	<h1>Report</h1>	Agenda Item <h1>8</h1>
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Report to:	Planning Committee
Date of Meeting:	20 March 2007
Report by:	Executive Director (Enterprise Resources)

Application No	EK/06/0586
Planning Proposal:	Erection of 128 Flatted Dwellings (Comprising 24 Special Needs Units, 57 Sheltered Units and 47 Mainstream Units) Together with Associated Roads, Footpaths and Services

1 Summary Application Information

- Application Type : Detailed Planning Application
- Applicant : Bett Homes (Central Scotland) Ltd
- Location : Land off Kirktonholme Crescent
East Kilbride

2 Recommendation(s)

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

(1) Grant Detail Planning Permission – Subject to Conditions (Based on Conditions Attached)

2.2 Other Actions/Notes

The Planning Committee has delegated powers to determine this application.

3 Other Information

- ◆ Applicant's Agent: Bett Homes (Central Scotland) Ltd
- ◆ Council Area/Ward: 20 West Mains
- ◆ Policy Reference(s): **East Kilbride and District Local Plan (Adopted)**
RES5 – Residential Amenity
RES6 – New Housing
Development

South Lanarkshire Local Plan
ENV30 – New Housing
Development Policy
RES6 – Residential Land Use Policy

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

◆ Consultation(s):

Roads and Transportation Services (East Kilbride)

Scottish Water

Public Protection - Environmental Health (East Kilbride)

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

Power Systems

TRANSCO (Plant Location)

British Telecom

Roads & Transportation Services H.Q. (Flooding)

Roads & Transportation Services H.Q. (Geotechnical)

Network Rail

Strathclyde Passenger Transport

Planning Application Report

1 Application Site

- 1.1 This application relates to a 1.6 hectare site situated to the north of East Kilbride town centre alongside the train station. The site is bounded by Kirktonholme Crescent and the rear boundaries of properties on Kirktonholme Road to the south, the station car park to the east, the railway line to the north and a hall car park to the west.
- 1.2 The site has an uneven topography with much of the rear section sloping steeply down towards the railway line.

2 Proposal(s)

- 2.1 The proposals entail the upfilling of a significant portion of the site to create a development area for the erection of 128 flats comprising 25 two-bedroom amenity flats (Hanover Housing Associations), 47 two and three bedroom mainstream units, (Bett Homes) and 57 sheltered apartments (McCarthy and Stone).
- 2.2 The amenity housing would take the form of four, two storey blocks fronting onto Kirktonholme Crescent. A total of 18 parking spaces would be provided, mainly in linear format along the road frontage. A new access road is proposed to be taken from Kirktonholme Crescent to serve the mainstream and sheltered elements of the proposal, the former comprising one three storey and one four storey block with associated parking of 200% (94 spaces), and the sheltered accommodation taking the form of a single block utilising the varying site levels by ranging from two to four storeys in height. A footpath link is proposed from the new access road leading into the train station car park. The application has been accompanied by a Noise and Vibration Assessment (in respect of the adjacent railway line).

3 Background

3.1 Local Plan Policy

In the adopted East Kilbride and District Local Plan the site is covered by Policy RES5 – Residential Amenity – which states that housing is the predominant land use and that the Council aims to protect residential amenity. Policy RES6 – New Housing Development requires that such proposals be of a design and scale appropriate to the site and its surroundings and should incorporate suitable landscaping open space, play areas, access and parking provision. In all respects, developers should incorporate the criteria specified in the Council's approved Residential Development Guide.

- 3.2 In the emerging South Lanarkshire Local Plan (Finalised Draft) the site is covered by Policies RES6 and ENV30 which correspond to the adopted plan policies referred to in para 3.1. Policy RES6 also makes reference to the need to comply with Design Policies set out in ENV11 'Design Quality Policy' which states that new developments should make a positive contribution to the character and appearance of the local environment.

4 Consultation(s)

- 4.1 Roads and Transportation (East Kilbride) – raise no objections subject to the provision of parking facilities as shown on the proposed plan.
Response: This will be the subject of a condition on any consent granted.

- 4.2 **Roads and Transportation (Geotechnical)** – no objections subject to the imposition of conditions relating to slope analysis, stability of retaining walls and ground treatment.
Response: These conditions will be imposed on any consent granted.
- 4.3 **Roads and Transportation (Flooding)** – no objections.
Response: Noted.
- 4.4 **Environmental Health** – agree with the conclusion contained in the Noise and Vibration Assessment that no mitigation measures are required. No objections.
Response: Noted.
- 4.5 **SEPA** – no objections subject to foul drainage being connected to the public sewer and any surface drainage being designed in accordance with SUDS.
Response: These matters would be the subject of conditions on any consent granted.
- 4.6 **Scottish Water** – no objections subject to satisfactory drainage arrangements being made and subject to protection of existing apparatus.
Response: This will be covered by condition on any consent granted.
- 4.7 **Gas Networks** – no objections subject to protection of apparatus.
Response: This will be covered by condition on any consent granted.
- 4.8 **Scottish Power** – no objections subject to protection of apparatus.
Response: This will be covered by condition on any consent granted.
- 4.9 **BT** – no objections.
Response: Noted.
- 4.10 **Network Rail** – no objections subject to safeguarding measures being implemented due to the close proximity of the operational railway.
Response: The applicant has been advised of these points, some of which will be the subject of conditions on any consent granted.
- 4.11 **SPT** – No objections.
Response: Noted.

5 Representation(s)

- 5.1 The application has attracted 21 letters of objection, grounds of which can be summarised as follows:
- a) **The proposal will lead to increased congestion in a restricted area where a significant level of on-street car parking takes place.**
Response: In response to consultation, Roads and Transportation Services are satisfied that the area can absorb the proposed levels of traffic.
 - b) **Loss of on street parking**
Response: Whilst less on-street space will be available for existing properties, the Area Roads Engineer is satisfied that sufficient remains and raises no objections.
 - c) **Over-development of a site which cannot sustain further development due to the presence of mine workings.**

Response: A site investigation has been prepared and the results shall be taken into account during the processing of Building Warrant and Roads Construction Consent. The Roads Geo-Technical Engineer is satisfied that the site can accommodate the development subject to various safeguarding conditions.

d) **Loss of a natural amenity/play area**

Response: An audit of open space has been carried out in East Kilbride and this site has been assessed as being surplus to requirements.

e) **The proposal appears to cut off a lane which leads through the site to the train station**

Response: A public footpath has been incorporated into the layout, providing a link from Kirktonholme Crescent to the train station.

f) **The proposal will result in overlooking of existing property**

Response: I am satisfied that the proposed properties are a sufficient distance from existing dwellings so as to avoid any overlooking issues.

g) **The proposed buildings are out of keeping with existing properties**

Response: Existing properties comprise a mix of terraced and semi-detached dwellings. The design and style of the proposed terraced and flatted blocks will complement these existing buildings.

h) **Proposal will be detrimental to wildlife**

Response: The proposed layout incorporates amenity space and landscaping which will continue to provide a habitat for any wildlife, albeit on a reduced basis.

i) **High risk of damage/subsidence due to steepness of the site**

Response: The implementation of the proposed works would require to be undertaken in accordance with planning and engineering requirements. Whilst the risk of damage is considered to be negligible, the developer would be liable for any damage occurring during construction.

6 Assessment and Conclusions

- 6.1 This application involves the erection of 128 flatted dwellings of mixed tenure together with the provision of associated parking, access and amenity space on a Council owned site adjacent to East Kilbride train station. The sloping nature of the site will also necessitate a significant amount of upfilling in order to create a development platform.
- 6.2 The main determining issues in assessing this application relate to compliance with local plan policy, impact on residential amenity and traffic generation/access.
- 6.3 The proposal can be assessed against Policies RES5 and RES6 of the adopted East Kilbride and District Local Plan which state that housing is the predominant land use in the area and that the Council will resist any development which is detrimental to the amenity of such areas. Policy RES6 goes on to require new housing development to be of a design and scale appropriate to its size and its surroundings, incorporating adequate open space, landscaping, play areas and road layouts. The objectives of these policies are echoed in the emerging South Lanarkshire Local Plan (Finalised Draft) which also makes reference to the need to comply with Design Policies set out in ENV11 'Design Quality Policy' which states that new

developments should make a positive contribution to the character and appearance of the local environment.

- 6.4 The principle of residential development at this location is therefore in accordance with local plan policy. In terms of detailed layout and design, whilst objections have been raised with regard to the style and siting of buildings, I am satisfied that the proposed scheme will integrate successfully with the surrounding area.
- 6.5 The proposed layout is otherwise generally in accordance with the Council's approved Residential Development Guide in terms of siting, relationship with existing dwellings, open space and parking provision. A footpath link is also to be provided to link Kirktonholme Crescent through to the train station.
- 6.6 Local residents have raised a number of objections which are discussed in Section 5 of this report. However, I am satisfied that these concerns have been satisfactorily addressed and form no basis for refusing planning consent.
- 6.7 One of the main concerns expressed by residents relates to the impact of traffic generated by the development. In this respect, Roads and Transportation Services is satisfied that the local road network can absorb the proposed level of traffic and that sufficient car parking has been proposed.
- 6.8 No objections have been received by service providers and the imposition of appropriate conditions on the consent would ensure the provision of an adequate drainage scheme. Conditions would also be imposed to ensure acceptable standards of engineering/retention within the site and to ensure the safety of the adjoining railway track.
- 6.9 In view of the above, I am satisfied that the proposals are in compliance with policies contained in both the adopted and emerging Local Plans, that the amenity of local residents will not be adversely affected, and that the level of traffic to be generated by the proposed development can be accommodated within the local road network and within the site itself.

I therefore recommend that consent is granted.

7.0 Reason for Decision

- 7.1 The proposals comply with Policies RES5 and RES6 of the adopted East Kilbride and District Local Plan and with Policies ENV30 and RES6 of the emerging South Lanarkshire Local Plan, will not adversely affect residential amenity and can be accommodated within the local road network.

Iain Urquhart
Executive Director (Enterprise Resources)

13 March 2007

Previous References

- ◆ None

List of Background Papers

- ▶ Application Form
- ▶ Application Plans

- ▶ Consultations

S.E.P.A. (West Region)	02/02/07
Roads and Transportation Services (East Kilbride)	26/01/07
Network Rail	29/01/07
Strathclyde Passenger Transport	05/02/07
British Telecom	21/12/06
Power Systems	21/12/06
Enterprise Resources - Estates	21/12/06
Public Protection - Environmental Health (East Kilbride)	21/12/06
TRANSCO (Plant Location)	21/12/06
Scottish Water	05/12/06
Roads & Transportation Services H.Q. (Flooding)	05/01/07
Roads and Transportation Services (East Kilbride)	10/01/07

- ▶ Representations

Representation from :	The Owner/Occupier, 73 Falkland Drive, West Mains, East Kilbride, DATED 23/11/06
Representation from :	Irene Paterson, 12 Falkland Drive, West Mains, East Kilbride, G74 1JE, DATED 23/11/06
Representation from :	C Paterson, 12 Falkland Drive, West Mains, East Kilbride, G74 1JE, DATED 23/11/06
Representation from :	Mr & Mrs R Lawrence, 25 Kirktonholme Crescent, West Mains, East Kilbride, G74 1BA, DATED 21/11/06
Representation from :	Samuel Falconer, 28 Kirktonholme Road, East Kilbride, , DATED 12/12/06
Representation from :	Henry Sheridan, 29 Kirktonholme Crescent, West Mains, East Kilbride, G74 1BA, DATED 24/11/06

- Representation from : J Moncrieff, 45 Falkland Drive, West Mains, East Kilbride, DATED 24/11/06
- Representation from : Sandra J Clucas, 33 Kirktonholme Crescent, West Mains, East Kilbride, G74 1BA, DATED 24/11/06
- Representation from : Alexander Martin, 49 Falkland Drive, East Kilbride, DATED 24/11/06
- Representation from : Stephen J Clucas, 33 Kirktonholme Crescent, West Mains, East Kilbride, G74 1BA, DATED 24/11/06
- Representation from : J E Pollock, 43 Falkland Drive, West Mains, East Kilbride, G74 1JG, DATED 24/11/06
- Representation from : E Smith, 41 Falkland Drive, West Mains, East Kilbride, DATED 24/11/06
- Representation from : R Ballantyne, 9 Kirktonholme Crescent, East Mains, East Kilbride, G74 1BA, DATED 28/11/06
- Representation from : J Shaw, 11 Kirktonholme Crescent, East Kilbride, DATED 28/11/06
- Representation from : Hazel Jamieson, 13 Kirktonholme Crescent, West Mains, East Kilbride, G74 1BA, DATED 28/11/06
- Representation from : Elaine Ballantyne, 9 Kirktonholme Crescent, East Mains, East Kilbride, G74 1BA, DATED 28/11/06
- Representation from : J & A Campbell, 27 Kirktonholme Crescent, West Mains, East Kilbride, G74 1BA, DATED 28/11/06
- Representation from : Mr & Mrs J McNeil, 78 Fraser River Tower, Westwood, East Kilbride, G75 8AD, DATED 28/11/06
- Representation from : Joe Allan, East Kilbride History Society, 94 Franklin Place, Westwood, East Kilbride, G74 8LS, , DATED 12/12/06
- Representation from : Scotways, FAO Mrs J Lewis, 24 Annandale Street, Edinburgh, EH7 4AN, DATED 01/12/06
- Representation from : Mrs Joan Campbell, 42 Kirktonholme Road, West Mains, East Kilbride, G74 1AT, DATED 08/12/06

Contact for Further Information

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

Lynda Dickson, Planning Officer, Civic Centre
Ext: 6314: (Tel :01355 806314)
E-mail: Enterprise.ek@southlanarkshire.gov.uk

CONDITIONS

- 1 That the development hereby permitted shall be started within five years of the date of this permission.
- 2 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.
- 3 That before development starts, full details of the design , location , construction materials and lifespan 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. Retaining walls which are within the influencing distance of roads or footpaths shall be constructed to the specification of the Council as Roads Authority.
- 4 That prior to occupation of any of the dwellings hereby approved, design and check certificates for all retaining walls within the site shall be submitted to and approved by the Council as Planning Authority.
- 5 That before any of the flatted dwellings numbered 25-128 hereby approved are 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.
- 6 That before any of the flatted dwellings hereby approved are completed or brought into use, all of the associated parking spaces shall be laid out, constructed and thereafter maintained to the specification of the Council as Roads and Planning Authority.
- 7 That before any work commences on the site, a scheme of landscaping for the area shaded green on the approved plans 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.; (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.
- 8 That the approved landscaping scheme shall be completed to the satisfaction of the Council as Planning Authority during the first available planting season following occupation of the buildings or completion of the development hereby approved, whichever is the sooner, and shall thereafter be maintained and replaced where necessary to the satisfaction of the Council.
- 9 That the developer shall arrange for any alteration, deviation or reinstatement of statutory undertakers apparatus necessitated by this proposal all at his or her own

expense.

- 10 That no development shall commence until details of surface water drainage arrangements have been submitted to and approved in writing by the Council as Planning Authority; such drainage arrangements will require to comply with the principles of sustainable urban drainage systems and with the Council's Sustainable Drainage Design Criteria and requirements.
- 11 That the development hereby approved shall not be commenced until the land drainage works have been completed in accordance with the plans submitted to and approved by the Council as Planning Authority under the terms of Condition 10 above.
- 12 That no development shall commence on site until the applicant provides written confirmation from Scottish Water to the Council as Planning Authority that the site can be satisfactorily served by a sewerage scheme designed in accordance with Scottish Water's standards.
- 13 That no dwellinghouse shall be occupied until the site is served by a sewerage scheme constructed in accordance with Scottish Water standards and as approved by the Council as Planning Authority in consultation with Scottish Water as Sewerage Authority.
- 14 That prior to the occupation of any of the units hereby approved, full details of design, surfacing and construction of a footpath link between the sheltered housing element and the stations park and ride car park shall be submitted to and approved by the Council as Planning Authority.
- 15 That the footpath link approved under the terms of condition 14 above shall be constructed and completed prior to occupation of any of the units hereby approved.
- 16 That before the development starts, a report from a professionally qualified source detailing the nature, concentration and distribution of any contaminants found within the application site, shall be submitted to and approved by the Council as Planning Authority and the development shall not be commenced until such action as is recommended by this report, in order to remove, or render harmless, any such contaminants, has been implemented and completed to the full specification and entire satisfaction of the Council. The developer shall give the Council at least 7 working days notice in writing prior to the commencement of any decontamination works on the site.
- 17 That prior to any work commencing, all sloping ground within the site shall be analysed for stability and the results submitted to and approved by the Council as Planning Authority prior to work commencing.
- 18 That notwithstanding the terms of condition 3 above, a 1.8m high trespass-proof fence shall be provided adjacent to the Network Rail boundary and thereafter maintained to the satisfaction of the Council as Planning Authority.
- 19 That before any work commences on site, details of all proposed lighting shall be submitted to and approved by the Council as Planning Authority.

- 20 That all operations, including the use of cranes or other mechanical plant working adjacent to the rail track must at all times be carried out in a 'fail-safe' manner such that in the event of mishandling, collapse or failure, no materials or plant are capable of falling within 3.0m of the nearest rail of the adjacent railway line, or where the railway is electrified, within 3m of overhead electrical equipment or supports.
- 21 That there will be no change to proposed or finished ground/ floor levels without the prior written consent of the Council as Planning Authority.
- 22 That the public road adjacent to the site shall be kept clear of mud or other deposited material at all times. If the carrying of material onto the public highway becomes evident then appropriate wheel cleaning facilities shall be installed within a timescale agreed, in writing, with the Planning Authority.
- 23 That prior to work commencing on site, a method statement providing details relating to the importation of material onto the site shall be submitted to and approved by the Council as Planning Authority.
- 24 That the handling of imported material shall be carried out in accordance with the terms of the method statement approved under Condition 23 above.

REASONS

- 1 To accord with the provisions of the Town and Country Planning (Scotland) Act 1997.
- 2 In the interests of amenity and in order to retain effective planning control.
- 3 These details have not been submitted or approved.
- 4 to ensure the stability of the site
- 5 In the interest of public safety
- 6 To ensure the provision of adequate parking facilities within the site.
- 7 In the interests of the visual amenity of the area.
- 8 In the interests of amenity.
- 9 In order to retain effective planning control
- 10 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.
- 11 To ensure the provision of a satisfactory land drainage system.
- 12 To ensure the provision of a satisfactory sewerage system
- 13 To ensure the provision of a satisfactory sewerage system
- 14 To ensure the provision of a footpath link to the rail station
- 15 In order to ensure the provision of a footpath link to the rail station.
- 16 To ensure the site is free from contamination
- 17 To ensure the mineral stability of the site
- 18 In the interest of rail safety
- 19 In the interest of rail safety
- 20 In the interest of rail safety
- 21 In the interest of amenity
- 22 To clarify those details approved and in the interests of pedestrians and vehicular traffic safety.

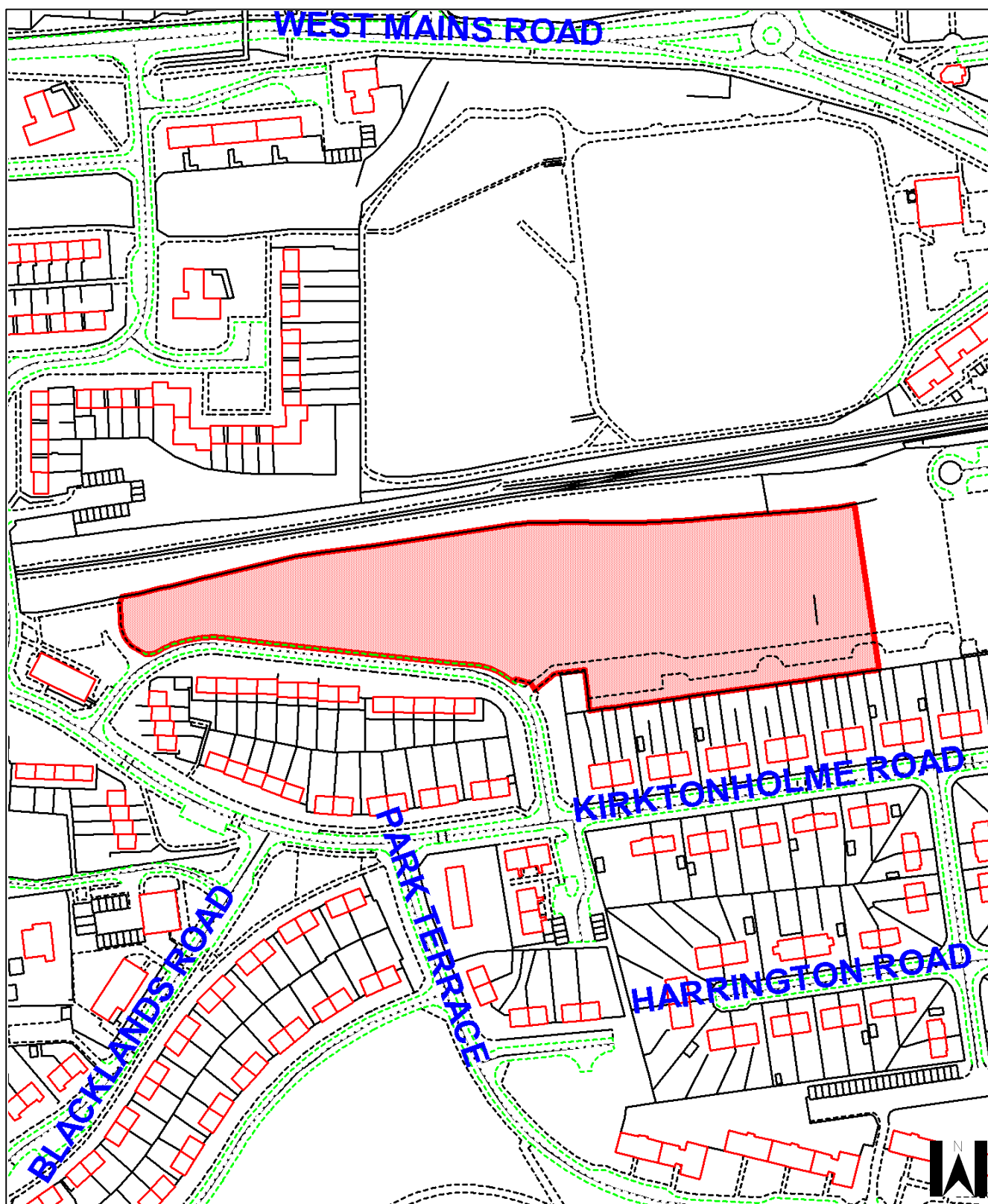
- 23 To safeguard the residential amenity of the area.
- 24 To safeguard the residential amenity of the area.

INFORMATIVES

- 1 Any work which limits access to Network Rail land or structures will require the approval of Network Rail.
- 2 Security of the Network Rail boundary will require to be maintained at all times. If the works require temporary or permanent alterations to the mutual boundary the applicant must contact the Outside Parties Engineer.
- 3 Any proposed landscaping adjacent to the railway should be agreed with Network Rail.
- 4 Where new lighting is to be erected adjacent to the operational railway, the potential for train drivers to be dazzled must be eliminated. The location and colour of lights must not give rise for the potential for confusion with the signaling arrangements on the railway.

For information only

For information only



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