

Report

Report to:	Hamilton Area Committee
Date of Meeting:	29 August 2007
Report by:	Executive Director (Enterprise Resources)

Application No	HM/07/0242
Planning Proposal:	Change of Use of Existing building to Form Flatted Houses and Erection of Two Storey Block of Flatted Houses

1. Summary Application Information

- Application Type : Detailed Planning Application
- Applicant : Scott Building Services
- Location : 44 Hamilton Street
Larkhall

2. Recommendation(s)

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

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

2.2 Other Actions/Notes

- (1) The Area Committee has delegated powers to determine this application.
- (2) That consent be withheld until such times as a financial contribution of £3850 for the improvement of the existing sport/recreation facilities within the local area has been lodged with the Council

3. Other Information

- ◆ Applicant's Agent: Architectonic (Scotland) Ltd.
- ◆ Council Area/Ward: 20 Larkhall
- ◆ Policy Reference(s): **Adopted Hamilton District Local Plan**
Policy RES1 – Residential Areas – General
Policy DC1 - Development Control – General
Policy DC2 – New Residential Development
South Lanarkshire Planning Policies
SLP6 – Development Control – General
Finalised South Lanarkshire Local Plan (as Modified)
Policy RES 6 – Residential Land Use
Policy DM1 - Development Management
Policy ENV30 – New Housing Development
South Lanarkshire Council Residential Development Guide

- ◆ Representation(s):
 - ▶ 8 Objection Letters

- ◆ Consultation(s):

Environmental Services

Larkhall Community Council

Power Systems

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

Scottish Water

TRANSCO (Plant Location)

Roads and Transportation Services (Hamilton Area)

Roads & Transportation Services H.Q. (Flooding)

Planning Application Report

1. Application Site

- 1.1 The application site is accessed from Hamilton Road, Larkhall. The site currently accommodates 44 Hamilton Street, a building previously used as an office by Guide Dogs for the Blind. The site also accommodates a garden area which includes a number of mature trees and an area of concrete hard standing.
- 1.2 The application site is largely rectangular in shape, with the exception of the access road and extends to 0.26 hectares. It is bounded on all sides by residential properties and takes access from Hamilton Street, Larkhall.

2 Proposal

- 2.1 The applicant seeks detailed planning permission for the change of use and alteration of an existing building, previously used as an office by Guide Dogs for the Blind, to form 5 flats, the erection of a 2 storey block of flats, accommodating 6 units and the creation of a car park and access road.
- 2.2 The proposal also involves the demolition of an extension to the existing property, which has already been carried out. The change of use and conversion of the existing building in conjunction with the new build will result in the creation of 11 flats. The access road to the development will be subject to a Roads Construction Consent and will be constructed to an adoptable standard.
- 2.3 The proposed alterations to the existing building on site will result in minimal changes to the exterior of the property. A new dormer is proposed on the upper floor and two existing dormers will be enlarged. Whilst no balcony (external platform) will be formed all of the existing dormers to be altered will have railings and French doors. Five 2 bedroom flats will be formed within this building.
- 2.4 The proposed block of flats will accommodate four 3-bedroom flats and two 2-bedroom flats. The block of flats will accommodate three units on the ground floor and three on the upper floor. The flats have been designed to be symmetrical in appearance.
- 2.5 The car parking layout and access road has been designed following comments from the Roads and Transportation Service. 22 car parking spaces are proposed, in addition to the access road and turning area. Bin stores have also been provided for the proposed flats and these would be located to the north west of the buildings.

3. Background

3.1 Local Plan Status

- 3.1.1 The application site is located within a residential area, designated by Policy RES1 – Residential Areas – General of the adopted Hamilton District Local Plan and Policy RES6 of the Finalised South Lanarkshire Local Plan (as modified). Policy RES1 and RES6 seek to resist any developments detrimental to the amenity of residential areas.

3.1.2 Policies DC1 of the adopted Hamilton District Local Plan and DM1 of the Finalised South Lanarkshire Local Plan (after modifications) provide general development management guidance. These policies require all planning applications to take due regard to the local context and built form of the area. Proposals should take cognisance of scale, position and materials of surrounding buildings and landscape. These policies are also supported by SLP6 of the South Lanarkshire Planning Policies.

3.1.3 Policy DC2 – New Residential Development of the adopted Hamilton District Local Plan and Policy ENV30 – New Housing Development of the Finalised South Lanarkshire Local Plan (as modified) promote quality and sustainability within the design and layout of new housing developments. Developments should make a positive contribution to the character and appearance of the area. Policy ENV30 details criteria, against which proposals should be assessed, which includes issues such as sustainability, quality of design, local context and waste generation.

3.1.4 The South Lanarkshire Council Residential Development Guide provides detailed guidance relating to residential developments. The guide sets out criteria relating to matters such as window to window distances, open space provision, parking requirements and distances between properties.

3.2 Relevant Government Guidance

3.2.1 Relevant guidance is provided in Scottish Planning Policy (SPP) 3 Planning for Housing and Planning Advice Note (PAN) 67 – Housing Quality.

3.2.2 SPP3 provides guidance relating to the Scottish Executive's aims for providing good quality, well located new housing. This policy is centred around three key aims, relating to the creation of quality residential environments, guiding new housing to appropriate sites and the delivery of housing land. SPP3 also provides policy guidance with regards to design and layout, density, energy efficiency and landscape and open space.

3.2.3 PAN 67 provides guidance how 'Designing Places' – a Scottish Minister's Policy Statement for Scotland, should be applied to new housing developments and states that Planning Authorities should be proactive in relation to both urban and suburban sites.

3.3 Site History

3.3.1 In terms of site history, there have been a number of planning applications which relate to the application site. The existing office property, proposed to be converted into 5 flats, was originally used as a dwellinghouse. However it is understood that the building was converted into an office in 1961.

3.3.2 Planning permission was then granted for a free-standing office building in November 1980 (HN/80/0597). Planning permission was then granted for the change of use of the main building, proposed to be converted into flats, back to a dwellinghouse in March 1984 (HN/84/0014). The use of the building and offices were then changed to a residential training centre and office in September 1988 (HN/88/0524).

3.3.3 The use of the application site then remained as a residential training centre, providing training for guide dogs. A number of planning applications were submitted and subsequently granted planning permission for various extensions and new buildings. A list of these applications is detailed below.

- ◆ HN/89/0195 – Alterations to Training premises, approved June 1989
- ◆ HN/89/0400 – Erection of kennel block, approved September 1989
- ◆ HN/90/0360 – Erection of 2 signboards, approved July 1990
- ◆ HN/93/0314 – Office extension and conversion of garage to workshop approved July 1993
- ◆ HN/93/0557 – Alterations and Change of Use to Office approved November 1993
- ◆ HN/95/0180 – Extension of kennel block approved July 1995

4. Consultations

4.1 **Roads and Transportation Services – Flooding** - raised no objections to the proposal subject to a number of conditions regarding the control of flooding, drainage and sewerage.

Response: Noted. These requirements are noted and are the subject of conditions and informatives should planning permission be granted.

4.2 **Roads and Transportation Services** - raise no objections to the proposal, provided it is constructed in accordance with the Council's Guidelines for Development Roads. The Roads and Transportation Service note that standards with regards to visibility splays and parking requirements per residential unit have been met. There is also a requirement for a turning head within the application site and the development will require Construction Consent under the terms of the Roads (Scotland) Act 1984, together with a road bond.

Response: Noted. The applicants' agent has been in discussion with the Roads and Transportation Service and have amended their proposal to include a turning head and ensure the proposed access is in accordance with the Council's Guidelines for Development Roads. If planning permission is approved appropriate conditions shall be imposed.

4.3 **Environmental Services** - raise no objections to the proposed residential development. Environmental Services have requested two informatives to be placed on the consent relating to noise during the construction phase and asbestos.

Response: Noted. An informative has been attached to the consent regarding asbestos, should permission be granted. However it is considered that given the proximity of adjacent housing, the control of construction noise requires to be controlled by condition and a condition has been attached in this respect.

4.4 **Scottish Power** - have not responded to the consultation request to date.

Response: Noted.

4.5 **TRANSCO** - have no objections to the proposal and submitted details indicating the location of their apparatus in the area.

Response: Noted and this information will be passed on to the applicant.

- 4.6 **Scottish Water** – have no objections to the proposal subject to the provision of a suitable sewerage system for the development. Scottish Water also note that they support the principles of Sustainable Urban Drainage Systems (SUDS).

Response: Noted. Any consent granted will be conditioned to ensure that no dwellings are occupied until a satisfactory sewerage and SUDS scheme is in place.

- 4.7 **SEPA** – have stated that they would register an objection to this proposal, unless and until the applicant and Scottish Water can provide sufficient information to SEPA that a sewer connection can be achieved without detriment to SEPA's interests. Notwithstanding SEPA also request that surface water is also properly controlled.

Response: Noted. If planning permission is granted a suspensive condition shall be attached to ensure that no development is commenced until the applicant provides written confirmation from Scottish Water that the site can be satisfactorily served by a sewerage scheme and surface water is properly controlled. Scottish Water have not objected to the proposal.

- 4.8 **Larkhall Community Council** - have not responded to the consultation request to date.

Response: Noted.

5. Representations

- 5.1 Statutory neighbour notification was carried out and as a result eight letters of objection were submitted from neighbouring properties

- 5.2 The representations can be summarised as follows:

- a) **The building works will take place in the height of summer and will therefore result in a lot of dust and dirt. This will be inconvenient for putting out washing and sitting in my garden.**

Response: Environmental Services have authority to take action should the development result in the creation of excessive airborne dust.

- b) **My bedroom windows overlook the area which is to be used for the proposed car park. People using this car park will create noise and shine lights into my bedroom window.**

Response: The closest rear elevation (excluding garaging) to the proposed parking area is approximately 11 metres away. I am satisfied that the proposed car park is located a sufficient distance from adjoining dwellinghouses to minimise the impact on the residential amenity of the surrounding dwellinghouses. Furthermore after consultation, Environmental Services has no objection to the proposal.

- c) **Previously we had a wall and trees which kept my house private, but the developer has removed these and my garden and house is now exposed to onlookers.**

Response: The applicant has indicated that a timber fence shall be erected along the boundary of the application site. A condition shall be attached to the consent, should planning permission be granted, to ensure that a 1.8m high fence is erected along the rear boundary of the site to ensure the privacy of neighbouring properties is maintained.

- d) **Street lights on the walkway may cause difficulty when sleeping.**
Response: Street lighting for the proposed development if granted requires to be in accordance with the Council's Roads and Transportation Services (Lighting Unit) and these lights are designed to protect amenity as well as public safety.
- e) **The proposed conversion will adversely affect our privacy as the building, originally used as an office, will be used for residential purposes and there are windows and a balcony overlooking our property.**
Response: The proposed development has been assessed in relation to the Residential Development Guide, which provides Council standards in relation to window to window distances. Details of this assessment are located within the Assessment and Conclusions section. Furthermore, the windows referred to are existing in a building, which was previously used as a dwellinghouse.
- f) **The proposed development will cause a reduction in natural daylight into the garden of 35 and 37 Chestnut Grove.**
Response: The proposed block of flats will be located at least 8.0m from the boundary of the application site. I am satisfied that this distance is sufficient to minimise the proposed building's impact on daylight and sunlight which is no higher than 2 storeys.
- g) **I already have erosion in my back garden due to level differences. I am concerned that the proposed development will make the boundary more unstable.**
Response: The applicant will also require a building warrant prior to development commencing. The Building Standards Service will assess the proposal structurally to ensure the proposed development will not create an unstable boundary treatment. Notwithstanding a condition shall be imposed if planning permission is granted for the submission of details of the boundary treatment of the site.
- h) **I am concerned that the drainage for the proposed property will have an adverse effect on my property.**
Response: S.E.P.A, Scottish Water and the Roads and Transportation Service - Flood Prevention Unit were consulted with regards to the proposed development and have requested that if planning permission is granted that a number of conditions are attached to the consent. These conditions include the requirement for an acceptable surface water and foul drainage system. If planning permission is granted appropriate conditions shall be imposed.
- i) **If construction goes ahead, what hours will the building site be operating.**
Response: A condition will be placed on the planning permission to control the hours of construction and these will be restricted to Monday to Friday 8am – 7pm and Saturday 8am to 1pm and no working on Sundays, if consent is granted.
- j) **The proposed development will result in the loss of our private view.**
Response: It has been long established that the effect of a proposal on the view of a property is not a material planning consideration.

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

6 Assessment and Conclusions

- 6.1 The applicant seeks detailed planning permission for the conversion of an existing office into five flats and for the erection of a two storey block for six flats and an associated access road and car parking. The determining issues relate to the site's previous history, compliance with local plan policy and impact on residential amenity.
- 6.2 In terms of local plan policy, the application site is located within a residential area of Larkhall designated by Policy RES1 of the adopted Hamilton District Local Plan and Policy RES6 of the Finalised South Lanarkshire Local Plan (as modified). As such the principle of residential development in this area is acceptable.
- 6.3 In terms of the detail of the proposal, Policies DC1 of the adopted Hamilton District Local Plan, SLP6 of the South Lanarkshire Planning Policies and Policy DM1 of the Finalised South Lanarkshire Local Plan (after modifications) state that all planning applications should take fully into account the local context and built form and that development should take cognizance of scale, position and materials of adjacent buildings and surrounding streetscape. The proposed development involves the conversion of an existing building and will not result in a significant external alteration. In terms of the proposed block of flats, the applicant has proposed a concrete tile for the roof, UPVC windows, doors and rainwater goods and a mixture of stone and render for the external walls of the building. I am satisfied that the proposed development is of a high quality design incorporating a suitably high standard of materials and will be in keeping with the existing residential development in the surrounding area. In addition the minor external alterations proposed for the conversion are also in keeping with the existing building and the surrounding area. As a consequence I am also satisfied that the proposed development is in accordance with Policy DC2 - New Residential Development of the adopted Hamilton District Local Plan and Policy ENV30 – New Housing Development of the Finalised South Lanarkshire Local Plan (after modifications) as it would have a positive contribution to the character and appearance of the area.
- 6.4 In terms of the Council's Residential Development Guide I am satisfied that the proposed layout is acceptable and that it meets the requirements of the Council's Residential Development Guide in terms of window to window distances, open space provision, parking requirements and distances between properties. Furthermore, it is considered that the proposed flats will be positioned a sufficient distance away from existing properties to ensure that there will be no adverse impact to those properties in terms of overshadowing or loss of privacy. Within the Residential Development Guide a 20 metre window to window distance is required between windows to habitable rooms and this has been met. Furthermore the balcony feature does not provide an external platform and is a detail of fenestration.
- 6.5 In terms of amenity open space the applicant's agent has verbally confirmed that the applicant is willing to provide a financial contribution of £3850, for the improvement of existing sport/recreational facilities within the local area. If planning permission is granted the consent shall be withheld until receipt of this payment.

- 6.6 In summary, the proposed development complies with local plan policy and I am satisfied that all matters raised within the consultation responses and third party representations received during the determination of the application have been adequately addressed. It is therefore considered that the application is acceptable and I recommend the application for approval subject to conditions.

7 Reasons for Decision

- 7.1 The proposal complies with Policy RES1, DC1 and DC2 of the adopted Hamilton District Local Plan, SLP6 of the South Lanarkshire Planning Policies and Policies RES6, DM1 and ENV30 of the Finalised South Lanarkshire Local Plan (as modified) and the Council's Residential Development Guide.

Iain Urquhart
Executive Director (Enterprise Resources)

9 August 2007

Previous References

- ◆ HN/80/0597
- ◆ HN/84/0014
- ◆ HN/88/0524
- ◆ HN/89/0195
- ◆ HN/89/0400
- ◆ HN/90/0360
- ◆ HN/93/0314
- ◆ HN/93/0557
- ◆ HN/95/0180

List of Background Papers

- ▶ Application Form
- ▶ Application Plans
- ▶ Consultations
 - Roads and Transportation Services (Hamilton Area) 03/05/2007
 - Environmental Services 01/05/2007
 - Scottish Water 01/05/2007
 - S.E.P.A. (West Region) 06/06/2007
 - Roads & Transportation Services H.Q. (Flooding) 10/05/2007
 - TRANSCO (Plant Location) 11/05/2007

► Representations

- Representation from : Marion Little, 37 Chestnut Grove, Larkhall, ML9 2AS,
DATED 26/04/2007
- Representation from : Elizabeth Ingram, 29 Chestnut Grove, Larkhall, ML9 2AS,
DATED 26/04/2007
- Representation from : Mr & Mrs Murphy, 23 Chestnut Grove, Larkhall, ML9 2AS,
DATED 26/04/2007
- Representation from : Mrs Anderson, 25 Chestnut Grove, Larkhall, ML9 2AS,
DATED 26/04/2007
- Representation from : M Selfridge, 21 Chestnut Grove, Larkhall, ML9 2AS, DATED
26/04/2007
- Representation from : Yvonne Hawthorne, 19 Chestnut Grove, Larkhall, ML9 2AS,
DATED 26/04/2007
- Representation from : Charles Brian Bradburn, 39 Chestnut Grove, Larkhall, ML9
2AS, DATED 24/04/2007
- Representation from : Mr & Mrs D Fleming, 35 Chestnut Grove, Larkhall, ML9
2AS, DATED 24/04/2007

Contact for Further Information

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

Donald Wilkins, Planning Officer, Brandon Gate, Hamilton
Ext 3513 (Tel :01698 453513)
E-mail: Enterprise.hamilton@southlanarkshire.gov.uk

CONDITIONS

- 1 That the development hereby permitted shall be started within five years of the date of this permission.
- 2 That the 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.
- 3 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.
- 4 That the face and cheeks of the dormer hereby approved shall be finished in tiles to match the existing roof.
- 5 That no development shall commence until details of surface water drainage arrangements have been submitted to and approved in writing by the Council as Planning Authority; such drainage arrangements will require to comply with the principles of sustainable urban drainage systems and with the Council's Sustainable Drainage Design Criteria and requirements.
- 6 That prior to any work starting on site, a Drainage Assessment in accordance with 'Drainage Assessment - A Guide for Scotland', shall be submitted to and approved in writing by the Council as Planning and Roads Authority.
- 7 That no development shall commence on site until the applicant provides written confirmation from Scottish Water to the Council as Planning Authority that the site can be satisfactorily served by a sewerage scheme designed in accordance with Scottish Water's standards.
- 8 That prior to the commencement of development on site, details of the provision of flood prevention works, together with subsequent management and maintenance arrangements shall be submitted to and approved by the Council as Planning Authority. The works will require to comply with the Council's Sustainable Drainage Design Criteria and requirements.
- 9 That no dwelling unit shall be occupied until the flood prevention measures required under Condition 8 above have been completed in accordance with the approved scheme.
- 10 That before the flatted development hereby approved is completed or brought into use, a visibility splay of 2.5 metres by 90 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.

- 11 That before the flatted development hereby approved is completed or brought into use, all of the parking spaces shown on the approved plans shall be laid out, constructed and thereafter maintained to the specification of the Council as Roads and Planning Authority.
- 12 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.
- 13 That before any of the dwelling units 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 12 above, shall be erected and thereafter maintained to the satisfaction of the Council.
- 14 That before any of the dwelling units hereby approved are occupied, a 1.8metre high screen fence shall be erected along the boundary marked GREEN on the approved plans.
- 15 That before development starts, details of all boundary treatments 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 bought into use. Particular attention shall be paid to the boundary marked GREEN on the approved plans
- 16 That all works carried out on site must be carried out in accordance with BS5228 Parts 1-4 1984/1986, 'Noise control on construction and open sites'.
The applicant is further advised that audible construction activities shall be limited to:
Monday to Friday 8.00am to 7.00pm,
Saturday 8.00am to 1.00pm and
Sunday - No audible activity.

REASONS

- 1 To accord with the provisions of the Town and Country Planning (Scotland) Act 1997.
- 2 In the interests of amenity and in order to retain effective planning control.
- 3 In the interests of amenity and in order to retain effective planning control.
- 4 To ensure satisfactory integration of the proposed dormer with the existing building both in terms of design and materials
- 5 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.
- 6 To demonstrate that a satisfactory means of waste and surface water drainage can be achieved.
- 7 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.
- 8 To ensure that there will be no increased risk of flooding to land and properties either on-site or downstream due to impedance of flood flows, increased surface water run off and/or reduction of flood storage capacity.
- 9 To ensure that there will be no increased risk of flooding to land and properties either on-site or downstream due to impedance of flood flows, increased surface water run off and/or reduction of flood storage capacity.
- 10 In the interest of road safety
- 11 To ensure the provision of adequate parking facilities within the site.
- 12 These details have not been submitted or approved.
- 13 In order to retain effective planning control.
- 14 In the interests of amenity and in order to retain effective planning control.
- 15 These details have not been submitted or approved
- 16 To safeguard the amenity of the area

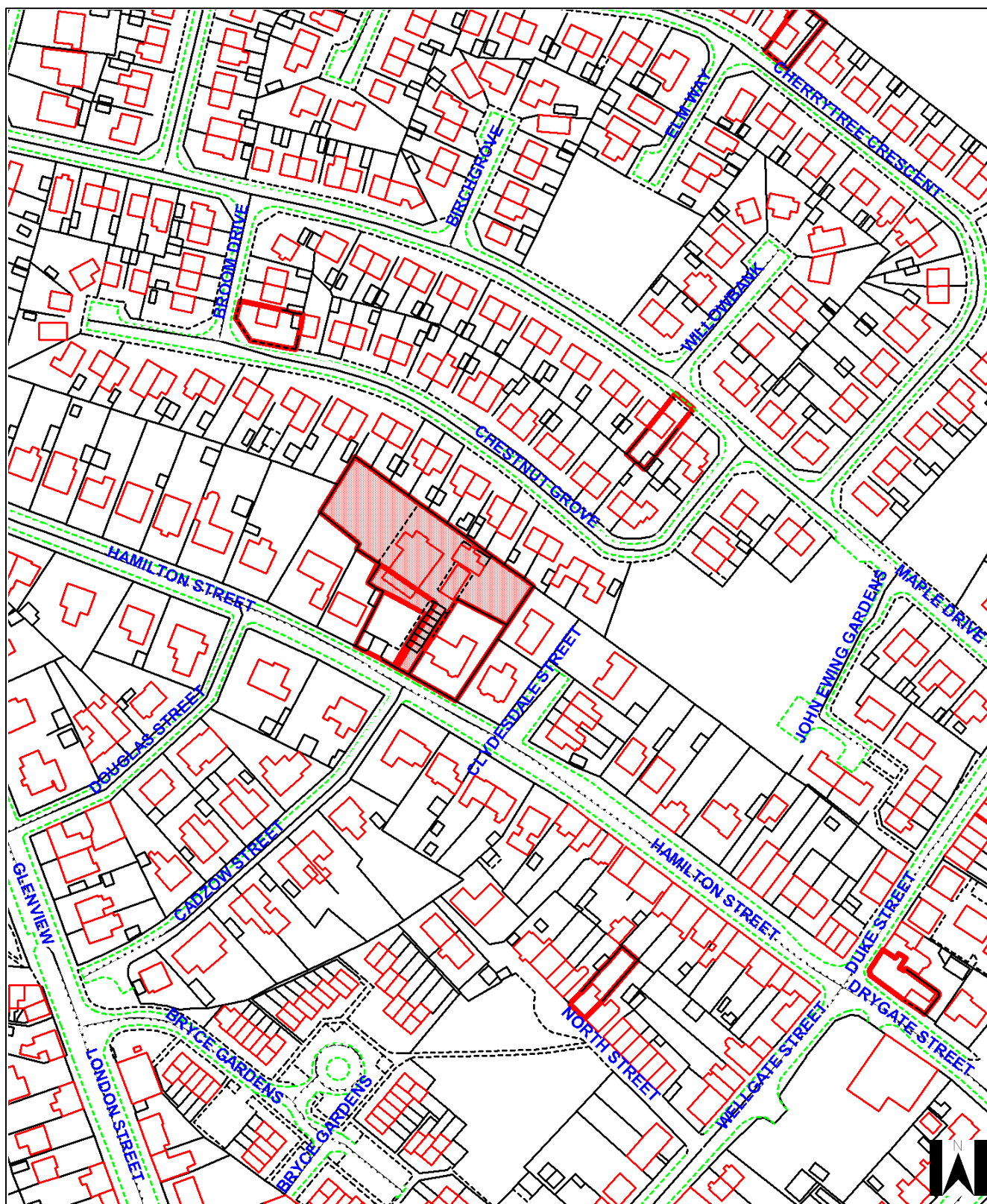
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44 Hamilton Street, Larkhall

Planning and Building Standards Services

Scale: 1: 2500

For information only



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