

Report

Report to:	Planning Committee
Date of Meeting:	12 March 2024
Report by:	Executive Director (Community and Enterprise Resources)

Reference no:	EK/18/0023 and EK/18/0024
Proposal:	Erection of 35 dwellinghouses with associated infrastructure and landscaping and erection of 14 dwellinghouses with associated landscaping and infrastructure
Site Address:	Land 110m Northwest of Littlepark Cottage Jackton Road East Kilbride South Lanarkshire
Applicant:	CSK Land Limited
Agent:	None
Ward:	6 - East Kilbride South
Application Type:	Full Planning Permission
Advert Type:	Schedule 2 'Non-notification of Neighbours' East Kilbride News 24 January 2018
Development Plan Compliance:	No
Departures:	Not applicable
Recommendation:	Refuse
Legal Agreement:	N/A
Direction to Scottish Ministers	N/A

1. Reason for Report

- 1.1. The applications that are subject to this report need to be determined by the Planning Committee under Clause 5.2 of the Decision-Making Process 2015 which requires that the Planning Committee deals with all detailed planning applications for housing proposals comprising 11 to 50 units.
- 1.2. Members will note that both applications were submitted in 2018 and it is noted that since then, the land identified in the relevant Plans has been developed as a single residential site by Stewart Milne Homes comprising 50 new build dwellinghouses under consent references P/19/1794 and P/21/0295.
- 1.3. All the dwellinghouses have subsequently been constructed and given that the site had been progressed by another developer, the applicants had been asked to withdraw these applications. However, they have so far failed to respond to these requests and for this reason they must be presented to the Planning Committee for a decision.

2. Site Description

- 2.1. This report relates to two planning applications on adjacent sites located to the east of Eaglesham Road and the south of Jackton Road in Jackton, East Kilbride. The sites sit within the northern section of the East Kilbride Community Growth Area, as approved under Planning Permission in Principle reference EK/11/0202.

3. Description of Proposed Development

- 3.1. The applications, which were submitted prior to the separate submission by Stewart Milne on the same site which has been consented and subsequently constructed, seek permission for the construction of a total of 49 dwellinghouses, with 35 dwellinghouses proposed as part of application reference EK/18/0023 and a further 14 dwellinghouses proposed as part of application reference EK/18/0024.
- 3.2. Both applications were originally submitted by Cala Homes (West) Limited. However, the Council was subsequently informed that Cala Homes were no longer party to a contract for the land which is the subject of these applications and CSK Land Limited became the applicant.

4. Relevant Planning History

- 4.1. EK/11/0202 - Development of part of Community Growth Area comprising residential, new access roads and green network. Granted 10 September 2020.
- 4.2. P/19/1794 - Erection of 50 residential dwellings, associated landscaping and infrastructure. Granted 22 September 2020.
- 4.3. P/21/0295 - Amendment to planning consent P/19/1794 in respect of substitution of house types plots 1 to 50 and minor amendments to layout. Granted 11 May 2021.

5. Supporting Information

- 5.1. Design, Access and Sustainability Statement December 2017.

6. Consultations

- 6.1. Environmental Services – offered no objection subject to conditions relating to environmental matters associated with the proposed development.
Response: Noted.

- 6.2. Roads and Transportation Services (Development Management) – offered no objection subject to access and road safety conditions.
Response: Noted.
- 6.3. Roads and Transportation Services (Flood Risk Management) – offered no objection subject to flood risk management conditions.
Response: Noted.
- 6.4. Jackton and Thorntonhall Community Council – objected to the application due to concerns regarding compliance with the wider masterplan, flooding issues and access arrangements.
Response: Noted.
- 6.5. Scottish Water – Offered no objection to the proposed development.
Response: Noted.
- 6.6. SP Energy Networks – Offered no objection to the proposed development.
Response: Noted.
- 6.7. West of Scotland Archaeology Service – Offered no objection subject to a condition relating to the undertaking of appropriate archaeological assessments as part of the development works.
Response: Noted.

7. Representations

- 7.1. Following the statutory period of neighbour notification and advertisement, no valid representations have been received.

8. Development Plan

- 8.1. Under 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.

8.2. National Planning Framework 4

National Planning Framework 4 (NPF4) is Scotland's national spatial strategy for Scotland. It sets out spatial principles, regional priorities, national developments and national planning policy. NPF4 supports the planning and delivery of sustainable places, liveable places, and productive places.

National Planning Framework 4 Policies

- ◆ Policy 1 - Tackling the climate and nature crises
- ◆ Policy 2 - Climate mitigation and adaptation
- ◆ Policy 14 - Design, quality and place
- ◆ Policy 15 - Local Living and 20-minute neighbourhoods
- ◆ Policy 16 - Quality Homes

8.3. South Lanarkshire Local Development Plan 2 (2021)

For the purposes of determining planning applications the Council will assess proposals against the policies contained within the adopted South Lanarkshire Local Development Plan 2 (SLLDP2). In this regard the application site and associated proposals are affected by the following policies contained in the SLLDP2:-

SLLDP2 Volume 1 Policies

- ◆ Policy 1 - Spatial Strategy
- ◆ Policy 2 - Climate Change
- ◆ Policy 3 - General Urban Areas
- ◆ Policy 5 - Development Management and Placemaking
- ◆ Policy 11 - Housing

SLLDP2 Volume 2 Policies

- ◆ Policy DM1 - New Development Design

9. Guidance

- 9.1. The South Lanarkshire Council Residential Design Guide (2011).

10. Assessment and Discussion

10.1. Introduction

Full planning permission is sought for the erection of 49 dwellinghouses on land bounding Jackton Road and Eaglesham Road, Jackton, East Kilbride. The main issues to be addressed in the determination of this application include the acceptability in principle of the proposed development, its layout, siting and design, and an assessment of technical matters. The policies contained within National Planning Framework 4 and the South Lanarkshire Local Development Plan 2 are the main consideration in this case, together with an assessment of any other material planning considerations.

10.2. Principle of Development

The application site is located within the East Kilbride Community Growth Area which is designated for residential development in the South Lanarkshire Local Development Plan 2. Additionally, the site holds permission in principle for residential development under planning consent reference EK/11/0202. As such, the principle of residential development is acceptable in this case.

10.3. Climate Change

Policies 1 and 2 of NPF4 and Policy 2 of the South Lanarkshire Local Development Plan 2 seek to encourage, promote and facilitate development that addresses the global climate emergency and nature crisis, and which minimises emissions and adapts to the current and future impacts of climate change. Given that development has already been established here, this application is not considered to raise any issues which conflict with the aims of policies 1 and 2 of NPF4 and Policy 2 of the South Lanarkshire Local Development Plan 2.

10.4. Layout, Siting and Design

Policies 14 and 15 of NPF4 relate to liveable places. Policy 14 sets out that all development should be designed to improve the quality of an area and be consistent with the six qualities of a successful place: healthy, pleasant, connected, distinctive, sustainable, and adaptable. Policy 15 seeks to encourage, promote and facilitate the application of the Place Principle.

- 10.5. In this case a residential development is proposed on land which has already been developed for residential purposes. The footprint of the development as proposed in these applications would significantly conflict with the footprint of the built development that has already been constructed on the site and would require the existing development to be removed to facilitate this proposed development. Given that the site has already been developed, it would not be possible for the proposed development to be undertaken in a manner that would be consistent with the six

qualities of successful places as set out in the policy. As such, the proposed development cannot be considered to comply with Policy 14 of NPF4.

- 10.6. Policy 16 of NPF4 relates to Quality Homes. The policy supports proposals for new homes on allocated sites for housing in the local development plan (LDP). In this regard, the application is not considered to raise any issues which conflict with the aims of Policy 16 and Policy 11 of the South Lanarkshire Local Development Plan 2. With regard to the provisions of the South Lanarkshire Local Development Plan 2 (adopted 2021), Policies 3, 5 and DM1 require all proposed developments to be well integrated with the local area, complement existing land uses and make a positive contribution to the character and appearance of the environment in which they are located. Additionally, proposals must not have any significant adverse impacts on existing amenity within or in the vicinity of the proposed development site. This is further reinforced by the provisions of the South Lanarkshire Council Residential Design Guide (2011).
- 10.7. Once again, given that this site has already been developed for residential purposes, it would not be possible for the proposed development to be well integrated, complement existing uses, make a positive contribution to the appearance of the area or protect the amenity enjoyed by existing residents. As such, the proposals cannot be considered to comply with Policies 3, 5 or DM1 of the adopted South Lanarkshire Local Development Plan 2.
- 10.8. Conclusion
In conclusion, it is noted that the site in question has already been developed for residential purposes under planning consent P/19/1794. The footprint of the proposed development would significantly conflict with the footprint of the built development that has already been constructed on the site. It is therefore not possible for this proposed development to proceed without significantly adversely affecting the existing development. As such, the proposals fail to comply with the provisions of Policy 14 of National Planning Framework 4 and Policies 3, 5 and DM1 of the South Lanarkshire Local Development Plan 2 (adopted 2021). It is therefore recommended that planning permission is refused for both applications for the reasons set out below.

11. Recommendation and Reasons

- 11.1. The Committee is asked to agree the following recommendation:-

Refuse Detailed Planning Permission for the reasons outlined below:-

01. The proposed development fails to comply with Policy 14 of National Planning Framework 4 as it would be detrimental to residential amenity and is inconsistent with the six qualities of successful places as set out in the policy, given that the site has recently been developed for housing under a separate planning consent.
02. The proposed development fails to comply with Policy 3 of the South Lanarkshire Local Development Plan 2 (adopted 2021) as it would be detrimental to the amenity of existing residents and the wider community and to the character of the surrounding area.
03. The proposed development fails to comply with Policy 5 of the South Lanarkshire Local Development Plan 2 (adopted 2021) as it would not be well integrated with the local area, would significantly adversely impact on the local community and would have a significant adverse impact on existing buildings and the streetscape in terms of layout, scale, massing, design and amenity.

04. The proposed development fails to comply with Policy DM1 of the South Lanarkshire Local Development Plan 2 (adopted 2021) as it would conflict with existing land uses, would have a significant adverse amenity impact on existing dwellings, would not respect the local context and would fail to make a positive contribution to the character and appearance of the environment in which it is located.

David Booth
Executive Director (Community and Enterprise Resources)

Date: 1 March 2024

Background Papers

Further information relating to the applications can be found online:

[EK/18/0023 | Erection of 35 dwellinghouses with associated infrastructure and landscaping. | Land 110M Northwest Of Littlepark Cottage Jackton Road East Kilbride Glasgow South Lanarkshire](#)

[EK/18/0024 | Erection of 14 dwellinghouses with associated landscaping and infrastructure | Land 110M Northwest Of Littlepark Cottage Jackton Road East Kilbride Glasgow South Lanarkshire](#)

Corporate Considerations

The report raises no impacts or risks in terms of equalities or financial implications. Any implications in terms of climate change, sustainability or the environment will have been considered above in terms of the relevant national and local policies.

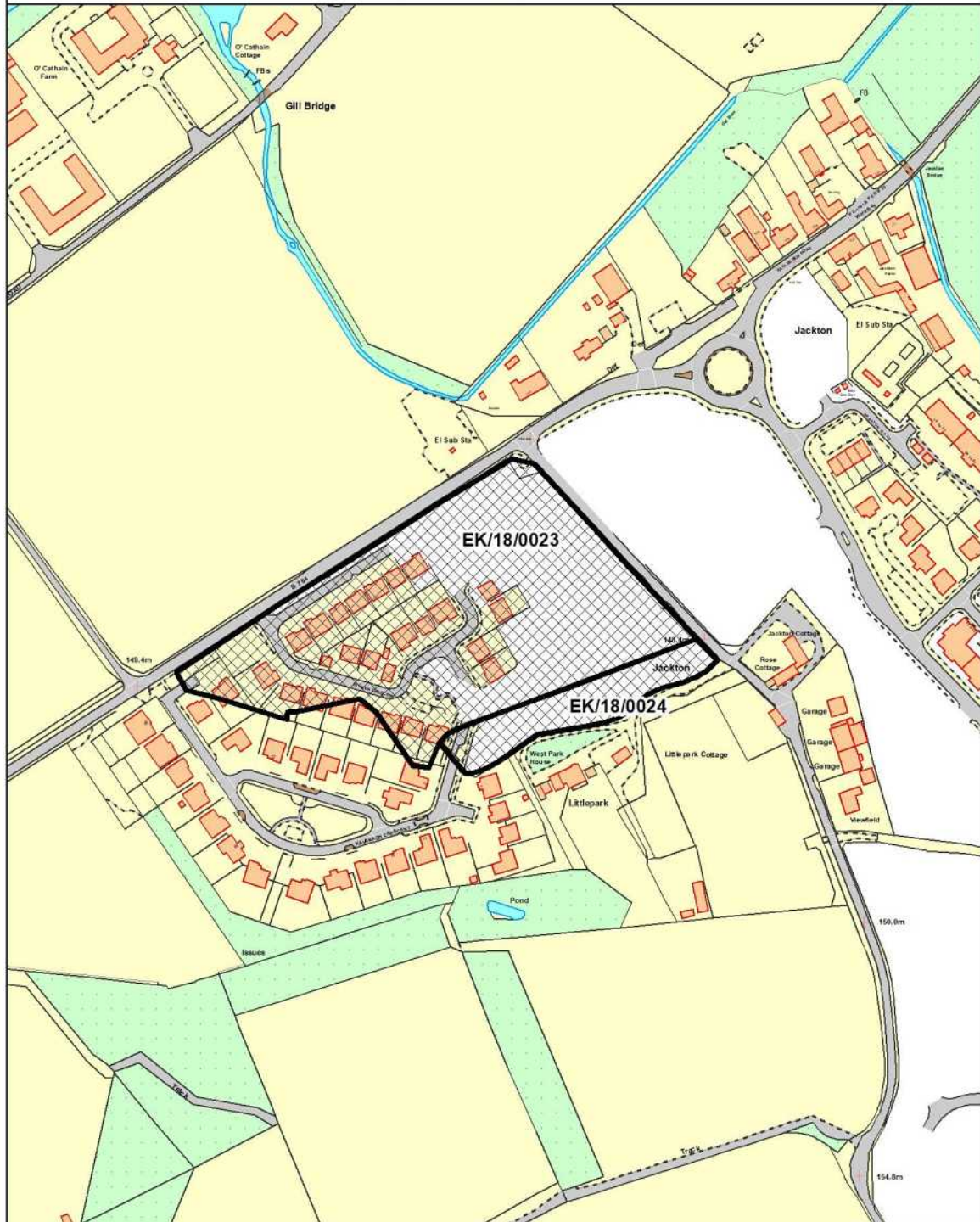
Contact for Further Information

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

Tel: 01698 454867

E-mail: planning@southlanarkshire.gov.uk

EK/18/0023, Land 110m northwest of Littlepark Cottage, (Stoker Crescent) Jackton, East Kilbride
EK/18/0024, Land 35m northwest of Littlepark Cottage, (Kavanagh Crescent) Jackton, East Kilbride



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Scale:
1:3,000
Date:
13/02/2024



South Lanarkshire Council
Community and Enterprise Resources
 Planning and Regulatory Services