not be used for any purpose other than as an equipped play area.

Reason: In order to retain effective planning control.

- 10 That prior to the completion of the development hereby permitted, the woodland maintenance and management scheme approved under by virtue of this consent, as per The Woodland Management Plan (by Alan Morton Tree Consulting Ltd, dated 21 August 2011) shall be in operation.

Reason: In order to retain effective planning control.

- 11 That before any work commences on site, a maintenance and management scheme shall be submitted to and approved by the Council as Planning Authority and it shall include proposals for the continuing care, maintenance and protection of: -
- (a) The proposed footpaths;
  - (b) The proposed parking areas;
  - (c) The proposed external lighting provided for the area(s);
  - (d) The proposed play areas;
  - (e) The proposed grassed, planted and landscaped areas;
  - (f) The proposed fences to be erected along the boundaries of the site.

Reason: To safeguard the amenity of the area.

- 12 That prior to the completion of the development hereby approved, the maintenance and management scheme approved under the terms of Condition 11 above shall be in operation.

Reason: To safeguard the amenity of the area.

- 13 That the findings and recommendations of the submitted Biodiversity Survey and Management Plan (Envirocentre, dated August 2015) shall be fully complied with, unless otherwise agreed, in writing, with the Council as Planning Authority.

Reason: To ensure the protection of ecological interests within the site.

- 14 That the development shall be carried out strictly in accordance with the plans hereby approved and no change to the design or external finishes shall take place without the prior written approval of the Council as Planning Authority.

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

- 15 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 this consent, shall be erected and thereafter maintained to the satisfaction of the Council.

Reason: In order to retain effective planning control.

- 16 Prior to development commencing on site, a scheme for the control 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 minimise the risk of nuisance from dust to nearby occupants.

- 17 Prior to development commencing on site, a dust management and monitoring scheme shall be submitted to and approved 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. Monitoring results shall be readily available to Officers of the Council investigating adverse comments.

Reason: To minimise the risk of nuisance from dust to nearby occupants.

- 18 That before 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.

Unless otherwise agreed with the Council as Planning and Roads Authority, a road width of 5.5 metres shall be provided throughout the development and the access to each phase of development from Meikle Earnock Road should be increase to 7.3 metres up to the first internal junction.

Horizontal traffic calming at appropriate locations, to be agreed with the Council

as Roads Authority, shall be provided in accordance with the Principles of Designing Streets.

Reason: In the interest of public safety.

- 19 That no dwellinghouse shall be occupied until the access roads and footpaths leading thereto from the existing public road have been constructed in accordance with the specification of the Council as Roads and Planning Authority. Unless otherwise agreed with the Council as Planning and Roads Authority, all footpaths shall be 2.0 metres in width and be of a bound construction.

The layout of the proposed footpaths shall be agreed with the Council as Roads Authority and thereafter implemented to the satisfaction of the Council as Planning Authority.

Reason: To ensure satisfactory vehicular and pedestrian access facilities to the dwellings.

- 20 That before the development hereby approved is completed or brought into use, the entire access road and footpath network serving that phase of the development shall be laid out and constructed in accordance with the specification of the Council as Roads and Planning Authority.

Reason: To ensure satisfactory vehicular and pedestrian access facilities to the site.

- 21 That no dwellinghouse shall be occupied until the site is served by a sewerage scheme constructed in accordance with Scottish Water standards and as approved by the Council as Planning Authority in consultation with Scottish Water as Sewerage Authority.

Reason: To ensure the provision of a satisfactory sewerage system.

- 22 That all private vehicular accesses or driveways are provided to the following standards, unless otherwise agreed by the Council as Planning and Roads Authority:

- i) Driveways should be accessed via a drop kerb.
- ii) Double width driveways should be a minimum 5.0m wide and be a minimum of 6.0m in length.
- iii) Single width driveways should be 2.75m wide and be a minimum of 12.0m in length.
- iv) The first 2.0m of this should be of bound or block construction to ensure that loose material is not deposited on to the road.
- v) All driveways should be perpendicular to the road with 45 degree splays on either side (over verges).
- vi) The minimum gradient of the driveways should be 1:10.
- vii) All surface water should be contained, controlled and discharged within the confines of the driveway so that there is no discharge of water onto the footway/road and compliant with SEPA and Scottish Water requirements.

Reason: To ensure the provision of adequate parking facilities to serve the development.

- 23 That before the development, or any phase of development, hereby approved is completed or brought into use, a visibility splay of 2.5 metres by 90.0 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.

All internal visibility splays shall be 2.4 metres x 25 metres in both directions.

Reason: In the interest of road safety.

- 24 That prior to the commencement of development, details of the land drainage works shall be submitted to and approved by the Council as Planning Authority.

Reason: To ensure the provision of a satisfactory land drainage system.

- 25 That before the development or each phase of 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. All turning facilities shall be designed in accordance with the National Roads Development Guide incorporating South Lanarkshire Council Supplementary Guidance.

Reason: In the interest of public safety.

- 26 That, unless otherwise agreed with the Council as Planning and Roads Authority, before the development hereby approved is completed or brought into use, parking shall be provided to the following standards and thereafter maintained to the specification of the Council as Roads and Planning Authority.

#### Parking Standards

All terraced and detached units up to 3 bedrooms - 2 spaces

All terraced and detached units of 4 or more bedrooms - 3 spaces

Under National Roads Development Guide, a single garage can be counted towards a parking space providing the minimum internal dimensions are equal to or greater than 7.0m x 3.0m.

All parking bays serving terraced properties should be at right angles to the road and be 6.0m in length. All parking courtyards shall have a central aisle width of 6.0m with parking bays of 2.5m x 5.0m.

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

- 27 That the junction spacing in Area C shall be revised to ensure a minimum spacing of 25m centre to centre is achieved. A revised layout plan shall be submitted to and agreed by the Council as Planning and Roads Authority.

Reason: In the interest of road safety.

- 28 That prior to works commencing on site a full vehicle swept path analysis (full size refuse vehicle) and forward visibility envelopes shall be submitted to, and agreed by, the Council as Planning and Roads Authority.

Reason: In the interest of road safety.

- 29 Notwithstanding the above conditions, and the details provide within the submitted Outdoor Action Plan, the upgrading of Meikle Earnock Road shall be constructed to national cycle route standards and bench seating be provided at various locations, to be agreed with the Council as Planning Authority, adjacent to the proposed SUDs ponds and peripheral footpaths.

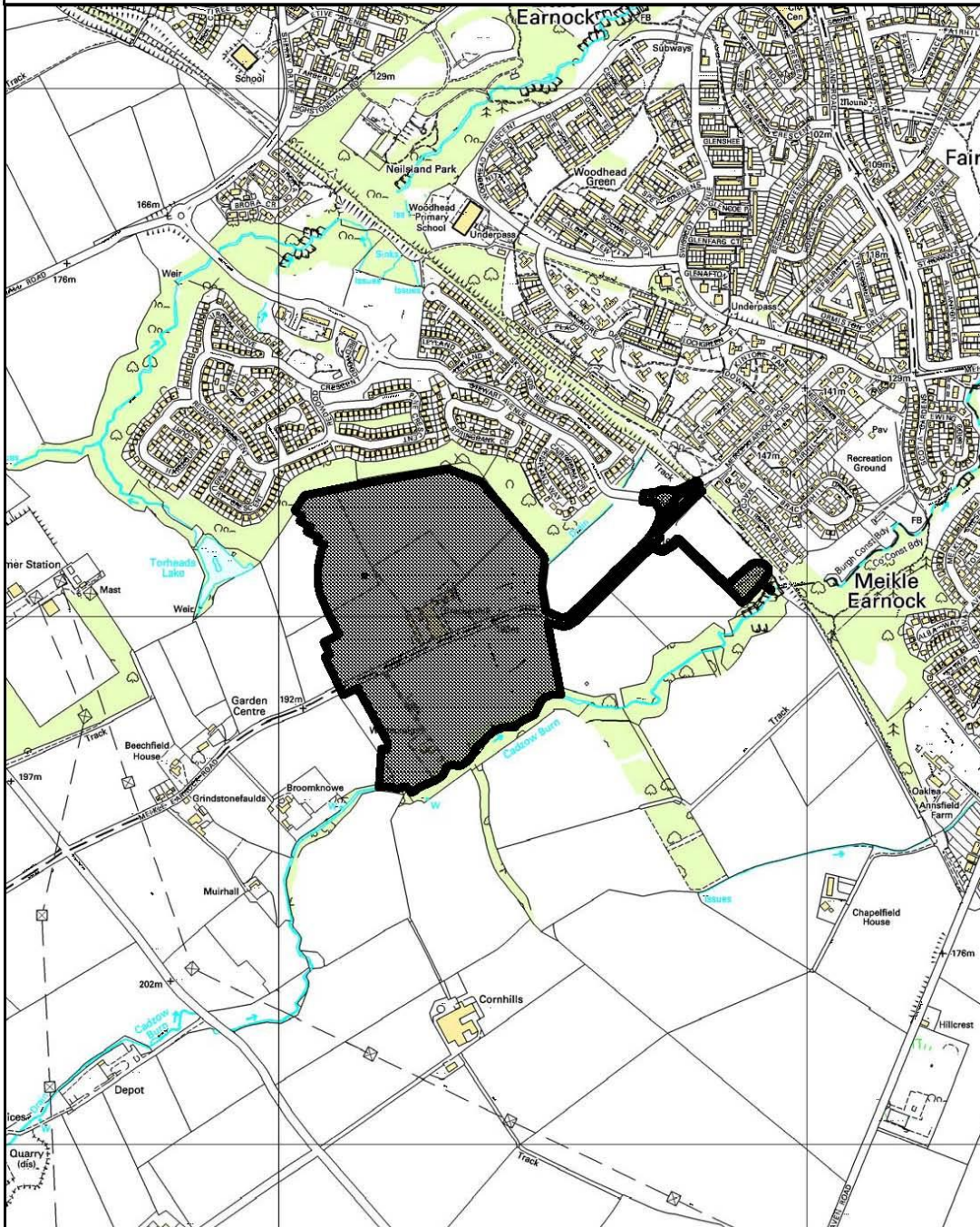
Reason: To ensure the satisfactory integration of the development in terms of pedestrian and cycle movement.

- 30 That before the development starts, a certificate or report from a recognised firm of chartered engineers shall be submitted to the Council as Planning Authority confirming the structural stability of the retaining walls shown on the submitted layout plans (as detailed in Informative 1 attached). Thereafter the developer shall incorporate the full recommendations and requirements of the certificate or report in the design and construction of the development approved under this consent.

Reason: In the interest of public safety.

P/19/1232

Area D, Site of Former Brackenhill Farm, Meikle Earnock Road, Hamilton



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28/10/2019



**South Lanarkshire Council**  
**Community and Enterprise Resources**  
Planning and Economic Development