

Report

Report to:	Planning Committee
Date of Meeting:	14 November 2023
Report by:	Executive Director (Community and Enterprise Resources)

Reference no:	P/23/0179
Proposal:	Erection of 3 no. dwellinghouses
Site Address:	Land 20 Metres North of 4 Church Street Uddingston
Applicant:	Mr Ken Fisher
Agent:	Barry McMullan
Ward:	16 – Bothwell and Uddingston
Application Type:	Full Planning Permission
Advert Type:	Affecting the character of a Conservation Area: Hamilton Advertiser 9 March 2023
Development Plan Compliance:	Yes
Departures:	N/A
Recommendation:	Grant subject to conditions
Legal Agreement:	N/A
Direction to Scottish Ministers	N/A

1. Reason for Report

- 1.1. This application is being presented to the Planning Committee for determination as it has received more than 5 objections, as detailed in paragraph 3.5 (b) of the Decision Making Process April 2015.

2. Site Description

- 2.1. The site relates to a plot of vacant land located to the rear of 4 and 6 Church Street, Uddingston. The site is adjacent to a mix of uses including residential, office space and a church and has a boundary with the Gardenside Avenue Conservation Area.
- 2.2. Currently the site is enclosed and contains a large area of hardstanding. The site was used as a haulage yard until approximately 2018 when the warehouse buildings were demolished.

3. Description of Proposed Development

- 3.1. The proposed development relates to the erection of three 2-storey dwellinghouses. The proposed houses will have a 70m² rectangular footprint; a cross gable roof finished in slate effect rooftiles, with a ridge height of 8.4m; external walls finished in natural stone cladding on the principal elevation and white wet dash render on the sides and rear; and vertically emphasised fenestration with sash-and-case front windows.
- 3.2. The houses are positioned so that rear gardens have depths between 9.6m and 12.5m and that windows are at least 18.0m from any existing facing windows. Provision is made within the overall site for 2 off-street parking spaces per house, vehicle turning, and bin storage. Access would be taken via the existing access onto Church Street.
- 3.3. The application has been revised several times since validation. The design has been amended in consideration of the architectural character surrounding the site, windows changed and removed in consideration of overlooking, and access/parking/turning arrangements altered.

4. Relevant Planning History

- 4.1. There are 4 previous applications on the site:-
- ◆ HM/98/0207 – Outline Planning Application – Approved
 - Residential development
 - ◆ HM/12/0278 – Detailed Planning Application – Withdrawn
 - Demolition of 2 sheds and erection of 3 dwellinghouses
 - ◆ HM/12/0364 – Detailed Planning Application – Approved
 - Demolition of 2 sheds and erection of 3 dwellinghouses
 - ◆ P/20/0676 – Detailed Planning Application – Withdrawn
 - Erection of dwellinghouse and 4 flats

5. Supporting Information

- 5.1. None.

6. Consultations

- 6.1. Roads Development Management - No objections subject to conditions.
Response: Noted.
- 6.2. Scottish Water
There is sufficient water and waste water capacity to service the development.
Response: Noted.

7. Representations

- 7.1. Following the statutory period of neighbour notification and advertisement, a total of 6 representations have been received (6 objections, 0 support). The issues raised are summarised as follows:-

Design

- ◆ Not in-keeping with surrounding area
- ◆ Materials proposed for the new houses
- ◆ Fenestration of the proposed buildings

Roads

- ◆ Blocking of access
- ◆ Low visibility splays
- ◆ Congestion
- ◆ Turning
- ◆ Visitor parking provision

Amenity Impacts

- ◆ Overshadowing
- ◆ Overlooking

Land Ownership

- ◆ Access in shared ownership with 4 Church Street and proprietor will not consent to the proposed use.

- 7.2. The above issues are considered in the assessment below and full copies are available to view on the planning portal. Please note that the issue of land ownership is a private legal matter and cannot be considered in the assessment of this planning application.

8. Development Plan

- 8.1. Under Section 25 of the Town and Country Planning (Scotland) Act 1997, all applications must be determined in accordance with the development plan unless material considerations indicate otherwise. The development plan comprises the South Lanarkshire Local Development Plan 2 and National Planning Framework 4.

8.2. National Planning Framework 4

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

National Planning Framework 4 Policies

- ◆ Policy 1 Tackling the climate and nature crisis
- ◆ Policy 2 Climate mitigation and adaptation
- ◆ Policy 3 Biodiversity
- ◆ Policy 7 Historic assets and places
- ◆ Policy 9 Brownfield, vacant and derelict land and empty buildings
- ◆ Policy 12 Zero waste
- ◆ Policy 13 Sustainable transport
- ◆ Policy 14 Design, quality and place
- ◆ Policy 15 Local living and 20 minute neighbourhoods
- ◆ Policy 16 Quality homes
- ◆ Policy 19 Heating and cooling

- ◆ Policy 21 Play, recreation and sport
- ◆ Policy 22 Flood risk and water management

8.3. South Lanarkshire Local Development Plan 2 (2021)

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

SLLDP2 Volume 1 Policies

- ◆ Policy 2 Climate Change
- ◆ Policy 3 General Urban Areas and Settlements
- ◆ Policy 5 Development Management and Placemaking
- ◆ Policy 14 Natural and Historic Development

SLLDP2 Volume 2 Policies

- ◆ Policy SDCC3 Sustainable Drainage Systems
- ◆ Policy SDCC7 Low and Zero Carbon Emissions for New Buildings
- ◆ Policy DM1 New Development Design
- ◆ Policy DM15 Water Supply
- ◆ Policy DM16 Foul Drainage and Sewerage
- ◆ Policy NHE6 Conservation Areas

South Lanarkshire Council (SLC) Supporting Planning Guidance

- ◆ Residential Design Guide 2011
- ◆ Electric Vehicle Charging Point Supporting Guidance 2022

9. Guidance

- 9.1. NatureScot Developing with Nature Guidance is relevant to all local developments and provides advice and guidance on how to achieve Policy 3 Biodiversity of NPF4.

10. Assessment and Discussion

10.1. Principle of Development

The site is located within the general urban area of Uddingston, as defined by Policy 3 of SLLDP2 and has a boundary with Uddingston town centre. Consequently, a wide variety of shops, services, employment and transportation options are available within a short distance from the site.

- 10.2. Policy 9 of NPF4 supports the sustainable reuse of brownfield land, provided that biodiversity value and contamination are considered. The site has not naturalised and is unlikely to do so due to the hard surfacing and its location in a developed urban area. The site is not known or suspected to be contaminated. Consequently, redevelopment of the site can be supported by Policy 9 of NPF4.
- 10.3. Policy 3 of the SLLDP2 does not specifically allocate sites for housing, however, the principle of residential development is acceptable in an urban location. Policy 16 of NPF4 seeks to encourage, promote and facilitate the delivery of high quality, affordable and sustainable homes in the right locations. This site of 3 dwellings in the context of Uddingston is considered a small-scale opportunity within an existing settlement boundary satisfying part (iii). The site is consistent with local living and 20-minute neighbourhoods (including Policy 15 of NPF4) satisfying part (ii). A timing condition will be applied to any permission granted in line with part (i).

- 10.4. Overall, the principle of development is considered acceptable on this site and the proposal complies with Policies 15 and 16 of NPF4 and Policy 3 of the SLLDP2.
- 10.5. Climate Change
Policies 1 and 2 of NPF4 and Policy 2 of SLLDP2 relate to the climate crises and identify that all development should seek to minimise and mitigate the effects of climate change. Policy 13 of NPF4 promotes sustainable transport and aims to facilitate developments that prioritise walking, wheeling, cycling and public transport for everyday travel and reduce the need to travel unsustainably. Policy 19 of NPF4 states that new buildings should be designed to promote sustainable temperature management, and Policy SDCC7 of the SLLDP2 seeks that buildings reduce emissions beyond the requirements of building regulations.
- 10.6. The site is well located for services within the existing settlement, where the majority of daily needs could be achieved by sustainable travel means. Conditions should be imposed on any permission granted for the provision of electric vehicle charge points at each dwelling and the submission of further information in regard to low and zero carbon energy and heating technologies. Additionally, the Council has other mechanisms to promote sustainable development such as through the Building Standards Service. Furthermore, the proposal will redevelop a brownfield site without any significant adverse impact on the water or soil environment, flood risk, air quality, biodiversity and/or green networks. Therefore, on balance, the proposal is considered to meet the terms of Policies 1, 2, 13 and 19 of NPF4 and Policies 2 and SDCC7 of the SLLDP2.
- 10.7. Biodiversity
Policy 3 of NPF4 outlines that local developments should conserve, restore and enhance the biodiversity value of a site. As a brownfield site that is unlikely to naturalise without intervention, the development of dwellinghouses with garden ground is likely to improve biodiversity by increasing soil exposure which can subsequently be planted. Measures to specifically restore and enhance biodiversity (i.e. details of species specific planting) can be sought by condition.
- 10.8. Layout, Siting and Design
Policies 14 and 21 of NPF4 and Policies 5 and DM1 of the SLLDP2 relate to liveable places, placemaking and the quality of the design of a development. Policy 14 of NPF4 sets out that all development should be designed to improve the quality of an area and be consistent with the six qualities of a successful place: healthy, pleasant, connected, distinctive, sustainable, and adaptable. Policy 21 of NPF4 sets out that any dwelling occupied by children and young people shall incorporate well designed, good quality provision for play, recreation and relaxation which is proportionate to the development and existing provision in the area.
- 10.9. It is considered that in terms of scale, design and materiality that the proposed dwellinghouses will be sympathetic to the character and setting of the locale. The proposed external materials would replicate the traditional natural finishes of the surrounding area. Therefore, the development will not result in a detrimental impact on the character of the area, the streetscape or any adjacent properties.
- 10.10. The development has been subjected to a significant redesign since validation and the receipt of objections regarding the design. It is acknowledged that the original design was not in-keeping with the locale in terms of form, fenestration and materiality, however, the houses as currently proposed would sit sympathetically in their surroundings. Furthermore, the first floor side windows which could have directly

overlooked existing neighbours have been removed and the overall level of glazing has been reduced so that fenestration is in-keeping with the local style.

10.11. The proposed dwellings will introduce new structures to the rear of existing residential properties and will understandably impact those neighbours to a degree. However, minimum garden depths (10m) and distances between facing windows (18m) as set out in the Council's Residential Design Guide will be maintained. Some proposed windows fall short of 18m of separation from existing windows, however, the angle between them is such that the possibility of overlooking is negligible. The same is true for existing gardens to the sides of each plot, due to the staggering of buildings, the angle between first floor windows and gardens is such that it does not raise significant concern for overlooking. One representee expressed concern that Plot 3 would overshadow and enclose their rear garden, however, Plot 3 is located due north and will cast no shadow to this garden. The rear view of 4 Church Street will be impacted upon, however, a view is not a material planning consideration. A degree of overlooking and overshadowing is to be expected in dense residential areas, but it is not considered to be of a significantly detrimental degree in this instance.

10.12. Overall, it is considered that the proposed dwellinghouses would not have a significant detrimental impact on the amenity and character of the area, the streetscape, or any adjacent properties and will contribute to improving the quality of the site as a liveable and successful place. The proposed houses will also have good sized garden grounds which will be appropriate for children's play. Consequently, the proposal accords with the considerations of Policy 14 of NPF4 and Policies 5 and DM1 of the SLLDP2.

10.13. Conservation Area

Policy 7 of NPF4 and Policies 14 and NHE6 the SLLDP2 identify that the Council will seek to protect and enhance historic environment assets and places and that development proposals in or affecting a Conservation Area should only be supported where the character and appearance of the Conservation Area and its setting are preserved or enhanced. The site borders the Gardenside Avenue Conservation Area, however, after a significant redesign, it is considered that the design and materiality of the houses would not have a significantly detrimental affect on the character and appearance of the Conservation Area and its setting will be preserved. Consequently, the proposal accords with the provisions of Policy 7 of NPF4 and Policies 14 and NHE6 of the SLLDP2.

10.14. Technical Matters

Policy 12 of NPF4 identifies that proposals which generate waste including residential should make provision to maximise the reduction and separation of waste at source and for the storage and convenient access for the collection of waste. Provision has been made within the site for the storage of waste bins including recycling bins.

10.15. Policy 22 of NPF4 and Policy SDCC3 of the SLLDP2 relate to the water environment and sustainable urban drainage systems. These require that development proposals will not increase the risk of surface water flooding to others, or themselves be at risk, that they manage all rain and surface water through sustainable urban drainage systems (SUDS) and seek to minimise the area of impermeable surface. The site is not at risk of flooding and the site is proposed to be permeable except for the dwellings and the access. No details of a SUDS system have been provided, however, considering the site area and scale of development, it is considered that the site can accommodate a suitable SUDS system; details of which should be secured by condition.

10.16. Policies DM15 and DM16 of the SLLDP2 seek to ensure appropriate supply of waste water services. The application form details connections will be made to the existing public water and sewerage system. Therefore, the proposal meets the terms of Policy DM15 and DM16.

10.17. The parking standard for a 3-bedroom house is 2 off-street parking spaces. The site plan shows 2 spaces per house plus turning space. The Council's Roads Authority has responded that the parking arrangement is acceptable. The visibility splays fall short of the standard for a restricted urban road, however, the Roads Authority has investigated the issue and determined that a reduced splay is acceptable in this instance considering that the access is existing, will provide access to only 4 dwellings (3 proposed and no.4 Church Street), that traffic volumes on Church Street are low, and that there are no records of accidents on the street. The Roads Authority has recommended conditions to ensure the formation of the access and parking and that a traffic management plan be submitted prior to commencement of development. Furthermore, it is noted that an objection was raised stating that access to 4 Church Street would be blocked. Whilst there would be a degree of disruption during construction, the completed proposal would not cause any obstructions.

10.18. Conclusion

In conclusion, the proposal seeks planning permission for 3 dwellinghouses on a brownfield site off Church Street on the edge of Uddingston town centre. The site is well located and is a suitable location for residential use. The proposed houses can be accommodated on the site without significant adverse impact on surrounding amenity and the design complements the traditional architecture of the surrounding properties. Overall, it is considered that the proposals comply with the provisions of the relevant policies within National Planning Framework 4 and the South Lanarkshire Local Development Plan 2.

11. Recommendation and Conditions

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

Grant Planning Permission Subject to the following Conditions:-

01. The development to which this permission relates shall be begun no later than the expiration of three years beginning with the date of grant of this decision notice.

Reason: To comply with Section 58(1) of the Town and Country Planning (Scotland) Act 1997 (as amended).

02. That before any development commences on site or before any materials are ordered or brought to the site, details or 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.

Reason: To ensure the development is satisfactory in appearance and to maintain the visual quality of the area.

03. 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.

Reason: 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.

04. That before any development commences on site details and locations of electric vehicle charging points, at a rate of one 7kW charging point per house plot, shall be submitted for the written approval of the Council as Planning Authority. Prior to the completion of the development the approved charging points shall be installed, and available for use.

Reason: To ensure facilities for recharging electric vehicles are available for the use of the residents.

05. That before any development commences on site details of biodiversity measure(s) shall be submitted for the written approval of the Planning Authority. The biodiversity measure(s) shall thereafter be implemented prior to occupation or completion of the approved dwellings, whichever occurs first.

Reason: In order to ensure the provision of biodiversity measures which restore and enhance the site and surrounding area.

06. 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), no window openings shall be inserted above ground floor level on the side elevation(s) of the dwellinghouses hereby approved.

Reason: To safeguard the amenity and privacy of nearby occupants.

07. That notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(Scotland) Amendment Order 2011 (or any such order revoking or re-enacting that order), no alterations shall be made to the external appearance of the dwellinghouses hereby approved without the prior written consent of the Council as Planning Authority.

Reason: To safeguard the visual amenity of the area.

08. That notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(Scotland) Amendment Order 2011 (or any such order revoking or re-enacting that order), no gates, fences, walls or other means of enclosure or any hard surfaces shall be erected or installed between the front of the dwellinghouse in Plot 1 of the approved plan ref. "AR23006 (PP) 001 G" and Church Street.

Reason: To ensure that no additional driveway is formed from Church Street and that the future development potential of 6 Church Street is not prejudiced.

09. That before the development is completed or brought into use, all of the parking spaces shown on Drawing AR23006 (PP) 001 Rev G of the approved plans shall be laid out and constructed to the specification of the Council as Roads and Planning Authority.

Reason: To ensure the provision of adequate parking facilities within the site.

10. That before the development hereby approved is completed or brought into use, the entire access road network serving the development shall be laid out and constructed in accordance with the specification of the Council as Roads and Planning Authority.

Reason: To ensure the provision of satisfactory access to the dwellings.

11. That prior to any works associated with the construction of the development commence, a Construction Traffic Management Plan shall be submitted to the Council as Roads and Planning Authority for approval. This should provide details of access and parking provision for staff and visitors, intended working hours, how deliveries of materials will be managed and stored and what wheel washing facilities will be provided to prevent mud being carried on to the adopted road.

Reason: in the interests of traffic and public safety as well as to preserve the amenity of the surrounding area.

12. Reason for Decision

- 12.1. The proposed dwellinghouses would redevelop a brownfield site which represent a small-scale opportunity within a settlement and is a sustainable location due to the availability of services and infrastructure. The design of the houses respects the local character and the site layout ensures that neighbouring amenity would not be significantly impacted. Technical matters have also been met or could be met through condition. Consequently, the proposal is considered to comply with Policies 1, 2, 3, 7, 9, 12, 13, 14, 15, 16, 19, 21, 22 of National Planning Framework 4 and Policies 2, 3, 5, 14, SDCC3, SDCC7, DM1, DM15, DM16, and NHE6 of the South Lanarkshire Local Development Plan 2.

David Booth

Executive Director (Community and Enterprise Resources)

Date: 2 November 2023

Background Papers

Further information relating to the application can be found online:

[P/23/0179 | Erection of 3no. dwellinghouses | Land 20M North Of 4 Church Street Church Street Uddingston](#)

Corporate Considerations

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

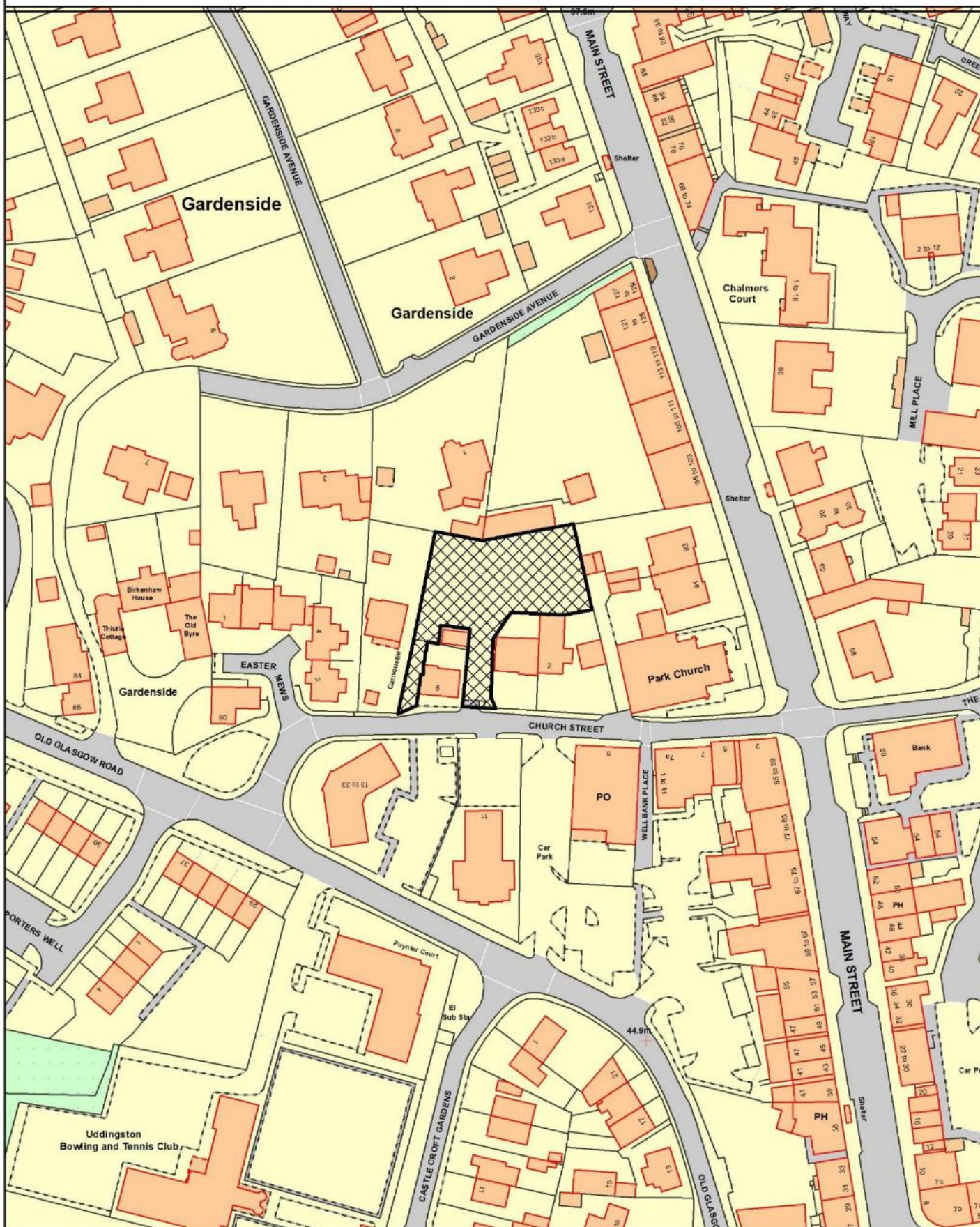
Contact for Further Information

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

Tel: 01698 454867

E-mail: planning@southlanarkshire.gov.uk

P/23/0179 Land 20M North of 4 Church Street, Uddingston



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Scale:
1:1,500
Date:
05/10/2023



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