

Report

Report to:	Planning Committee
Date of Meeting:	30 August 2005
Report by:	Executive Director (Enterprise Resources)

Application No	EK/05/0356
Planning Proposal:	Erection of Two Detached Dwellings

1 Summary Application Information

- Application Type : Detailed Planning Application
- Applicant : BMJ LTD
- Location : Hayhill Road
Jackton
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 the conditions attached)

2.2 Other Actions/Notes

2.1 The Planning Committee has delegated powers to determine this application.

2.2 The application is contrary to the Development Plan and objections have been received. In accordance with Council procedures, a hearing may be required prior to determining the application.

3 Other Information

- ◆ Applicant's Agent: CRGP Limited
- ◆ Council Area/Ward: 28 Mossneuk/Kittoch
- ◆ Policy Reference(s): Policies SLP1 and SLP6 of the adopted East Kilbride and District Local Plan

- ◆ Representation(s):

▸ 2 Objection Letters

◆ Consultation(s):

Transco

Power Systems

Public Protection - Environmental Health (East Kilbride)

Roads and Transportation Services (East Kilbride)

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

Scottish Water

Planning Application Report

1 Application Site

- 1.1 The application relates to a site in Hayhill Road, to the north of Jackton. Hayhill Road runs from Eaglesham Road, opposite Westend Farm, north of Jackton to Bogton Farm. The road is rural in character although there is a group of dwellings on the north side of Hayhill Road at its eastern end. At this point, Hayhill Road slopes down from west to east and the plots on Hayhill Road fall away to Peel Road at the rear.
- 1.2 The application site is located between Benview and Peel Road at the end of the above group of dwellings. The application site is bounded by mature hedging, is relatively flat and is grassed.

2 Proposal(s)

- 2.1 The applicant intends to erect two dwellings consisting of one and a half storeys and finished in render with concrete roof tiles. The windows will be double glazed with white upvc frames. The site will be accessed from Hayhill Road. The accommodation provided will extend to living room, family room, breakfasting kitchen, dining room, four bedrooms, two bathrooms and a WC.

3 Background

3.1 Local Plan Status

The application can be assessed against the policies contained in the adopted East Kilbride and District Local Plan. The site is identified as being within the designated greenbelt and should be assessed against Policies ENV1 and SLP1 – Greenbelt. The policies presume against all development within the greenbelt unless it can be shown to be necessary for the furtherance of agriculture, forestry or other appropriate greenbelt use. A full discussion of the proposal is contained within Section 6.0 of this report.

3.2 Relevant Government Advice/Policy

As the site is located within the designated greenbelt, the proposal can also be assessed against Circular 24/1985 – Development in the Countryside and Green Belts. This sets out the policy on development in the greenbelts and states that local plans should define the precise boundaries of the greenbelt. Development within the greenbelt should be strictly controlled. The Glasgow and Clyde Valley Joint Structure Plan sets out the main purpose of the greenbelt and presumes against development. No development control policies are provided in either document which relate to development of this scale.

4 Consultation(s)

- 4.1 **SLC Roads and Transportation Services** raised no objections to the proposal subject to conditions relating to the provision of three parking spaces within the curtilage of each site, visibility splays and footpaths.
Response – Noted, and conditions will be attached to any consent issued on these points and requiring details of the spaces and their implementation prior to completion of the dwellinghouse.
- 4.2 **SLC Environmental Services** raised no objections to the proposal.
Response – Noted.

- 4.3 **Scottish Power** raised no objections to the proposal.
Response – Noted.
- 4.4 **TRANSCO** – raised no objections to the proposal.
Response – Noted.
- 4.5 **Scottish Water** advised that there are no known sewers in the vicinity and a septic tank would be required.
Response – Noted.
- 4.6 **SEPA** requested that the development of these two dwellings are timed to coincide with the extension of the public sewer network as a result of the adjacent development.
Response – Noted. The applicants agents have been advised of this and conditions should be added to any consent issued relating to the sewerage scheme.

5 **Representation(s)**

- 5.1 Following statutory neighbour notification and advertising the proposal as Development Potentially Contrary to Development Plan in East Kilbride News on 15 June 2005, two letters of objection were received. The points raised are summarised below.

(a) **The proposed development is contrary to the site's designation as greenbelt.**

Response – The proposal is not supported by an agricultural justification and is located within the greenbelt. As such, the proposal was advertised as Development Potentially Contrary to Development Plan in East Kilbride News on 15 June 2005.

(b) **Development on these sites would set an undesirable precedent for further developments which would destroy the greenbelt.**

Response – The Council would not wish to set a precedent for inappropriate or undesirable development however each application is assessed on its individual merits.

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

6 **Assessment and Conclusions**

- 6.1 The applicant intends to erect two dwellings on Hayhill Road, Jackton. The proposed dwellings will extend to one and a half storeys and are similar in scale and design to the adjacent dwellings.
- 6.2 The proposal can be assessed against the policies contained in the East Kilbride and District Local Plan and in particular greenbelt policies ENV1 and SLP1. Policy ENV1 sets out the greenbelt land use policy and SLP1 provides detailed development control policies for the greenbelt. In addition, Policy SLP6 sets out detailed policy for assessing individual proposals.
- 6.3 The proposal was advertised as Development Potentially Contrary to Development Plan in East Kilbride News on 15 June 2005. The greenbelt policy states that “within the greenbelt, the Council will strongly resist the encroachment or introduction of urban uses. There shall be a general presumption against all development except where it can be shown to be necessary for the furtherance of agriculture, forestry or other uses considered by the Council to be appropriate to the greenbelt.”

- 6.4** It goes on to state that any development that the Council considers appropriate in principle should be located and designed, where appropriate, in a manner that will not adversely affect the agricultural, natural and amenity value of the greenbelt. The proposal is contrary to the greenbelt policies contained in the adopted Local Plan in that there is no agricultural or other justification for the development. I do not consider, however, that the erection of these dwellings at the end of a row of similar dwellings will adversely affect the value of the greenbelt. The area to the south east of the application site was released for housing through the local plan and consent has been granted for 239 dwellings. The landscape and character of this area will change considerably following the construction of the larger housing area and the area to the north of the site has been developed as part of the Glasgow Southern Orbital (GSO) route. Against this backdrop, I do not consider that the development of the application site will adversely affect the amenity and value of the greenbelt at this locale. The proposal has been designed to reflect the low level, rural character of adjacent dwellings and sits well on Hayhill Road.
- 6.5** Policy SLP1 provides guidance on development within the greenbelt and states that new houses will not normally be permitted. As stated above, the proposal is strictly contrary to Policy SLP1 however I do not consider that the development of this site will adversely affect the character of the greenbelt in this area.
- 6.6** Policy SLP6 relates to development control in general and states that all applications should take fully into account the local context and built form i.e. development should be compatible in terms of scale, massing and external materials. The proposal has been designed to reflect the rural character of the dwellings in Hayhill Road in terms of the height, materials and scale of the building. Indeed, the dwellings have been designed to replicate the adjacent dwellings. The proposed dwelling would sit well with the existing dwellings and blend in with the existing character of Hayhill Road.
- 6.7** In conclusion, whilst the proposal is contrary to the adopted Local Plan, I would consider that a departure is justified in this instance, given the surrounding proposals. Following the development of Bogton Farm and the GSO, the nature of Hayhill Road will be considerably altered and I do not consider that the approval of the dwellings on this site will further affect this character or set a precedent elsewhere in the area. I would therefore recommend that planning permission is granted contrary to the adopted Local Plan for the following reasons –
1. The proposed dwellings are well designed and meet with Policy SLP6 of the adopted East Kilbride and District Local Plan.
 2. The site is adjacent to an approved housing release of 239 houses and the character of this area will change considerably. As a result, the site does not represent a critical or valuable part of the greenbelt resource.
 3. The application site is situated adjacent to existing dwellings forming a scattered row along Hayhill Road. The approval of this dwelling will not alter the character of Hayhill Road.

4. The proposal does not set a precedent for other developments within the greenbelt given the unique nature of Hayhill Road.

Iain Urquhart
Executive Director (Enterprise Resources)

17 August 2005

Previous References

None

List of Background Papers

- ▶ Application Form
- ▶ Application Plans
- ▶ Consultations
 - S.E.P.A. (West Region) 24/06/05
 - Scottish Water 01/07/05
 - Roads and Transportation Services (East Kilbride) 16/06/05
 - Public Protection - Environmental Health (East Kilbride) 14/07/05
 - Power Systems 11/07/05
- ▶ Representations
 - Representation from : Raymond Burke, 86 Kelso Drive
East Mains, East Kilbride
G74 4DB, DATED 30/06/05
 - Representation from : J.E. Allan, 94 Franklin Place
Westwood, East Kilbride
G75 8LS, DATED 23/06/05

Contact for Further Information

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

Lesley Campbell, Planning Officer, Civic Centre, East Kilbride
Ext. 6314 (1355 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 the development shall be carried out strictly in accordance with the plans hereby approved and no change to the design or external finishes shall take place without the prior written approval of the Council as Planning Authority.
- 3 That before any development commences on site or before any materials are ordered or brought to the site, details and samples of all materials to be used as external finishes on the development shall be submitted to and approved by the Council as Planning Authority.
- 4 That 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 dwellinghouses situated on the site upon which a fence is to be erected is occupied, the fence or wall for which the permission of the Council as Planning Authority has been obtained under the terms of Condition No.4 above, shall be erected and thereafter maintained to the satisfaction of the Council.
- 6 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 development shall take place within the curtilage of the application site other than that expressly authorised by this permission without the prior written consent of the Council as Planning Authority.
- 7 That before any dwellinghouse 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 and to the satisfaction of the Council as Roads and Planning Authority.
- 8 That before any dwellinghouse hereby approved is completed or brought into use, a turning space shall be provided within the plot to enable vehicles to enter and leave the application site in forward gears at all times.
- 9 That before the development hereby approved is completed or brought into use, a 2.0 metre wide footway shall be constructed along the frontage of the site, shown shaded brown on the approved plans, to the specification and satisfaction of the Council as Roads and Planning Authority.
- 10 That before development starts, details of the surface finishes to parking bays, parking courts and curtilage parking areas shall be submitted to and approved by the Council as Planning Authority.

- 11 That before the dwellinghouse hereby permitted is occupied, 3 car parking spaces shall be provided within the curtilage of each plot and outwith the public road or footway and shall thereafter be maintained to the satisfaction of the Council as Planning Authority.
- 12 That before the dwellings hereby approved is completed or brought into use, a visibility splay of 2.5 metres by 60 metres measured from the realigned junction where Hayhill Road meets Peel Road shall be provided on both sides of the vehicular access and everything exceeding 1.05 metres in height above the road channel level shall be removed from the sight line areas, three metres from the edge of Hayhill Road, along the frontage of both plots, and thereafter nothing exceeding 1.05 metres in height shall be planted, placed or erected within these sight lines.
- 13 The surface of the access shall be so trapped and finished in hardstanding as to prevent any surface water or deleterious material from running onto or entering the highway. No gates shall be erected within 10 metres of the carriageway.
- 14 That no dwellinghouse shall be occupied until the site is served by a sewerage scheme constructed to the specification and satisfaction of Scottish Water as Sewerage Authority.
- 15 That before the development hereby approved is completed or brought into use, a 2.0 metre wide service strip shall be constructed along the edge of the site, shown shaded brown on the approved plans, to the specification and satisfaction of the Council as Roads and Planning Authority.

REASONS

- 1 To accord with the provisions of the Town and Country Planning (Scotland) Act 1997.
- 2 In the interests of amenity and in order to retain effective planning control.
- 3 In the interests of amenity and in order to retain effective planning control.
- 4 These details have not been submitted or approved.
- 5 In order to retain effective planning control
- 6 In order to retain effective planning control
- 7 In the interest of public safety
- 8 In the interest of public safety
- 9 In the interest of public safety
- 10 These details have not been submitted or approved.
- 11 To ensure the provision of adequate parking facilities within the site.
- 12 In the interest of road safety
- 13 In the interest of public safety
- 14 To ensure the provision of a satisfactory sewerage system
- 15 In the interest of public safety

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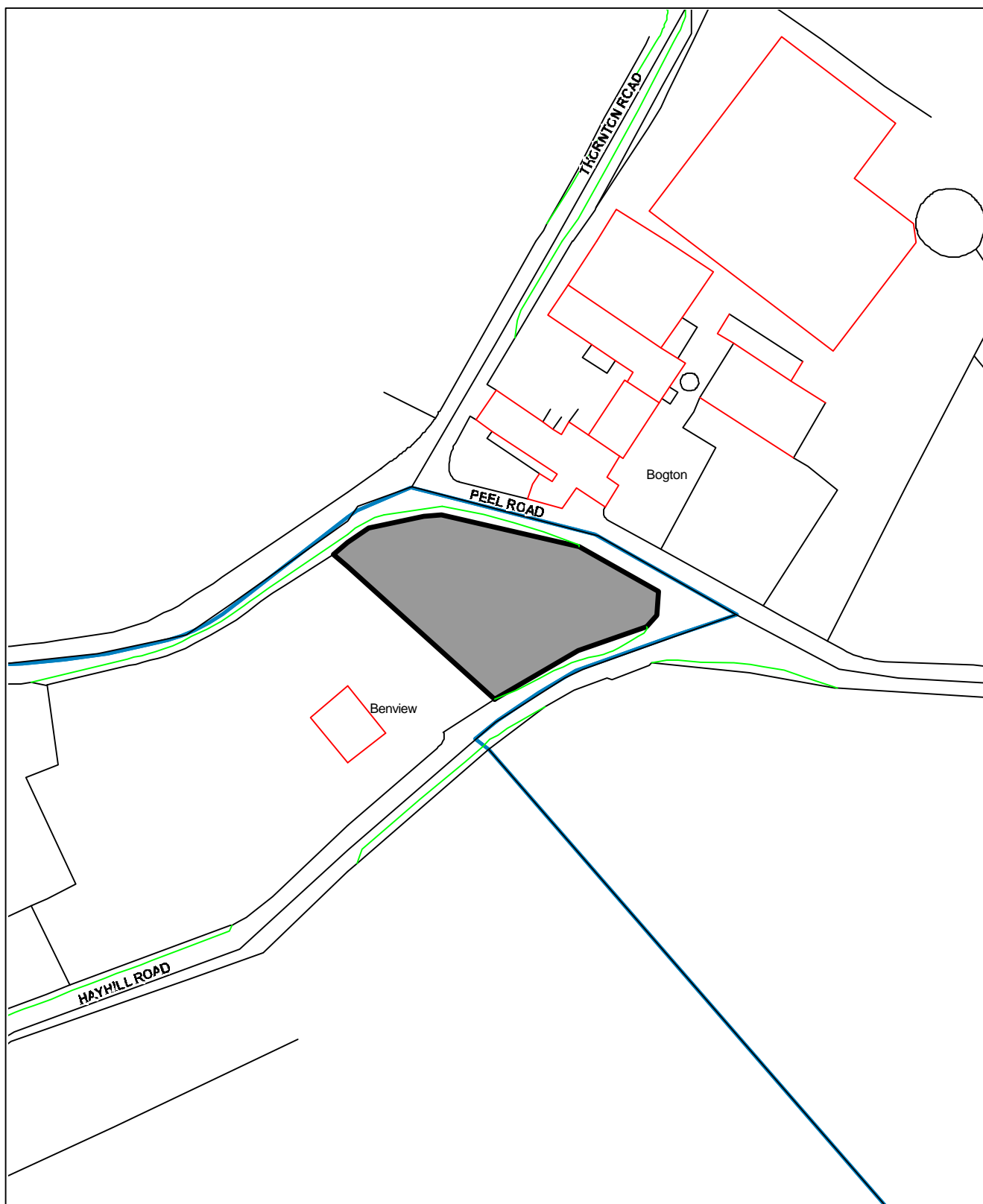
HAYHILL ROAD, EAST KILBRIDE

Planning and Building Control Services

Scale: 1: 1250

For information only

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