



Council Offices, Almada Street
Hamilton, ML3 0AA

Friday, 16 March 2018

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, 12 September 2017

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.

Members are reminded to bring their fully charged tablets to the meeting

Yours sincerely

Lindsay Freeland
Chief Executive

Members

Alex Allison, John Bradley, Walter Brogan, Archie Buchanan, Stephanie Callaghan, Margaret Cowie, Maureen Devlin, Mary Donnelly, Isobel Dorman, Fiona Dryburgh, Alistair Fulton, George Greenshields, Mark Horsham, Ann Le Blond, Richard Lockhart, Katy Loudon, Julia Marrs, Kenny McCreary, Richard Nelson, Carol Nugent, John Ross, Graham Scott, David Shearer, Bert Thomson, Jim Wardhaugh, Sheena Wardhaugh

Substitutes

John Anderson, Jackie Burns, Janine Calikes, Gerry Convery, Margaret Cooper, Allan Falconer, Colin McGavigan, Mark McGeever, Davie McLachlan, Lynne Nailon, Collette Stevenson, Collette Stevenson, Jared Wark, Josh Wilson,

BUSINESS

1 Declaration of Interests

2 Minutes of Previous Meeting

3 - 8

Minutes of the meeting of the Planning Committee held on 15 August 2017 submitted for approval as a correct record. (Copy attached)

Item(s) for Decision

- | | | |
|----------|---|----------------|
| 3 | Application EK/17/0229 - Change of Use of Floors 8, 9, 10 and 12 of Building From Offices (Class 4) to Form 102 Bedroom Hotel (Class 7) with Associated Bar and Restaurant at The Plaza Tower, The Plaza, Town Centre, East Kilbride | 9 - 18 |
| | Report dated 5 September 2017 by the Executive Director (Community and Enterprise Resources). (Copy attached) | |
| 4 | Application HM/17/0292 - Erection of 29 Flats With Associated Amenity Space and Parking at Site at the Junction of Hillhouse Road and Wellhall Road, Hamilton | 19 - 28 |
| | Report dated 30 August 2017 by the Executive Director (Community and Enterprise Resources). (Copy attached) | |
| 5 | Application CL/17/0331 - Erection of 18 Flats Incorporating Photovoltaic Panels Within the Roofs and Formation of Associated Car Parking, Bin Stores, Landscaping and Sustainable Urban Drainage System (SUDs) at South Vennel, Lanark | 29 - 40 |
| | Report dated 28 August 2017 by the Executive Director (Community and Enterprise Resources). (Copy attached) | |
| 6 | Application CL/08/0727 - Alterations to Planning Conditions at Penbreck Wind Farm, Penbreck and Carmacoup Forest, Near Douglas | 41 - 44 |
| | Report dated 28 August 2017 by the Executive Director (Community and Enterprise Resources). (Copy attached) | |

Urgent Business

7 Urgent Business

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

For further information, please contact:-

Clerk Name: Pauline MacRae

Clerk Telephone: 01698 454108

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

PLANNING COMMITTEE

2

Minutes of meeting held in Committee Room 1, Council Offices, Almada Street, Hamilton on 15 August 2017

Chair:

Councillor Alistair Fulton

Councillors Present:

Alex Allison, John Anderson (*substitute for Councillor Buchanan*), John Bradley, Stephanie Callaghan, Maureen Devlin (*substitute for Councillor Killen*), Mary Donnelly, Isobel Dorman (Depute), Fiona Dryburgh, George Greenshields, Ann Le Blond, Richard Lockhart, Katy Loudon, Kenny McCreary, Davie McLachlan (*substitute for Councillor Brogan*), Richard Nelson, Carol Nugent, Bert Thomson, Jim Wardhaugh, Sheena Wardhaugh, Josh Wilson (*substitute for Councillor Horsham*)

Councillors' Apologies:

Walter Brogan, Archie Buchanan, Margaret Cowie, Graeme Horne, Mark Horsham, Gerard Killen, John Ross (ex officio), Graham Scott, David Shearer

Attending:

Community and Enterprise Resources

G Cameron, Headquarters Manager, Planning and Building Standards Services; L Campbell, Area Manager, Planning and Building Standards Services (Hamilton); P Elliott, Head of Planning and Economic Development; T Finn, Area Manager, Planning and Building Standards Services (Clydesdale); I Hamilton, Planning Officer, Planning and Building Standards Services (Clydesdale); 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, Media Officer; P MacRae, Administration Officer; K McLeod, Administration Assistant

1 Declaration of Interests

No interests were declared.

2 Minutes of Previous Meeting

The minutes of the meeting of the Planning Committee held on 20 June 2017 were submitted for approval as a correct record.

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

3 Application EK/17/0073 - Erection of 19 Detached and Semi-Detached Houses with Associated Works at Stewartfield Farm, Dunrobin Drive, East Kilbride

A report dated 2 August 2017 by the Executive Director (Community and Enterprise Resources) was submitted on planning application EK/17/0073 by East Kilbride Landco Limited for the erection of 19 detached and semi-detached houses with associated works at Stewartfield Farm, Dunrobin Drive, East Kilbride.

The Committee decided:

that planning application EK/17/0073 by East Kilbride Landco Limited for the erection of 19 detached and semi-detached houses with associated works at Stewartfield Farm, Dunrobin Drive, East Kilbride be granted subject to:-

- ◆ the conditions specified in the Executive Director's report
- ◆ prior agreement on, and payment of, a financial contribution in respect of community facilities and/or completion of an appropriate legal agreement between the Council and the applicant, unless otherwise agreed
- ◆ the applicant meeting the Council's legal costs, should a legal agreement be required

[Reference: Minutes of 8 March 2016 (Paragraph 4)]

Councillors Callaghan, McLachlan and J Wardhaugh entered the meeting during consideration of this item of business

4 Application HM/17/0278 - Change of Use From Shops to Restaurant (Class 3) and Associated Alterations at 29 Main Street, Bothwell

A report dated 31 July 2017 by the Executive Director (Community and Enterprise Resources) was submitted on planning application HM/17/0278 by SJC Developments for a change of use from shops to restaurant (Class 3) and associated alterations at 29 Main Street, Bothwell.

The Committee decided:

that planning application HM/17/0278 by SJC Developments for a change of use from shops to restaurant (Class 3) and associated alterations at 29 Main Street, Bothwell be granted subject to the conditions specified in the Executive Director's report.

5 Application CL/17/0044 - Erection of Single Storey House with Integral Double Garage Below at Land at St Patrick's Road, Lanark

A report dated 7 August 2017 by the Executive Director (Community and Enterprise Resources) was submitted on planning application CL/17/0044 by K Valentine for the erection of a single storey house with integral garage below at land at St Patrick's Road, Lanark.

The Committee decided:

that planning application CL/17/0044 by K Valentine for the erection of a single storey house with integral garage below at land at St Patrick's Road, Lanark be granted subject to the conditions specified in the Executive Director's report.

[Reference: Minutes of 6 October 2016 (Paragraph 7)]

6 Application EK/17/0021 - Erection of 10 Houses with Associated Landscaping, Roads and Drainage at Land at Newlands Dairy, East Kilbride

A report dated 7 August 2017 by the Executive Director (Community and Enterprise Resources) was submitted on planning application EK/17/0021 by Cala Homes (West) Limited for the erection of 10 houses with associated landscaping, roads and drainage at land at Newlands Dairy, East Kilbride.

The Committee decided: that planning application EK/17/0021 by Cala Homes (West) Limited for the erection of 10 houses with associated landscaping, roads and drainage at land at Newlands Dairy, East Kilbride be granted subject to the conditions specified in the Executive Director's report.

7 Application CL/17/0090 - Erection of Detached House at Holm Road, Crossford

A report dated 7 August 2017 by the Executive Director (Community and Enterprise Resources) was submitted on planning application CL/17/0090 by N Pringle for the erection of a detached house at Holm Road, Crossford.

The Area Manager (Clydesdale) spoke on the background to the application. He advised that, to address concerns raised by the Scottish Environment Protection Agency (SEPA) regarding the incorporation of stilted supports within the river bank for the parts of the house overhanging the river bank, amended drawings had been submitted. The amended drawings omitted the stilted supports and showed the part of the development overhanging the river bank as being cantilevered. SEPA had advised that this modification had addressed their concerns on that particular matter, but that their overall view regarding the increase in flood risk remained.

Following discussion, Councillor Fulton, seconded by Councillor Dorman, moved that the application be granted subject to the conditions specified in the Executive Director's report. Councillor Allison, seconded by Councillor Nelson, moved as an amendment that the application be refused for the reasons detailed in the objections raised by SEPA in relation to flood risk. On a vote being taken by a show of hands, 6 members voted for the motion and 13 for the amendment which was declared carried.

The Committee decided: that planning application CL/17/0090 by N Pringle for the erection of a detached house at Holm Road, Crossford be refused for the reasons detailed in the objections raised by SEPA in relation to flood risk.

[Reference: Minutes of 9 February 2016 (Paragraph 10)]

8 Application CL/17/0259 - Change of Use of Garage Building to Meeting/Training Room (Retrospective) at 21 Braidwood Road, Braidwood, Carluke

A report dated 31 July 2017 by the Executive Director (Community and Enterprise Resources) was submitted on planning application CL/17/0259 by Hazelhead Homecare Limited for the change of use of a garage building to a meeting/training room (retrospective) at 21 Braidwood Road, Braidwood, Carluke.

The Committee decided: that planning application CL/17/0259 by Hazelhead Homecare Limited for the change of use of a garage building to a meeting/training room (retrospective) at 21 Braidwood Road, Braidwood, Carluke be granted subject to the conditions specified in the Executive Director's report.

9 Application CL/17/0219 - Change of Use From Domestic Garage to Commercial Garage at 6 Caledonian Avenue, Crawford

A report dated 31 July 2017 by the Executive Director (Community and Enterprise Resources) was submitted on planning application CL/17/0219 by A McDonald for the change of use from a domestic garage to a commercial garage at 6 Caledonian Avenue, Crawford.

The Committee decided: that planning application CL/17/0219 by A McDonald for the change of use from a domestic garage to a commercial garage at 6 Caledonian Avenue, Crawford be granted subject to the conditions specified in the Executive Director's report.

10 Application CL/17/0009 - Erection of 7 Wind Turbines, up to 145 Metres in Height to Blade Tip, With Associated Infrastructure Including Access Tracks, Crane Hardstandings, Substation and Control Building, Battery Storage, Permanent Anemometer Mast, Temporary Construction Compounds and up to 2 Borrow Pits at Priestgill Wind Farm, Little Gill Farm, Abington

A report dated 8 August 2017 by the Executive Director (Community and Enterprise Resources) was submitted on planning application CL/17/0009 by Priestgill Wind Farm Limited for the erection of 7 wind turbines, up to 145 metres in height to blade tip, with associated infrastructure including access tracks, crane hardstandings, substation and control buildings, battery storage, permanent anemometer mast, temporary construction compounds and up to 2 borrow pits at Priestgill Wind Farm, Little Gill Farm, Abington.

Points raised in a submission by the applicant in respect of the application were referred to at the meeting and addressed by officers.

The Committee decided: that planning application CL/17/0009 by Priestgill Wind Farm Limited for the erection of 7 wind turbines, up to 145 metres in height to blade tip, with associated infrastructure including access tracks, crane hardstandings, substation and control buildings, battery storage, permanent anemometer mast, temporary construction compounds and up to 2 borrow pits at Priestgill Wind Farm, Little Gill Farm, Abington be refused for the reasons detailed in the Executive Director's report.

11 Application CL/17/0092 - Section 42 Application to Amend Condition 2 of Planning Consent CL/05/0806 for the Extraction of Sand and Gravel With Restoration to Form Balancing Pond, Wetland, Agriculture and Grassland at Ryeflatt Quarry, Carstairs, Lanark

A report dated 31 July 2017 by the Executive Director (Community and Enterprise Resources) was submitted on planning application CL/17/0092 by Tillicoultry Quarries for an application under Section 42 of the Town and Country Planning (Scotland) Act to amend Condition 2 of planning consent CL/05/0806 for the extraction of sand and gravel with restoration to form balancing pond, wetland, agriculture and grassland at Ryeflatt Quarry, Carstairs, Lanark.

At its meeting on 13 May 2008, the Committee approved planning application CL/05/0806 for the extraction of sand and gravel with restoration to form balancing pond, wetland, agriculture and grassland at White Loch and West End Wood Quarry, (Ryeflatt Quarry) Carstairs. Condition 2 attached to planning consent CL/05/0806 required all extraction operations to be discontinued not later than 8 years from the date of commencement. Notification of commencement had been received by the Council in June 2013, resulting in the 8 year period running until June 2021. The applicant had now requested that Condition 2 be amended to extend the sand and gravel extraction and subsequent restoration for a further 5 years until June 2026. The applicant had also requested that the additional 5 years be split into an extraction period of 4 years and a restoration period of 1 year. The time extension had been requested based on the quarry's current sales rate as the applicant did not wish to extract additional material unless there was a market for it.

The Committee decided:

- (1) that planning application CL/17/0092 by Tillicoultry Quarries for an application under Section 42 of the Town and Country Planning (Scotland) Act to amend Condition 2 of planning consent CL/05/0806 for the extraction of sand and gravel with restoration to form balancing pond, wetland, agriculture and grassland at Ryeflatt Quarry, Carstairs, Lanark be granted subject to:-
 - ♦ the conditions specified in the Executive Director's report
 - ♦ prior conclusion of a Section 75 Planning Obligation and/or other agreement between the Council and the applicant to ensure:-
 - ♦ contributions to the South Lanarkshire Rural Communities Trust Fund
 - ♦ the monitoring of water levels of the Red Loch during operations
 - ♦ the long-term maintenance of, and access to, water flow control apparatus
 - ♦ the applicant meeting the Council's legal costs associated with the Section 75 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 13 May 2008 (Paragraph 8)]

12 Scottish Government Consultation on the Future of the Scottish Planning System

A report dated 31 July 2017 by the Executive Director (Community and Enterprise Resources) was submitted on the Council's response to the Scottish Ministers' Position Statement following the consultation on the future of the Scottish Planning System.

The Scottish Government's White Paper entitled "Places, People and Planning" was published on 10 January 2017 requesting views on 20 proposals aimed at improving the planning system and covering the following 4 key areas:-

- ♦ making plans for the future
- ♦ people make the system work

- ◆ building more homes and delivering infrastructure
- ◆ stronger leadership and smarter resourcing

An independent analysis of the responses received had been undertaken on behalf of the Scottish Government. Following this, the Scottish Ministers published a Position Statement describing the key changes being considered for inclusion in a forthcoming Planning Bill, secondary legislation and other non-statutory approaches. The Position Statement was accompanied by a Strategic Environmental Assessment and an Environmental Report on the proposals. The Position Statement set out 4 key questions, 1 question in relation to the proposals contained in the Position Statement and 3 in relation to the accompanying Environmental Report. The Council's response to the Position Statement was detailed in Appendix 1 to the report. The key areas of change, together with the Council's views, were summarised in the report.

The Council's response to the Position Statement required to be submitted to the Scottish Government by 11 August 2017. Consequently, the response attached as Appendix 1 to the report had been submitted to the Scottish Government subject to consideration by the Planning Committee. Following consideration of responses received on the Position Statement, it was anticipated that the Scottish Government would publish a Planning Bill later this year.

The Committee decided: that the response attached as Appendix 1 to the report be approved as the Council's submission to the Scottish Ministers on the Position Statement on the future of the Scottish Planning System.

[Reference: Minutes of 28 March 2017 (Paragraph 15)]

13 Tree Preservation Order - 26 Grenville Drive, Cambuslang

A report dated 1 August 2017 by the Executive Director (Community and Enterprise Resources) was submitted on the promotion of a Provisional Tree Preservation Order (TPO) on 2 trees located within the front garden of the property at 26 Grenville Drive, Cambuslang as detailed on the plan attached to the Executive Director's report.

The Provisional TPO was required to ensure the future retention of the 2 mature oak trees at the site, which were considered to contribute to the character, amenity and sense of place within the local area. The site was identified in the Adopted South Lanarkshire Local Development Plan as being within a designated residential area.

The Committee decided:

- (1) that a Provisional TPO be promoted under the terms of Section 163 (Provisional Tree Preservation Order) of the Town and Country Planning (Scotland) Act 1997 on the 2 trees located within the front garden of the property at 26 Grenville Drive, Cambuslang as indicated on the plan attached to the report; and
- (2) that, should there be no objections to the Provisional TPO, the Order be confirmed within 6 months from the date of its promotion.

14 Urgent Business

There were no items of urgent business.

Report

3

Report to:	Planning Committee
Date of Meeting:	12 September 2017
Report by:	Executive Director (Community and Enterprise Resources)

Application No	EK/17/0229
Planning Proposal:	Change of Use of Floors 8, 9, 10 and 12 of Building From Offices (Class 4) to Form 102 Bedroom Hotel (Class 7) With associated Bar and Restaurant

1 Summary Application Information

- Application Type : Detailed Planning Application
- Applicant : EK Devco Limited
- Location : The Plaza Tower
The Plaza
Town Centre
East Kilbride

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: CBRE
- ◆ Council Area/Ward: 08 East Kilbride Central North
- ◆ Policy Reference(s): **South Lanarkshire Local Development Plan (adopted 2015)**
Policy 4 - Development management and placemaking
Policy 8 - Strategic and Town Centres

Development management, placemaking and design supplementary guidance (2015)

Town centres and retailing supplementary guidance (2015)

- ◆ Representation(s):
▶ 0 Objection Letters

▶	0	Support Letters
▶	0	Comments letters

◆ Consultation(s):

Transport Scotland

South Lanarkshire Access Panel

Environmental Services

Roads and Transportation Services (Development Management Team)

Estates Services

Economic Development Service

Planning Application Report

1 Application Site

- 1.1 The application site relates to the Plaza Tower, a high rise office building which forms part of East Kilbride Town Centre. The site, which extends to approximately 0.4 hectares in size, is bounded to the west and east by commercial premises forming part of East Kilbride Shopping Centre at ground floor level, to the north by The Bruce Hotel and to the south by Rothesay Street. Car parking associated with the building is located in the adjacent Plaza car park. Vehicular access to the site is taken via the Plaza car park and associated service access, with pedestrian access being taken via East Kilbride Shopping Centre.

2 Proposal(s)

- 2.1 Planning consent is sought by EK Devco Limited to change the use of floors 8, 9, 10 and 12 of the building to form a 102 bedroom hotel with associated bar and restaurant, which would be operated by Ramada. Hotel accommodation would be located on all four floors with the bar and restaurant situated on floor 12. The remaining floors of the building would continue to be utilised as offices. Minor external alterations are proposed to be carried out to the building to facilitate the development. Vehicular access would continue to be taken via the Plaza car park with pedestrian access being taken via a dedicated lift to the hotel located within East Kilbride Shopping Centre.

3 Background

3.1 Local Plan Policy

- 3.1.1 With regard to the South Lanarkshire Local Development Plan (adopted 2015), the site is situated within an area designated as a strategic centre under Policy 8 – Strategic and town centres. Policy 4 – Development management and placemaking is also of relevance to the proposed development. In addition, the policy and guidance contained within the supplementary guidance documents relating to Town centres and retailing and Development management, placemaking and design are of relevance to the proposed development.

3.2 Planning Background

- 3.2.1 There is no relevant planning history for this site.

4 Consultation(s)

- 4.1 **Economic Development Service** – noted that the proposal represents a positive development which would make good use of an underutilised asset within East Kilbride Town Centre. The Service notes that there have been difficulties in terms of securing occupancy of this office building over a number of years and as such, this proposal would represent a suitable development of vacant space within the town centre. The Service noted that there are several areas in which this development would make a positive contribution to the local economy including:

- Returning empty floor space to productive use;
- Creation of employment opportunities;
- Contribution to the tourism industry which represents a key economic sector in Lanarkshire;
- Supporting town centre sustainability;
- Increasing footfall within the town centre;

- Increasing expenditure within the local economy and contribution to tax revenues.

The Economic Development Service has also advised that, if planning permission is granted, the Employability team, which forms part of their Service, would be able to assist the hotel operator in terms of sourcing staff, supporting training opportunities and would also extend an invitation to the operator to participate in the Lanarkshire Tourism Partnership and Lanarkshire Tourism Association.

Response: Noted. The Economic Development Service would be advised of any grant of planning permission issued to allow them to become engaged with the operator ahead of the development of the hotel on site.

- 4.2 **Roads and Transportation Services (Development Management Team)** – offered no objections to the proposed development subject to conditions requiring the associated car park to remain open 24 hours a day and requiring a suitable strategy for access to the site for patrons to be agreed with the Council and satisfactorily implemented thereafter.

Response: Noted. The requested conditions would be attached to any consent issued.

- 4.3 **Estates Services** - offered no objections to the proposed development.

Response: Noted.

- 4.4 **Environmental Services** – offered no objections to the proposed development.

Response: Noted.

- 4.5 **Transport Scotland** – offered no objections to the proposed development.

Response: Noted.

- 4.6 **South Lanarkshire Access Panel** – have not responded to date.

5 Representation(s)

- 5.1 Statutory neighbour notification procedures were undertaken and the application was advertised in the East Kilbride News for neighbour notification purposes and due to the scale and nature of the proposed development. No letters of representation were received in respect of the proposed development.

6 Assessment and Conclusions

- 6.1 Planning consent is sought by EK Devco Limited to change the use of floors 8, 9, 10 and 12 of the Plaza Tower, East Kilbride from office use to form a 102 bedroom hotel with associated bar and restaurant, which is proposed to be operated by Ramada. Hotel accommodation would be located on all four floors with the bar and restaurant situated on floor 12. The remaining floors of the building would remain in use as offices. Minor external alterations are proposed to be carried out to the building to facilitate the development. The associated Plaza car park would continue to serve the building with pedestrian access being taken via a dedicated lift to the hotel located within East Kilbride Shopping Centre.

- 6.2 The determining issues in the assessment of this application are its compliance with local development plan policy as well as its impact on the amenity of the surrounding area. 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 framework against which the proposal requires to be assessed comprises the South

- 6.3 In terms of the adopted plan, it is noted that the site is located in an area designated as a strategic centre under Policy 8 – Strategic and town centres. Policy 8 seeks to maintain an appropriate mix of uses within strategic and town centres, to ensure their continued operation as commercial and community focal points. The associated supplementary guidance document relating to town centres and retailing notes that strategic and town centres play a significant role in providing the most appropriate locations for retail, office, leisure and other related uses and advises that such uses should continue to be provided within these locations.
- 6.4 In this case, it is noted that the proposed hotel with associated bar and restaurant would represent an appropriate town centre use in terms of the provisions of Policy 8. As the hotel would be situated on the upper floors of a high rise building, there would be no adverse impact on existing retail uses within the town centre. Additionally, it is considered that the proposed development would be of benefit to the town centre as a result of the provision of an additional public facility in the form of a hotel, bar and restaurant. It is noted that there have been difficulties in terms of securing occupancy the building over a number of years and as such, the view is taken that this proposal would represent a suitable development of vacant space. Additionally, as noted by the Council's Economic Development Service in their consultation response regarding the planning application, the proposed development would make a positive contribution to the local area in terms of creation of employment opportunities, contribution to the tourism industry and increasing visitor numbers to East Kilbride Town Centre. As such, the principle of the proposed development is considered to be compliant with Policy 8 of the local development plan and its associated supplementary guidance.
- 6.5 In terms of general development management considerations, Policy 4 – Development Management and Placemaking requires all proposals to take account of and be integrated with local context and built form. The policy states that development proposals should have no significant adverse impacts on the local community and, where appropriate, should include measures to enhance the environment and the quality of placemaking. These requirements are further supported by the associated supplementary guidance relating to development management, placemaking and design.
- 6.6 In this instance, it is noted that the proposal relates to the change of use of a section of an existing building and that no new build development is proposed. Additionally, only minimal external alterations, mostly relating to the provision of additional plant on the roof of the building, would require to be undertaken. It is not considered that the loss of four floors of office space would have an adverse effect on the supply of industrial and business land in East Kilbride, given the widespread availability of office space elsewhere in the town. It is also noted that the Council's Roads and Transportation Services and Environmental Services, as well as Transport Scotland, have not raised any concerns with regard to the proposed development subject to conditions that would be attached to any consent issued. Furthermore, it is noted that the proposed development would be of benefit to the town centre as it would result in the provision of additional leisure facilities within the area. As such, it is considered that the proposed development would not adversely impact the amenity of the surrounding area and would be fully compliant with both Policy 4 of the adopted local development plan and with all relevant policy and guidance set out in the associated supplementary guidance relating to development management, placemaking and design.

- 6.7 In conclusion, it is considered that the proposed change of use would not have any adverse impact on the amenity or operation of the town centre. Furthermore, it is considered that the proposed development would enhance the town centre by adding an additional hotel with associated bar and restaurant to the mix of uses on offer within the centre. The proposed development would also benefit the local area in terms of job creation, contribution to the tourism industry and creating additional footfall within the town centre. It is, therefore, considered that the proposed development is compliant with the relevant policies of the South Lanarkshire Local Development Plan (adopted 2015), specifically Policies 4 and 8, and with all relevant guidance contained within associated supplementary guidance documents. I would, therefore, recommend that planning permission is granted for the proposed change of use subject to the attached conditions.

7 Reasons for Decision

- 7.1 The proposed development would have no adverse amenity impact, would make a positive contribution to the local economy and would enhance the leisure and tourism offering within the town centre. As such the proposal is considered to be fully compliant with Policies 4 and 8 of the South Lanarkshire Local Development Plan (adopted 2015) and with all relevant associated supplementary guidance.

Michael McGlynn
Executive Director (Community and Enterprise Resources)

5 September 2017

Previous References

- ◆ None

List of Background Papers

- ▶ Application Form
- ▶ Application Plans
- ▶ South Lanarkshire Local Development Plan (adopted 2015)
- ▶ Development management placemaking and design supplementary guidance (2015)
- ▶ Town centres and retailing supplementary guidance (2015)
- ▶ Neighbour notification letter dated 29/6/2017
- ▶ Consultations

Estates Services	14/08/2017
Roads Development Management Team	22/08/2017
Transport Scotland	01/08/2017
Environmental Services	01/08/2017
Economic Development Service	05/09/2017

Contact for Further Information

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

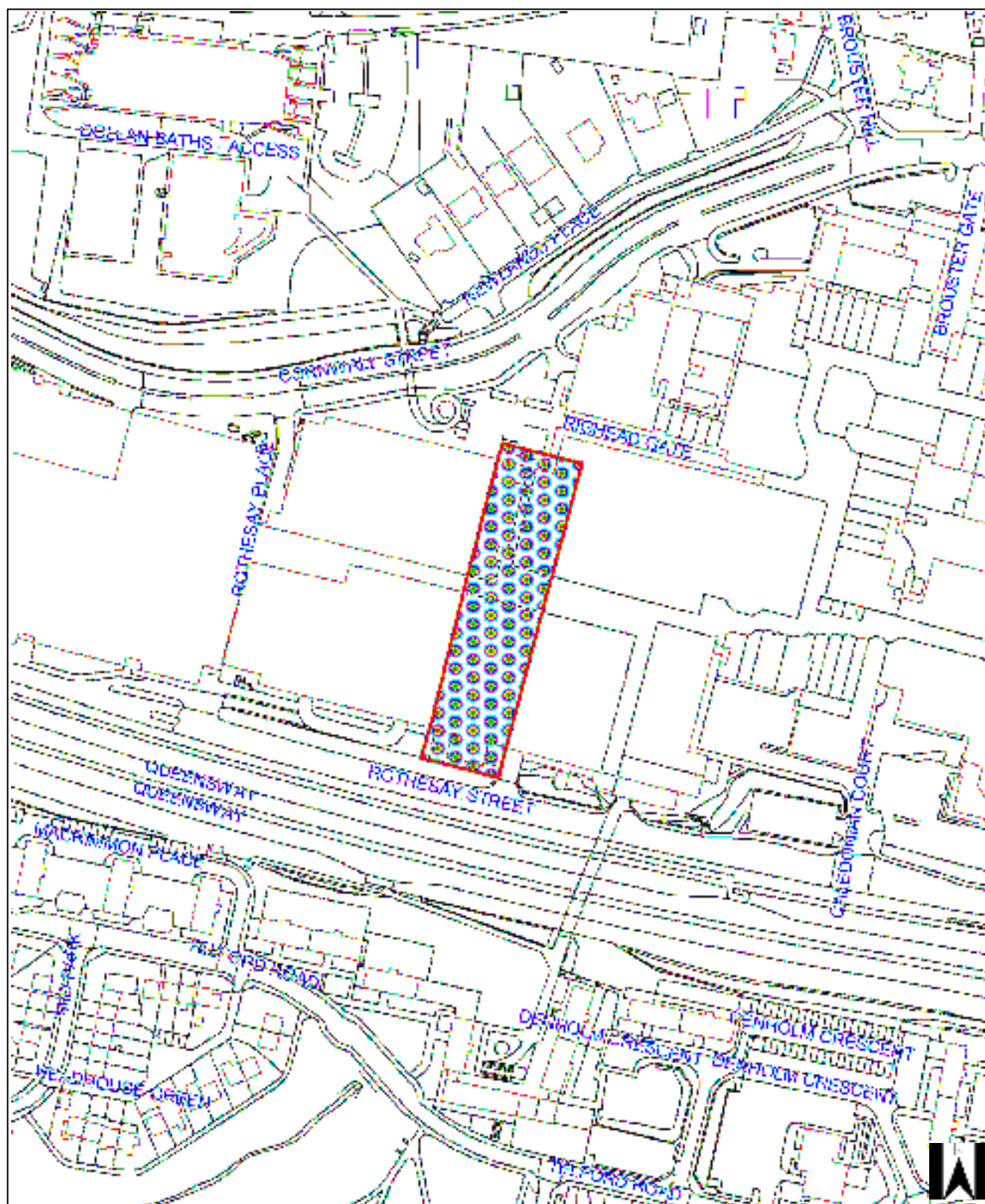
Declan King, Planning Officer, Montrose House, 154 Montrose Crescent, Hamilton ML3 6LB
Ext 5049 (Tel: 01698 455049)
E-mail: declan.king@southlanarkshire.gov.uk

CONDITIONS

- 1 That before any development commences on site or before any materials are ordered or brought to the site, details and samples of any materials to be used as external finishes on the building shall be submitted to and approved by the Council as Planning Authority. The development shall thereafter be carried out in accordance with the approved details to the satisfaction of the Council as Planning Authority.
- 2 That notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (or any such order revoking or re-enacting that order), the use of floors 8, 9, 10 and 12 of the building shall be restricted to use as hotel with associated bar and restaurant 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. For the avoidance of doubt the remainder of the building shall remain in Class 4 use, unless otherwise agreed in writing with the Council as Planning Authority.
- 3 That, prior to the commencement of any works on site, details of a strategy setting out how patrons will be directed to and will access the hotel shall be submitted to and approved by the Council as Roads and Planning Authority. Thereafter, prior to the completion of works or the opening of the hotel, the approved strategy shall be implemented on site to the satisfaction of the Council and shall continue to be implemented to the satisfaction of the Council thereafter.
- 4 That, unless otherwise agreed in writing with the Council as Roads and Planning Authority, the car park associated with the development (Plaza car park) shall remain open at all times to serve the proposed use.
- 5 That, prior to the commencement of any works on site, full details of the installation of any external plant or other external alterations required as part of the development works shall be submitted to and approved in writing by the Council as Planning Authority. The works shall thereafter be carried out in accordance with the approved details to the satisfaction of the Council as Planning Authority.

REASONS

- 1.1 In the interests of amenity and in order to retain effective planning control.
- 2.1 In the interests of amenity and in order to retain effective planning control.
- 3.1 To ensure satisfactory vehicular and pedestrian access facilities to the site.
- 4.1 To ensure the provision of adequate parking facilities to serve the development.
- 5.1 In the interests of amenity and in order to retain effective planning control.



For information only

For information only

Reproduction by permission of Ordnance Survey on behalf of HMSO.
© Crown copyright and database right 2012. All rights reserved.
Ordnance Survey Licence number 100020730.

Report

4

Report to:	Planning Committee
Date of Meeting:	12 September 2017
Report by:	Executive Director (Community and Enterprise Resources)

Application No	HM/17/0292
Planning Proposal:	Erection of 29 Flatted Dwellings With Associated Amenity Space and Parking.

1 Summary Application Information

- Application Type : Detailed Planning Application
- Applicant : Link Group Ltd
- Location : Site at the junction of Hillhouse Road and Wellhall 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 the conditions attached)

2.2 Other Actions/Notes

None

3 Other Information

- ◆ Applicant's Agent: MAST Architect
- ◆ Council Area/Ward: 18 Hamilton West and Earnock
- ◆ Policy Reference(s): **South Lanarkshire Local Development Plan (adopted 2015)**
Policy 4 - Development Management and Place Making
Policy 6 - General Urban Area/Settlements
Policy 16 - Travel and Transport

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

Residential Design Guide (2011)

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

Roads & Transportation Services (Flood Risk Management Section)

Scottish Water

Environmental Services

Community Services

Roads Development Management Team

Housing Services

Planning Application Report

1 Application Site

- 1.1 The application relates to an area of land located adjacent to the junction between Hillhouse Road and Wellhall Road within the Hillhouse area of Hamilton. The site is bounded to the north and east by a large area of vacant open space which includes areas of dense vegetation cover, to the south east by Wellhall Road and to the south west by Hillhouse Road. A two storey residential development bounds the site to the north west. The site is reasonably flat with gradual changes in level at the Hillhouse Road edge of the site and also at the eastern boundary. The site extends to approximately 0.46 hectares.

2 Proposal(s)

- 2.1 The applicant seeks detailed planning permission for the erection of 29 flatted dwellings with associated amenity space and parking. The submitted supporting information states that the proposed flats are to allow independent living for the elderly and that they would be available to existing owner occupiers aged 60 and above who currently live in housing that no longer meets their needs and are seeking to either downsize or move to a property that is more suited to their needs. This low cost home ownership opportunity is being offered as a variant of the existing Scottish Government Shared Equity Scheme.
- 2.2 The proposed building would be three storeys in height with the overall height of the building minimised through the use of a combination of flat and mono pitched roofs. The building would be positioned within a central location on the site with car parking located along the north western boundary. Windows would be included on all elevations of the building and each ground floor flat would have access to a private terrace area. Juliet balconies would be provided to living areas on the upper floors. The proposed finish materials for the building are a mixture of light buff and medium brown facing brick for the walls with grey pressed metal cladding utilised as a feature frame around the living room windows and along the edge of the roof.
- 2.3 Ground floor private gardens are proposed in addition to two communal spaces: a predominantly hard courtyard to the north of the block and a garden area to the south of the block. Low level planting is proposed where bedrooms and living rooms look directly onto the public spaces and limited tree planting is proposed to provide screening between footways and the proposed development. Where existing trees are to be retained, they would be protected during construction with protective fencing and appropriate ground protection. The private shared garden and amenity space would be enclosed at the rear boundary by a 1.8 metre fence.
- 2.4 Access to the site would be via the existing access from Hillhouse Road upgraded as part of the proposal. Twenty nine car parking spaces would be provided including 2 designated disabled spaces. The main access to the development for pedestrians would be via a footway adjacent to the vehicular access. Secondary access would be provided by a footpath linking the development to the Wellhall Road footway to the south of the site. Additional footpaths would provide access between the parking area and the various entrance doors to the residential blocks.
- 2.5 A Design Statement, Site Access Statement and a Report on Site Investigations were submitted with the application as supporting documents.

3 Background

3.1 Local Plan Policy

- 3.1.1 The application site is located within the urban area in the adopted South Lanarkshire Local Development Plan. The relevant policies for the assessment of the application are Policy 4 - Development Management and Place Making, Policy 6 - General Urban Area/Settlements and Policy 16 - Travel and Transport. An assessment of the proposal against the above policies is contained in Section 6 of this report.

3.2 Relevant Government Advice/Policy

- 3.2.1 In terms of residential development, 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.

3.3 Planning Background

- 3.3.1 Planning permission in principle was granted to Chapell Estates Ltd for the erection of a care home and associated works (Class 8) and the formation of a vehicular access on the site on 10 July 2015 (HM/15/0043).

4 Consultation(s)

- 4.1 **Environmental Services** – have no objections to the application subject to conditions requiring the submission of details for the storage and collection of refuse within the development and a dust management and monitoring scheme for the Council's further approval. Informatives advising the applicant of acceptable hours for audible construction activities at the site and of potential contamination issues should also be attached to any consent granted.

Response:- Noted. Any consent granted would incorporate appropriately worded conditions and informatives to address the matters raised.

- 4.2 **Roads Development Management – (Hamilton Area)** – have no objections to the application subject to conditions requiring the provision of adequate visibility splays, parking provision within the site and alterations to footways and carriageways.

Response:- Noted. The submitted site layout incorporates the required level of car parking for the development and any consent granted would incorporate appropriately worded conditions to address the matters raised.

- 4.3 **Roads and Transportation Services (Flood Risk Management)** - have no objections to the application subject to conditions requiring the submission of a Flood Risk/Drainage Assessment for the Council's further approval and the provision of a sustainable urban drainage system (SuDS) within the site, designed and independently checked in accordance with the Council's current SuDS Design Criteria Guidance Note.

Response:- Noted. Any consent granted would incorporate appropriately worded conditions to address the above matter.

- 4.4 **Scottish Water** – have no objections to the proposed development. In terms of the Wastewater Network, they advised that there is currently sufficient capacity in the Hamilton Waste Water Treatment Works to serve the development. The developer should discuss the proposal directly with Scottish Water as there is a trunk main within the boundary of the proposed works.

Response:- Noted. The applicant has been advised of the above and any planning consent granted 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.

- 4.5 **Housing Services** – raised no objections to the proposal.

Response:- Noted.

- 4.6 **Community Services** – have no objections to the proposal.

Response:- Noted.

5 Representation(s)

- 5.1 Statutory neighbour notification procedures were undertaken and the application was advertised in the Hamilton Advertiser under the category Non Notification of Neighbours. One letter of representation has been received in relation to the application. The grounds of the representation are summarised below:

(a) It is hoped when re-development of the vacant site takes place they use a landscaping scheme incorporating the existing trees fronting onto Hillhouse Road. This would be my only objection to the flatted dwellings if the trees were not preserved, as they have provided the children of the area years of fun collecting chestnuts and a natural part of the local environment.

Response: Any consent granted would include conditions protecting the trees and also requiring the submission of a landscaping scheme for the Council's approval and the implementation of the approved scheme to the Council's satisfaction. Notwithstanding this, the applicants have stated within their supporting information that the beech hedge and two mature horse chestnut trees will be protected and retained.

(b) Road traffic on Hillhouse Road would be a major problem for anyone trying to take a right turn into the existing entrance to the proposed development.

Response: Subject to conditions Roads and Transportation Services are satisfied that the proposal raises no access, parking or road safety issues.

- 5.2 These letters are available for inspection in the usual manner and on the Council's Planning Portal.

6 Assessment and Conclusions

- 6.1 The applicant seeks detailed planning permission for the erection of 29 flatted dwellings with associated amenity space and parking. As discussed, the submitted supporting information states that the proposed flats are to allow independent living for the elderly and that this low cost home ownership opportunity is being offered as a variant of the existing Scottish Government Shared Equity Scheme. 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. In this instance, the application site is located within the urban area where the proposed residential use is considered to be acceptable and on an area of land included in the Council's vacant and derelict land register. The proposed development would be easily accessible by public transport and well integrated into existing walking and cycling networks. It is, therefore, considered that the proposal is in accordance with national planning policy.

- 6.3 In terms of local plan policy, the application site is located within the urban area in the adopted South Lanarkshire Local Development Plan. The relevant policies for the assessment of the application are Policy 4 - Development Management and Place Making, Policy 6 - General Urban Area/Settlements and Policy 16 - Travel and Transport.
- 6.4 As the proposal is for residential use and the application site is located within the urban area, the proposal raises no policy issues and conforms with the terms of Policy 6. With regard to the detailed design of the development, both Policies 4 and 6 generally require 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 meets the main standards set out in the Council's Residential Design Guide, particularly in relation to road layout, amenity space, window to window distances and car parking provision. It is considered that the proposed development is of a high quality design incorporating a suitably high standard of materials and that it will be in keeping with the existing residential development in the surrounding area. It is also considered that the scale, design and massing of the building is acceptable and that it will not have an adverse impact on adjacent properties in terms of overshadowing and loss of privacy. The overall height of the building will be minimised through the use of a combination of flat and mono pitched roofs and will be in keeping with existing three storey buildings in the surrounding area, including those located at the Wellhall Road/Philips Wynd roundabout to the east of the site.
- 6.5 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 as the proposed pedestrian links provide access to bus stops located on both Hillhouse Road and Wellhall Road and the development will be well integrated into existing walking and cycling networks. Roads and Transportation Services are satisfied that the proposal will not have an adverse impact on traffic flows or road safety and that a sufficient amount of car parking is being provided for the development. On this basis, it is considered that the proposal complies with the terms of Policy 16.
- 6.6 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. 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 has no adverse impact on residential or visual amenity nor raises any environmental or infrastructure issues and complies with Policies 4, 6 and 16 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.'

Michael McGlynn
Executive Director (Community and Enterprise Resources)

30 August 2017

Previous References

HM/15/0043

List of Background Papers

- ▶ Application Form
- ▶ Application Plans
- ▶ South Lanarkshire Local Development Plan (Adopted 2015)
- ▶ Development Management, Place Making and Design Supplementary Guidance (2013)
- ▶ Residential Design Guide (2011)
- ▶ Neighbour notification letter dated 23.06.2017
- ▶ Press Advertisement, Hamilton Advertiser dated 06.07.2017
- ▶ Consultations

Roads Development Management Team 14/08/2017

Environmental Services 19/07/2017

Roads & Transportation Services (Flood Risk Management Section) 05/07/2017

Community Services 26/07/2017

Scottish Water 10/07/2017

Housing Services 30/08/2017

- ▶ Representations
Representation from : Peter Hunter, 5 Hillhouse Road,
Hamilton ML39TB, DATED 28/06/2017

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
Ext 3657(Tel : 01698 453657)
E-mail: jim.blake@southlanarkshire.gov.uk

CONDITIONS

- 1 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.
- 2 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.
- 3 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.
- 4 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.
- 5 That before any of the flatted dwellings are occupied, the fence or wall for which the permission of the Council as Planning Authority has been obtained under the terms of Condition 4 above, shall be erected and thereafter maintained to the satisfaction of the Council.
- 6 That no flatted dwelling 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.
- 7 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 investigation adverse comments.
- 8 That before any of the flatted dwellings hereby approved are occupied, details for the storage and collection of refuse within the development shall be submitted to and approved by the Council as Planning Authority and thereafter

maintained all to the satisfaction of the Council.

- 9 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.
- 10 That before the development hereby approved is completed or brought into use, a visibility splay of 2.4 metres by 43 metres measured from the road channel shall be provided on both sides of the vehicular access and everything exceeding 0.9 metres in height above the road channel level shall be removed from the sight line areas and thereafter nothing exceeding 0.9 metres in height shall be planted, placed or erected within these sight lines.
- 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.
- 12 That prior to any work starting on site, a Flood Risk/Drainage Assessment and Independent Check shall be carried out, submitted to, and approved in writing by the Council as Planning Authority. This Assessment shall include confirmation that a suitable FFL is provided and procedures are considered to ensure access/egress can be obtained should flooding occur. The Assessment and Independent Check shall be carried out in accordance with the latest industry guidance listed within Section 4.0 of the Council's SuDS Design Criteria Guidance Note.
- 13 That before the development hereby approved is completed or brought into use, all of the parking spaces shown on the approved plans shall be laid out, constructed and thereafter maintained to the specification of the Council as Roads and Planning Authority.
- 14 That no trees on the site shall be lopped, topped or felled without the prior written consent of the Council as Planning Authority and that two copies of a plan shall be submitted to the Council indicating the existing trees on the site, including a note of height, species, base level and extent of canopy or branch spread, those to be retained and any proposed planting of trees and that 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.

REASONS

- 1.1 In the interests of amenity and in order to retain effective planning control.
- 2.1 In the interests of the visual amenity of the area.
- 3.1 In the interests of amenity.
- 4.1 These details have not been submitted or approved.
- 5.1 In order to retain effective planning control
- 6.1 To ensure the provision of a satisfactory sewerage system
- 7.1 To minimise the risk of nuisance from dust to nearby occupants.
- 8.1 In the interests of amenity and in order to retain effective planning control.
- 9.1 In the interest of public safety
- 10.1 In the interest of road safety
- 11.1 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.
- 12.1 To alleviate the potential for on-site and off-site flooding.
- 13.1 To ensure the provision of adequate parking facilities within the site.
- 14.1 To ensure the protection and maintenance of the existing mature trees within the site and to retain effective planning control.

Report

5

Report to:	Planning Committee
Date of Meeting:	12 September 2017
Report by:	Executive Director (Community and Enterprise Resources)

Application No	CL/17/0331
Planning Proposal:	Erection of 18 no. Flatted Dwellinghouses Incorporating PV Panels Within the Roofs and Formation of Associated Car Parking, Bin Stores, Landscaping and Sustainable Urban Drainage System (SUDs)

1 Summary Application Information

- Application Type : Detailed Planning Application
- Applicant : South Lanarkshire Council
- Location : South Vennel
Lanark

2 Recommendation(s)

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

- (1) Grant detailed planning consent - 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: South Lanarkshire Council
- ◆ Council Area/Ward: 02 Clydesdale North
- ◆ Policy Reference(s): **South Lanarkshire Local Development Plan (adopted 2015)**
Policy 2 - Climate Change
Policy 4 - Development management and placemaking
Policy 6 - General urban area/settlements
Policy 15 - Natural and Historic Environment

Policy 12 - Housing Land

DM13 - Development within general urban area/settlement
NHE7 - Conservation Areas
NHE1 - New Lanark World Heritage Site

Development management, placemaking and design supplementary guidance (2015)

Natural and Historic Environment supplementary guidance

◆ Representation(s):

▶	1	Objection Letters
▶	0	Support Letters
▶	0	Comments Letters

◆ Consultation(s):

Scottish Water

West of Scotland Archaeology Service

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

Historic Environment Scotland

The Royal Burgh of Lanark Community Council

Environmental Services

Roads Development Management Team

Planning Application Report

1 Application Site

- 1.1 The site is located on South Vennel at the south eastern extremity of Lanark Town Centre. It extends to approximately 0.4 hectare in area and was previously occupied by Lanark Swimming Pool along with its associated car parking and landscaping. The swimming pool building has since been demolished and the site cleared. The car parking area to the front of the site has been retained and has been used informally since the closure of the pool. The site has a depth of 110m and varies in width between 30m and 35m. The land is in the ownership of South Lanarkshire Council and has been declared surplus to requirements.
- 1.2 The site is within a residential area neighbouring the edge of Lanark town centre. It also lies within the Lanark Outstanding Conservation Area and the New Lanark World Heritage Site buffer zone. The area to the south is bounded by traditional terraced properties ranging in height from single to three storeys, and are mainly in residential use but also contain some retail uses on the ground floor. The properties to the west of the site are traditional buildings of varying height and in residential use. The building line created by these houses is a uniform row along the edge of the footpath. There is a modern three storey sheltered housing complex along most of the northern boundary with the remainder of that boundary adjoining a car park associated with the Council offices. The eastern boundary is formed by a stone boundary wall and the curtilages of more substantial traditional villas on Hyndford Road.
- 1.3 Access to the site is currently taken from South Vennel. The site rises gradually in a roughly west-east direction over the front part of the site before levelling out towards the rear. The land also slopes slightly from north to south. The landform along South Vennel also falls away in a north-south direction so that the sheltered housing sits higher than the site, and properties on Wellgatehead to the south are lower.

2 Proposal(s)

- 2.1 The applicant seeks detailed planning consent for the erection of 18 no. flatted dwellinghouses incorporating photovoltaic (PV) panels within the roofs and the formation of associated car parking and bin stores. It is intended that the proposed development will be retained for social housing purposes. The buildings proposed are designed to accommodate disability access and contain lifts. The development would be split into 3 blocks each containing 6 units, with all blocks facing a westerly direction towards South Vennel. Each block would be 3 storeys in height, with the installation of PV panels on the 3 roof slopes facing east. The windows on the front elevations would be of a sash and case appearance and have a functional inward opening design to enable the end users to open and clean the window with ease. The roof of each block would be finished in natural slate and the walls externally clad in smooth render with a small grain to give a traditional appearance. Each block has the same external design and similar internal layout.
- 2.2 The site would be served via one access point off South Vennel. Car parking would be provided for the users and visitors of the housing development only; there would be no public car parking provision.
- 2.3 Each block would have a designated outdoor amenity space contained by a boundary fence or wall for privacy and security reasons. Outwith these areas there would be small areas of landscaping along the road verges. An area of land to accommodate the sustainable urban drainage system is located to the south east of Block A. Each block would have a designated external bin store.

3 Background

3.1 Local Plan Policy

- 3.1.1 The application site is designated as a proposed housing site in the adopted South Lanarkshire Development Plan. The relevant policies in terms of the assessment of this application are Policy 2 – Climate Change, Policy 4 – Development Management and Placemaking, Policy 6 – General Urban Area/Settlements, Policy 12 – Housing Land, and Policy 15- Natural and Historic Environment. The relevant associated guidance are Development Management, Placemaking and Design supplementary guidance, and Natural and Historic Environment supplementary guidance. 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 Relevant Government guidance is set out within Scottish Planning Policy (SPP) which confirms the requirement for the Council to maintain a five year supply of effective housing land. Planning authorities are required to promote the efficient use of land by directing development towards sites within existing settlements where possible to make effective use of existing infrastructure and service capacity.
- 3.2.2 In terms of new housing developments, 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 streets should connect well with existing streets and with walking and cycling networks, and allow for links into future areas of development.

3.3 Planning History

- 3.3.1 None relevant.

4 Consultation(s)

- 4.1 **Environmental Services** – have no objections to the application subject to a condition requiring dust control and mitigation measures to be submitted and approved prior to any works commencing on site.

Response: Noted. Any consent granted would incorporate an appropriately worded condition to address the matters raised.

- 4.2 **Roads and Transportation Services** – have not submitted any objections to the application. Prior to any development on site, further details of drainage should be provided for assessment to ensure that adequate ground drainage measures are installed. It is noted that the proposal removes the use of an unrestricted car park but given that 2 other unrestricted car parks are located within reasonable walking distance, no capacity issues are raised.

Response: Noted. Any consent granted would incorporate an appropriately worded condition to address the drainage matters raised.

- 4.3 **Historic Environment Scotland** – Have no comments to make on the proposal.

Response: Noted.

- 4.4 **Royal Burgh of Lanark Community Council** – has no objection to the proposal.

Response: Noted.

- 4.5 **Scottish Water** – has no objection to the proposal.

Response: Noted.

- 4.6 **WOSAS** - has no objection to the proposal, however recommend that the developer secures the implementation of an archaeological watching brief to be carried out by an archaeological organisation acceptable to the Planning Authority, during all ground disturbance.
Response: Noted. Any consent granted would incorporate an appropriately worded condition to address the matters raised.

- 4.7 **SEPA** – Have no comments to make on this proposal.
Response: Noted.

5 Representation

- 5.1 Following the carrying out of statutory neighbour notification and the advertisement of the application in the Lanark Gazette as development affecting the character or appearance of a conservation area, one letter of representation was received. The grounds of objection are summarised as follows:

(a) The development proposal will remove the existing car parking facility to the detriment of local residents. There is no on-street car parking, and the car parking facility off of South Vennel (Bernards Wynd Car Park) is restricted. The Wellgatehead Car Park located to the south of South Vennel is not suitable for security reasons.

Response: The existing car parking within the application site was associated with the former swimming pool facility which had been demolished a considerable time ago. The car parking has since been retained and used on an informal basis by members of the public. There is an unrestricted car parking facility for public use located on Wellgatehead and other locations within the adjacent town centre. The Council, as Roads Authority, does not have a statutory requirement to provide dedicated car parking for existing private dwellings with no car parking provision.

6 Assessment and Conclusions

- 6.1 The applicant seeks detailed planning consent for the erection of 18 no. flatted dwellinghouses incorporating PV panels within the roofs and the formation of associated car parking and bin stores on land at the former swimming pool site, South Vennel, Lanark. The determining issues in consideration of this application are its compliance with national and local plan policy and, in particular, its impact on the amenity of adjacent properties and on the character of Lanark Conservation Area.
- 6.2 In consideration of the relevant local plan policies referred to in Section 3.1.1, the proposed residential development complies with the aims of Policy 12 - Housing Land - where the Council supports residential development as it will contribute positively towards the Council's five year effective supply of housing land provision. Furthermore, the provision of effective housing land within the existing settlement of Lanark on a previously developed site (former swimming pool which is now demolished) meets the aims of Scottish Planning Policy by providing a sufficient and sustainable supply of housing with good infrastructure links and access to services. Within the locality of the site, there is access to both rail and bus services. In particular, development will provide a welcome addition to social housing provision with the Lanark area.
- 6.3 Policies 6 - General Urban/Settlements and Policy 4 - Development Management and Place Making, together with the Development Management and Placemaking Supplementary Guidance of the adopted local development plan 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.

- 6.4 The existing streetscape contains a mixture of housing including flatted dwellings 3 storeys in height. The density and height of the proposal is similar to residential development in the locality and would visually integrate well with the existing pattern of development. The proposed access arrangements have been carefully assessed and are considered acceptable by the Council's Roads and Transportation Services.
- 6.5 Block A is located 6m from the public footpath along South Vennel. This block will not overshadow the dwellings located to the northwest of the application site to any significant degree given the separation distance of 16m and the direction of the sun pattern. Side windows on the southern elevation which would have overlooked residential adjoining properties have been removed. The Council's Residential Design Guide advises it is preferable for new developments to achieve a separation distance of 20m between main habitable windows. In this case, Block A does not quite meet this standard on the front elevation; however, this is not unusual in street frontage situations, especially on traditional streetscapes where the building line sits close to the road frontage. On balance, it is considered a sufficient distance to prevent overlooking to the detriment of existing neighbours, whilst the position of Block A will respect the pattern of development along the road frontage in this historic setting.
- 6.6 Block B is sited a distance of 12m to the south of the sheltered residential accommodation. Careful consideration has been given to the potential impact of overshadowing created by the development. It is concluded that there will be varying degrees of overshadowing throughout the year as the sun rises and lowers during the summer and winter seasons. The residents along the southern elevation of the sheltered housing currently experience a degree of overshadowing from the existing mature trees which exist along the southern boundary of the sheltered housing curtilage. On balance, it is considered that the erection of Block B would not further impact on the residents to an unacceptable degree. There would be no direct overlooking of neighbouring properties from Block B, and the applicant has removed north facing living room windows to ensure that this is the case.
- 6.7 Block C is located a distance of 1.5m from the northern boundary. To the north is a car park associated with the Council offices at Glebe Drive, Lanark. There would be no adverse physical or visual impact, and no overshadowing. The block is sited 9.5m from the eastern boundary which adjoins a residential property and while this distance falls short of the 13m distance to boundary as recommended in the council's Residential Design Guide, it is considered that the generous proportion of the neighbouring garden is such that the impact can be absorbed without causing undue loss of amenity by way of overlooking and visual impact.
- 6.8 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 6 - General Urban/Settlements and Policy 4 - Development Management and Place Making and the Development Management and Placemaking Supplementary Guidance of the adopted local development plan.
- 6.9 Policy 15- Natural and Historic Environment and the associated Natural and Historic Environment supplementary guidance require the character and setting of the New Lanark World Heritage Site to be conserved. Any new development in terms of design, materials, scale and siting should be appropriate to the traditional character of

Lanark Conservation Area. Block A has been sited close to the road frontage to respect the pattern of development within the streetscape, while being sensitive to the amenity of residential properties to the north west of the application site. The scale of the blocks is similar to existing flatted dwellings within the streetscape, therefore, the three storey height will not be an incongruous feature within the historic setting. The design of the development incorporates a basic footprint with traditional fenestration details to the front elevations. The rear elevations are of modern design and include the installation of PV solar panels on the rear roof slope; however these will not be highly visible from the main public views. The materials of the building have been carefully considered to visually integrate well with the traditional streetscape, and include natural slate roof tiles and a smooth render (with small grain to provide texture). The windows on the front elevation are UPVC sash and case in appearance. The windows will have a slimline design to visually appear traditional whilst providing modern thermal properties and an inward opening mechanism; this is necessary to enable the end users to easily open and maintain the windows. On balance, the quality of the windows proposed would ensure that the impact on the traditional character of Lanark Conservation Area and the New Lanark World Heritage Site buffer zone is not significantly eroded. In view of the above, it is considered that the development proposal accords with the aims of the aforementioned policies.

- 6.10 Policy 2 - Climate Change seeks to minimise and mitigate against the effects of climate change. In view of the small scale of this housing development, in close proximity to existing housing and public transport services including bus and rail, I do not envisage any negative impacts which would undermine the objectives of the policy.
- 6.11 In summary, the residential proposal is a suitable form of development for the site and complies with local plan policy and national guidance. There would be no significant adverse impact on residential or visual amenity, and there would be no significant adverse impact on the character or integrity of Lanark Conservation Area or the New Lanark World Heritage Site. Whilst part of the site is currently being used as an informal car park, there are both restricted and unrestricted car parks close by which have adequate capacity to accommodate displaced spaces. The development would provide a welcome addition to social housing accommodation in Lanark and in close proximity to transportation services. It is, therefore, recommended that detailed planning permission is granted (based on the conditions attached).

7 Reasons for Decision

- 7.1 The principle of residential development is acceptable on this site, and the proposed flatted dwellings will have no significant adverse impact on residential or visual amenity or on the historic character of Lanark Conservation Area or the New Lanark World Heritage Site. The proposal raises no archaeological, environmental or infrastructure issues and complies with Policies 2, 4, 6, 12 and 15 of the adopted South Lanarkshire Local Development Plan and associated Supplementary Guidance.

Michael McGlynn
Executive Director (Community and Enterprise Resources)

28 August 2017

Previous References

- ◆ None

List of Background Papers

- ▶ Application Form
- ▶ Application Plans
- ▶ South Lanarkshire Local Development Plan (adopted 2015)
- ▶ Scottish Planning Policy, June 2014
- ▶ Development management placemaking and design supplementary guidance (2015)
- ▶ Natural and Historic Environment supplementary guidance
- ▶ Neighbour notification letter dated 01.08.2017
- ▶ Advertisement in the Lanark Gazette 09.08.2017

- ▶ Consultations
 - S.E.P.A. (West Region) 02/08/2017
 - Environmental Services 08/08/2017
 - WOSAS 10/08/2017
 - Scottish Water 16/08/2017
 - Royal Burgh of Lanark Community Council 15/08/2017
 - Roads and Transportation Services 18/08/2017

- ▶ Representations
 - Representation from : Traudi Clark, 18/08/2017

Contact for Further Information

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

Pamela McMorran, Planning Officer, Montrose House, 154 Montrose Crescent, Hamilton
ML3 6LB
Ext 5170 (Tel : 01698 455170)
E-mail: pamela.mcmorran@southlanarkshire.gov.uk

CONDITIONS

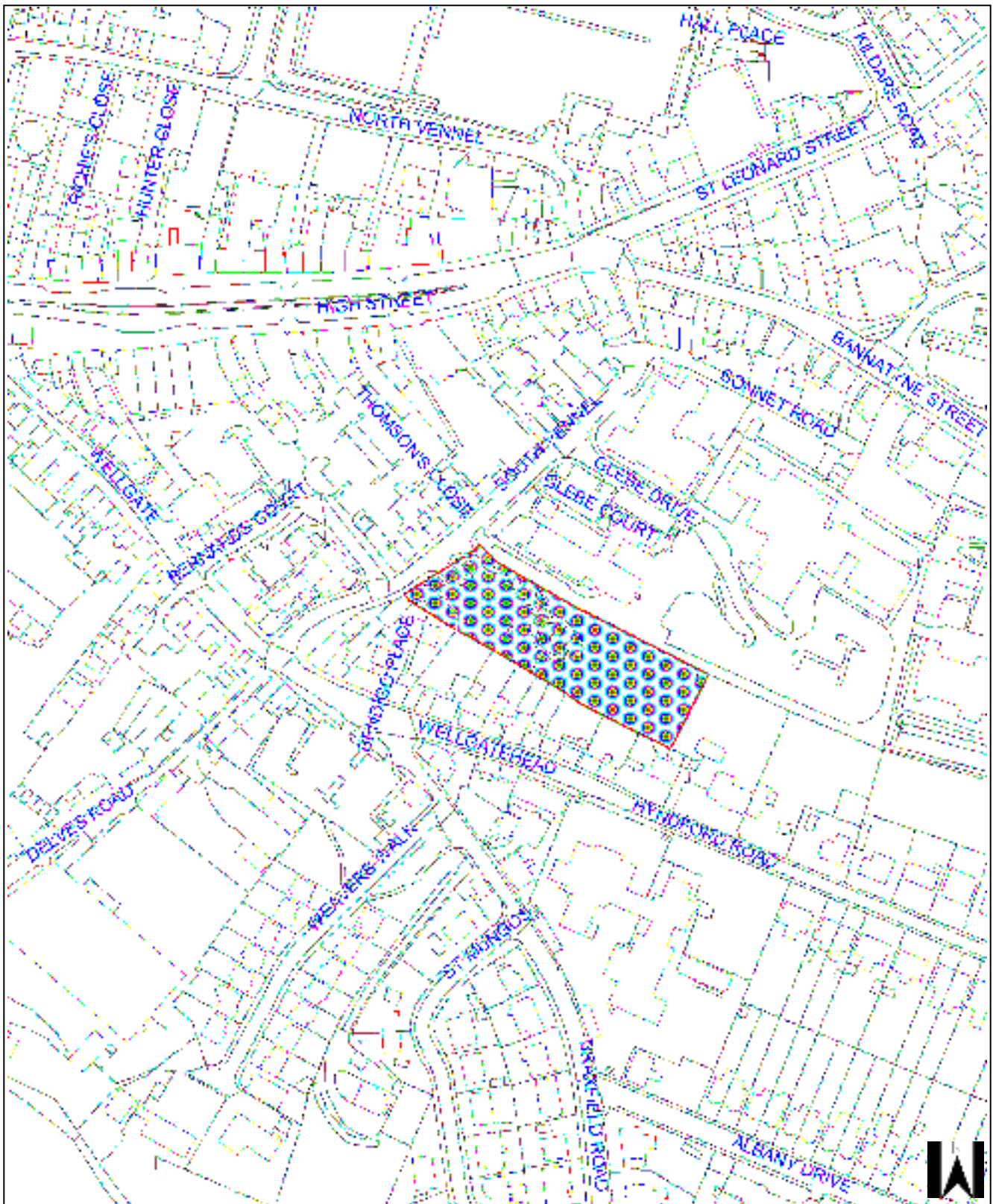
- 1 That the type and distribution of external finishes on the flatted dwellings and bin stores shall be as shown on the approved plan, but prior to the commencement of any work on site samples and colour options of the materials to be used (including sample render panels) shall be submitted to and approved by the Council as Planning Authority.
- 2 That notwithstanding the plans hereby approved, 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.
- 3 That before any flatted dwelling is occupied, the fence or wall for which the permission of the Council as Planning Authority has been obtained under the terms of Condition No.2 above, shall be erected and thereafter maintained to the satisfaction of the Council.
- 4 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 removed, and those to be retained and measures for their protection in the course of development; (b) details and specification of all proposed 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.
- 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.
- 6 That no flatted dwelling 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.
- 7 That before any flatted dwelling is completed or brought into use, whichever is the sooner, 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.

- 8 That no development shall commence until details of surface water drainage arrangements have been submitted to and approved in writing by the Council as Roads and 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 Roads and Planning Authority.
- 9 That prior to any work starting on site, a Flood Risk Assessment shall be submitted together with an independent check of this document to the Council as Planning and Roads Authority for their approval, and no work shall commence until their written approval is given.
- 10 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 Environmental Services and Planning Authority. No changes to the approved scheme shall take place unless agreed in writing by the Council as Environmental Services and Planning Authority. The scheme shall thereafter be implemented in accordance with a programme to be agreed in writing with the Council as Environmental Services and Planning Authority.
- 11 The developer shall secure the implementation of an archaeological watching brief, to be carried out by an archaeological organisation acceptable to the Council as Planning Authority, during all ground disturbance. The retained archaeological organisation shall be afforded access at all reasonable times and allowed to record and recover items of interest and finds. A method statement for the watching brief will be submitted by the applicant, agreed by the West of Scotland Archaeology Service and approved by the Council as Planning Authority prior to commencement of the watching brief. The name of the archaeological organisation retained by the developer shall be given to the Council as Planning Authority and to the West of Scotland Archaeology Service in writing not less than 14 days before development commences.

REASONS

- 1.1 In the interests of amenity and in order to retain effective planning control.
- 2.1 These details have not been submitted or approved.
- 3.1 In order to retain effective planning control
- 4.1 In the interests of the visual amenity of the area.
- 5.1 In the interests of amenity.
- 6.1 To ensure satisfactory vehicular and pedestrian access facilities to the dwellings
- 7.1 To ensure the provision of adequate parking facilities within the site.
- 8.1 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.
- 9.1 To demonstrate that a satisfactory means of waste and surface water drainage can be achieved.
- 10.1 To minimise the risk of nuisance from dust to nearby occupants.
- 11.1 In order to safeguard any archaeological items of interest or finds.

For information only



For information only

Report

6

Report to:	Planning Committee
Date of Meeting:	12 September 2017
Report by:	Executive Director (Community and Enterprise Resources)

Subject:	Planning Application No. CL/08/0727 - Alterations to Planning Conditions at Penbreck Wind Farm, Penbreck and Carmacoup Forest, Near Douglas
----------	---

1 Purpose of Report

1.1 The purpose of the report is to:-

- ◆ Seek Committee approval for the addition of three planning conditions to Planning Application No. CL/08/0727 to secure the required radar mitigation measures needed to meet the requirements of Glasgow Prestwick Airport.

2 Recommendation(s)

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

- (1) Add planning conditions, 51, 52 and 53 to Planning Application No. CL/08/0727 to secure the required radar mitigation measures needed to meet the requirements of Glasgow Prestwick Airport.

3 Background

3.1 A planning application was submitted on 11 December 2008 for the erection of 9 wind turbines with access tracks, borrow pits and associated infrastructure works. The application was considered to be in accordance with planning policy and the Planning Committee granted conditional planning permission on 24 June 2014. It was also agreed that the decision notice would not be issued until a Section 75 Planning Obligation encompassing the following matters was concluded:

- ◆ Submission of a Bond for the Restoration and Aftercare of the site
- ◆ A contribution to the Council's Renewable Energy Fund
- ◆ The provision of an Ecological Clerk of Works
- ◆ 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.

3.2 Since the planning application was approved at Planning Committee, there have been ongoing discussions between the applicant and the Council in relation to progressing the terms of the legal arrangement. Alongside the legal agreement, the applicant has also been discussing with Glasgow Prestwick Airport (GPA) the aviation technical solution required to safeguard the safety and efficiency of GPA air traffic control service and its primary surveillance radar. GPA has now identified a technical solution which can mitigate the impact of the wind farm. GPA has, therefore, advised the Council that they consider it would be appropriate to add three further conditions to the planning application to secure the implementation of the identified mitigation

measures. This would satisfy the requirements of GPA and the conditions can be added before the legal agreement is concluded and the decision notice issued.

4. Conclusion

- 4.1 Taking account of the above, it is considered that, as a technical solution has been identified by GPA, it would be appropriate to incorporate the additional planning conditions they have recommended to ensure the appropriate radar mitigation measures are put in place. The three planning conditions (51, 52 and 53) which require to be attached to Planning Application CL/08/0727 are set out in Appendix 1. Should the Committee agree to the recommendation, following the conclusion of the legal agreement referred to in paragraph 3.1 above, the planning consent then issued would include the three planning conditions described in Appendix 1.

5 Employee Implications

- 5.1 None.

6 Financial Implications

- 6.1 The applicants will be expected to meet the legal expenses of the Council.

7 Other Implications

- 7.1 There are no risks associated with this proposal or sustainable development issues.

8 Equality Impact Assessment and Consultation Arrangements

- 8.1 This report does not introduce a new policy, function or strategy or recommend a change to an existing policy, function or strategy and, therefore, no impact assessment is required.

Michael McGlynn

Executive Director (Community and Enterprise Resources)

28 August 2017

Link(s) to Council Objectives/Values

- ◆ Effective and efficient use of resources

Previous References

- ◆ None

List of Background Papers

- ◆ Report to Planning Committee 24 June 2014 in respect of CL/08/0727

Contact for Further Information

If you would like to inspect the background papers or want further information, please contact:- Ruth Findlay, Planning Officer, Montrose House, Montrose Crescent, Hamilton ML3 0AL

Ext 5943, (Tel : 01698 455943)

E-mail: ruth.findlay@southlanarkshire.gov.uk

Appendix 1

Condition 51

No development shall commence unless and until such time as the Planning Authority receives confirmation from the Airport Operator that: (a) a Radar Mitigation Scheme has been identified; and (b) the Radar Mitigation Scheme can be implemented and maintained for the lifetime of the development.

Reason: In the interests of aviation safety.

Condition 52

No blade shall be fitted to any turbine or turbines forming part of the development and no such turbine shall operate, save as provided for and in accordance with the Testing Protocol, unless and until such time as the Planning Authority receives confirmation from the Airport Operator that: (a) all measures required by the Radar Mitigation Scheme prior to operation of any turbine have been implemented; and (b) the Civil Aviation Authority has evidenced its approval to the Airport Operator that the Radar Mitigation Scheme is acceptable mitigation for the development and has been satisfactorily implemented by the Airport Operator.

Reason: In the interests of aviation safety.

Condition 53

No turbine shall operate other than in accordance with the terms of the Radar Mitigation Scheme approved under the terms of condition 51 and 52.

Reason: In the interests of aviation safety.

Definitions:

"Airport Operator" means Glasgow Prestwick Airport Limited or any successor as holder of a licence under the Air Navigation Order 2000 from the Civil Aviation Authority to operate Glasgow Prestwick Airport.

"Radar Mitigation Scheme" means such equipment, procedural or technological measures, as the Airport Operator identifies as necessary and sufficient to prevent the operation of the development or of any turbines forming part of the development impacting adversely on radar performance or on the performance of other navigational aids at Glasgow Prestwick Airport or on maintaining safe and efficient air traffic control services or procedures or airspace and which the Airport Operator is willing and able to implement and maintain for the lifetime of the development or for such shorter period as may be agreed in consultation with the Airport Operator as necessary to mitigate any such adverse impact.

"Testing Protocol" means the protocol to control the operation of any turbine or turbines forming part of the development for the purposes of testing of the Radar Mitigation Solution.

