

	<h1>Report</h1>	<b>Agenda Item</b>  <h1>17</h1>
---	-----------------	---------------------------------------

Report to: **Planning Committee**  
 Date of Meeting: **21 June 2005**  
 Report by: **Executive Director (Enterprise Resources)**

Application No            HM/03/0498  
 Planning Proposal:      Erection of 10 Dwellinghouses and Associated Works

## 1 Summary Application Information

- Application Type :      Detailed Planning Application
- Applicant :              S B Contracts
- Location :               Vacant Land at  
Lanark Road  
Garrion Bridge  
Larkhall

## 2 Recommendation(s)

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

- (1) Refuse Detailed Planning Permission (For Reasons Stated – based on reasons listed overleaf)

### 2.2 Other Actions/Notes

The Planning Committee has delegated powers to determine this application.

## 3 Other Information

- ◆ Applicant's Agent:      ARM Architects
- ◆ Council Area/Ward:      51 Dalserf
- ◆ Policy Reference(s):      **Hamilton District Local Plan**  
Policy EN1A – Greenbelt  
Policy EN1B – Prime Agricultural Land  
Policy EN1C – Areas of Great Landscape Value

- ◆ Representation(s):  
     ▶                      0                      Representation Letters

- ◆ Consultation(s):

Scottish Natural Heritage

Roads & Transportation (Flooding)

Leisure Services (Amenity Services)

Larkhall Community Council

Environmental Services

Roads and Transportation Services (Hamilton Area)

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

Scottish Water

Roads & Transportation Services H.Q. (Geotechnical)

# Planning Application Report

## 1 Application Site

- 1.1 This application relates to land extending to approximately 2.26 hectares at Lanark Road near Garrion Bridge. The site contains a dwellinghouse known as Telfer House and its associated garden ground together with surrounding areas of scrub.
- 1.2 The eastern boundary of the site is formed by Lanark Road on the opposite side of which are a number of detached houses and the Clyde Valley Garden Centre. The River Clyde runs to the rear of these properties. Further vacant land lies to the north and south whilst the new Garrion Bridge by-pass abutts the site to the west.
- 1.3 The land on which Telfer House is situated and the area around this property is relatively flat. However, the land steepens sharply towards the new road resulting in a difference in levels between the highest part of the site and the Old Lanark Road of approximately 20m. The overall effect of the topography of the site is the creation of a natural 'bowl' around Telfer House with the western slope of the site supporting the new by-pass.
- 1.4 The road improvements at Garrion Bridge resulted in the closure of Lanark Road at its junction with Garrion Bridge and the A71. This prevents through traffic along this part of the road which is now only used for access to existing properties.

## 2 Proposal(s)

- 2.1 The proposal entails the erection of 10 houses, both within the flat area of the site and on the slopes. The house types comprise seven 1.5 storey designs and three two storey, the latter being located within the slopes of the site and incorporating substantial engineering works in the form of underbuilding and retention structures.
- 2.2 Access is proposed via two access points from Lanark Road. It is proposed to treat sewerage by biological treatment discharging to the Clyde although no details of the proposed route are provided.

## 3 Background

### 3.1 Local Plan Policy

- 3.1.1 The site is identified in the adopted Hamilton District Local Plan as greenbelt where there will be a strong presumption against development unless it is shown to be necessary for the furtherance of agriculture or other uses appropriate to the Greenbelt, and provided there are no significant adverse effects on sensitive landscape area or agricultural operations.
- 3.1.2 The site is also identified in the local plan as forming prime agricultural land. Policy EN1b states that the Council will oppose the loss of such land. Finally, the land is contained within an Area of Great Landscape Value. Policy EN1c states that within such areas the Council will exercise great care in assessing any proposals.

### 3.2 Structure Plan Policy

- 3.2.1 The approved Strathclyde Structure Plan also identifies the land as lying within the Greenbelt.

### 3.3 Government Policy

3.3.1 **Scottish Planning Policy 3 (Planning for Housing)** stresses the need to protect the landscape setting of settlements as well as respecting the local architectural building styles. Care should be taken, especially in smaller settlements, to ensure that the scale of development is appropriate and consideration should be given to the cumulative impact of developments, especially where important public views are affected.

3.3.2 Many of the principles contained in **SPP3** are mirrored in **Circular 24/1985 on Development in the Countryside and Greenbelts**. This states the need to preserve the existing designated Greenbelts and establish confidence in their permanence. Councils are encouraged to review Greenbelt boundaries and identify land within settlements in Greenbelts which no longer make a significant contribution to the purposes for which the Greenbelt was established. The development of such land can help maintain the long term integrity of the Greenbelt by relieving pressure on more significant areas. Consideration should be given to bringing into use previously developed land that is lying derelict and has little value in terms of agricultural or Greenbelt purposes.

### 3.4 Planning History

3.4.1 A significant appeal decision was provided in March 2001 by the Scottish Executive inquiry Reporters Unit relating to land between 12 and 14 Lanark Road which is located to the south east of the application site on the other side of Lanark Road. The appeal was against non-determination of a planning application for two houses on this land. The reporter considered the proposals in terms of the Greenbelt designation of the appeal site. He came to the view that this was an “unsupportable anomaly” as a result of the realignment of Lanark Road and its closure to through traffic, and that overall a “compelling case” for an exception to development policy could be made and gave permission for the two houses. These have since been constructed.

3.4.2 Subsequently, outline planning consent was granted in May 2001 for residential development within the current application site (HM/99/0455). The original proposals submitted as part of that application involved development extending along most of the site which would have led to the development of the steep slope below the A71. However, these proposals were reduced and consent eventually granted for the development of the flat platform of the site only.

3.4.3 Since that time, the following applications have been approved:

HM/01/0277 - Erection of 4 houses, 16 Lanark Road (adjoining application site to the south).

HM/01/0466 – Erection of 3 houses, 14 Lanark Road

The sites referred to in these two applications are presently the subject of a single application for an increase to 15 plots (HM/04/0933). An application to develop the slope below the by-pass was recently withdrawn (HM/04/0444) and an application for a single house plot on a small piece of land opposite 4/6 Lanark Road is currently the subject of an appeal against non-determination. A further application to develop the Garden centre for housing is also under consideration on this agenda (HM/04/0890).

## 4 Consultation(s)

- 4.1 **Roads and Transportation Services:** no objections subject to compliance with access requirements.  
**Response:** - Noted.
- 4.2 **Roads and Transportation Services (Geo-Technical):** Concern is expressed about the proposals on three separate counts:
- (a) **Slope Stability:** earthworks near the A72 embankment could have a destabilising effect on the slope and therefore on the new road. Previous work at the site revealed the soils to be very silty. During the Garrion Bridge construction scheme, a small temporary excavation failed and quickly migrated uphill. Earthworks on this hillside of any scale are therefore of great concern, especially those involving the loss of existing vegetation.
  - (b) **Mineral Treatment:** Treatment of the abandoned mineworkings under the proposed development would be necessary, probably by grout injection which can have a destabilising effect on adjacent workings. The mines under the new A72 were not infilled but protected by a geogrid. Should instability be caused by grouting, remedial works may require partial reconstruction of the reinforced earth embankment, this being both expensive and difficult if only discovered after the houses have been built. Mining collapses have occurred in several locations within the site in the past. The applicant would have to propose measures for full slope protection.
  - (c) **Groundworks:** the infilling of abandoned mineworks would have an impact on groundwater. The flow may be restricted or cut off, with important consequences for the groundwater regimes on the hillside. The emergence of water from the hillside would be undesirable in soils which are easily eroded and which are already in a loose state of compaction.  
**Response:** Noted. These are clearly important considerations to be taken account of.
- 4.3 **SEPA:** would require a satisfactory foul drainage scheme in the absence of any public sewer.  
**Response:** Noted.
- 4.4 **Scottish Water:** no objections subject to suitable drainage arrangements being made.  
**Response:** - Noted.
- 4.5 **Environmental Health:** no objections subject to a contaminated land survey being carried out and dust suppression measures being put in place.  
**Response:** - Noted.
- 4.6 **Roads and Transportation Services (Flooding):** Confirmed that the site is adjacent to, with a small area being within, the flood plain of the River Clyde and therefore there is a risk of some flooding during heavy periods of rainfall. They also comment on SUDS, Geo-technical issues, site topography and insurance.  
**Response:** - Noted.

- 4.7 **SNH:** Raise no objections to the proposed development subject to the imposition of conditions covering such matters as the protection of adjacent woodland, the carrying out of a badger survey, protection of watercourses within and around the site, and the specification of a new planting scheme.

**Response:-** Noted.

- 4.8 **Leisure Services:** No comments received to date.

**Response:-** Noted.

- 4.9 **Larkhall Community Council:** No comments received to date.

**Response:-** Noted.

## **5 Representation(s)**

- 5.1 Statutory Neighbour notification was undertaken. No letters of representation have been received.

## **6 Assessment and Conclusions**

- 6.1 This application seeks detailed consent for the erection of 10 houses on land currently identified as Greenbelt and lying within an Area of Great Landscape Value. The proposals should be determined in accordance with the provisions of the development plan unless other material considerations indicate otherwise.
- 6.2 The Greenbelt policy clearly states that there should be a strong presumption against development and therefore the proposals are contrary to approved planning policy. However, Scottish Planning Policy Guidance and Government Circulars recognise that a particular policy in the local plan may be overtaken by events. It is also recognised that the development of suitable sites within existing settlements in the Greenbelt can make a contribution to a particular housing requirement provided the proposal can be integrated with the settlement and surrounding countryside.
- 6.3 At Garrion Bridge, the principle of infill development has already been established, largely by virtue of an appeal decision in 2001 in which the Reporter recognised that the construction of the new road had effectively isolated the settlement from the surrounding countryside and affected its ability to make a significant contribution to the Greenbelt function. Whilst this status has yet to be formally altered through the local plan process, a number of consents have already been granted for housing, mainly within the ribbon of development which has evolved on the eastern side of Lanark Road.
- 6.4 On the Western side of Lanark Road, outline planning consent has already been granted for housing on an area of land which includes the current application site, (Ref HM/99/455). At that time, the original proposals involved development extending along most of the site which would have led to the development of the steep slopes below the A71. This raised major concerns over visual impact together with serious issues of slope stability. The proposal was therefore substantially reduced and the consent that was eventually granted was limited to the flat platform, leaving the natural landform and slopes of the site unaltered. Under the terms of that consent the slopes were to be planted out as woodland, thereby providing an appropriate landscape setting and a robust greenbelt boundary for the future.

- 6.5 Despite being advised of these concerns prior to lodging the application, the applicant has chosen to seek consent for development which again encroaches onto the slopes of the 'basin' beyond the area which has been granted outline consents.
- 6.6 SPP3, 'Land for Housing', makes it clear that extensions to settlements need careful planning and that the landscape settings of existing settlements must be respected. It also highlights the need to pay regard not only to the visual impact within a village but also to its appearance from major roads and other vantage points. Furthermore, local plan policy requires special attention to be paid to the need to protect the visual qualities recognised in Areas of Great Landscape Value. In this respect, development of the slopes incorporating large split level houses with requisite underbuilding and retaining structures would have a detrimental impact on the landscape character of the area. The site is highly visible from the main road known as Horsley Brae which runs along the other side of the Clyde, as does the Clyde Walkway which is popular with the many visitors to the Clyde Valley. Development of these slopes would alter the views and ambience of the area, destroying the present feeling of countryside within this area of great landscape value.
- 6.7 The development of these slopes would also conflict with the objectives of Greenbelt designation by resulting in development on land which provides definition for the settlement and which is vital in providing a landscape setting for both existing and future development.
- 6.8 Roads and Transportation have raised serious concerns over the effect of any development on the stability of the embankment below the A71, caused by both earthworks and the treatment of existing mines. In turn, this could undermine the road itself, resulting in the closure of a major route between the M74 and the east if slippage were to occur. Indeed, there are previous examples of land slippage in the area where the new by-pass was constructed due to the nature of the soils. Development of the slopes at this site would result in major excavations along with the removal of vegetation which currently helps to bind the sandy soil and soak up moisture. The potential impact of these proposals on the embankment and the A71 is therefore unacceptable.
- 6.9 In view of the above, I recommend that consent is refused.

**Iain Urquhart**  
**Executive Director (Enterprise Resources)**

**13 June 2005**

**Previous References**

- ◆ HM/99/0455
- ◆ HM/01/0277
- ◆ HM/01/0466
- ◆ HM/04/0933
- ◆ HM/04/0444
- ◆ HM/04/0890

## List of Background Papers

- ▶ Application Form
- ▶ Application Plans
- ▶ Consultations
  - Scottish Natural Heritage 10/12/03
  - S.E.P.A. (West Region) 03/09/03
  - Roads and Transportation Services (Central Division) 21/10/03
  - Roads and Transportation Services (Flooding) 01/10/03
  - Scottish Water 27/08/03
  - Environmental Health 28/08/03
- ▶ Representations
  - None

### Contact for Further Information

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

Lynda Dickson, Planning Officer, Brandon Gate, Hamilton  
Ext. 3508 (Tel: 01698 453521 )  
E-mail: [Enterprise.hamilton@southlanarkshire.gov.uk](mailto:Enterprise.hamilton@southlanarkshire.gov.uk)



**REASONS FOR REFUSAL**

- 1        The proposal is contrary to policy EN1C of the Hamilton District Local Plan as it would introduce visual characteristics which would have an adverse impact on the quality of the designated Area of Great Landscape Value.
- 2        The proposal is contrary to the provisions of Scottish Planning Policy 3 Land for Housing in that the proposed residential development would damage the landscape setting of Garrion Bridge, particularly affecting views from the local road network and the Clyde Walkway to the east.
- 3        The proposed development could adversely affect the stability of the embankment within the site which in turn would undermine the adjacent A72 to the significant detriment of road safety and the free flow of traffic on the national road network.
- 4        The applicant has failed to demonstrate that the site can be adequately drained, in particular that any outfall pipe can be accommodated between the site and the River Clyde.

For information only

For information only

