

# Report

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Report to:	<b>Hamilton Area Committee</b>
Date of Meeting:	<b>14 February 2007</b>
Report by:	<b>Executive Director (Enterprise Resources)</b>

Application No	HM/06/0813
Planning Proposal:	Erection of Residential Development (12 units)

## 1 Summary Application Information

- Application Type : Detailed Planning Application
- Applicant : Mr. William Reid
- Location : Government Offices  
Calder Street  
Blantyre

## 2 Recommendation(s)

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

- (1) Grant Detailed Permission – Subject to Conditions (based on the Conditions Attached)

### 2.2 Other Actions/Notes

- (1) The Area Committee has delegated powers to determine this planning application.

## 3 Other Information

- ◆ Applicant's Agent: BDS Chartered Architects and Design Consultants
- ◆ Council Area/Ward: 35 Burnbank/Blantyre
- ◆ Policy Reference(s): **Hamilton District Local Plan**  
Policy RES1 – Residential Areas – General  
Policy DC1 – Development General  
**South Lanarkshire Planning Policies**  
SLP6 – Development Control General  
**Residential Development Guide**  
**South Lanarkshire Local Plan (Finalised)**  
Policy RES6 – Residential Land Use  
Policy DM1 – Development Management  
Policy ENV11 – Design Quality  
Policy ENV30 – New Housing Development  
Policy ENV36 – Sustainable Urban Drainage Systems

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- ◆ Representation(s):
  - ▶ 1 Objection Letter

- ◆ Consultation(s):

Roads and Transportation Services (Hamilton Area)

Environmental Services

Scottish Power

Scottish Gas Networks

Roads & Transportation Services H.Q. (Flooding)

Scottish Environment Protection Agency

Scottish Water

# **Planning Application Report**

## **1 Application Site**

- 1.1 The application relates to an area of ground, at the corner of Calder Street and Boswell Drive, Blantyre. The site is surrounded by residential properties to the north west and north east, whilst the site of the new Calderside Academy (formerly Blantyre High School) can be found to the south east and south west.
- 1.2 An existing single storey building and associated car parking currently occupy the site. The building was last used as a job centre.
- 1.3 A mix of commercial uses and community facilities can be found approximately 264 metres south east along Calder Street, these include the Blantyre Shopping Centre, Blantyre Miners Welfare and Social Club, Blantyre Health Centre and Surgery and Blantyre Police Station.
- 1.4 Vehicular access to the site is solely from Calder Street.

## **2 Proposal(s)**

- 2.1 The applicants propose the demolition of the existing building on site and thereafter the erection of a 3 storey, 12 unit residential block. The proposed block would front directly onto Boswell Drive. However, vehicular access to the development would be retained, and improved, from Calder Street.
- 2.2 In response to concerns raised by the Planning Service the scheme has been amended slightly from its initial submission. The changes were required to improve the amenity space fronting both Boswell Drive and Calder Street and provide window detailing to the Calder Street gable elevation. Further amenity space and bin storage will be provided within the site along the south west boundary.
- 2.3 The vehicular entrance from Calder Street will provide access to 24 car parking spaces to serve the development. The existing access, currently located at this point will be improved both in its technical requirements and visual appearance. Two pedestrian accesses will be provided to Boswell Drive.
- 2.4 It is proposed to finish the external elevations in a combined stone and dry dash finish.

## **3 Background**

### **3.1 Local Plan Policy**

- 3.1.1 In terms of the adopted Hamilton District Local Plan the site is identified as being within a general residential area (Policy RES1), within such areas the Council will resist developments that would be detrimental to the amenity of these areas.
- 3.1.2 Policy DC1 – Development Control – General, which also applies, requires that all applications for planning permission shall take fully into account the local context and built form i.e. development should not take place in isolation and must take cognisance of scale, position and materials of adjacent buildings and surrounding streetscape. This is reiterated in Policy SLP6 – Development Control General of

South Lanarkshire Planning policies, which are supplementary to those of the local plan.

3.1.3 South Lanarkshire Council's Residential Development Guide provides additional advice. This advice sets out the criteria against which new housing development should be assessed.

3.1.4 The finalised South Lanarkshire Local Plan, which is also a material consideration in the determination of this application, identifies the site as being within a general residential area (Policy RES6). The Council will resist any development which is detrimental to residential amenity within such areas. Furthermore, there is a requirement for all new developments to comply with Policies DM1 – Development Management, ENV11 – Design Quality and ENV30 – New Housing Policy. Policy DM1 requires that proposals take account of the local context and built form. Where as policies ENV11 and ENV30 promote the principles of sustainable development through design and layout, which achieves a development which makes a positive contribution to the character and appearance of the area within which they are located and which are well related to existing development, public transport, local services and facilities. Policy ENV36 – Sustainable Urban Drainage System promotes the Council's requirements for SUD's in appropriate development following liaison with SEPA, Scottish Water and the Council's Flood Prevention Unit.

### 3.2 **Relevant Government Advice/Policy**

3.2.1 Relevant Government guidance is set out within SPP3 – Planning for Housing and PAN 67 – Housing Quality. SPP3 promotes the aim that good quality housing in the right location contributes to achieving the policy objectives of the Scottish Ministers. PAN 67 explains how 'Designing Places' – a Scottish Minister's Policy Statement for Scotland, should be applied to new housing developments. Government supports the reuse of "Brownfield" sites to meet development needs to assist in the protection of 'Greenbelts'.

### 3.3 **Planning History**

3.3.1 No recent planning applications have been submitted in respect of the site.

## 4 **Consultation(s)**

4.1 **Roads and Transportation Services** - Have offered no objections subject to conditions relative to the provision of adequate visibility splays, access and bin storage. However, the Divisional Road Engineer has advised that pedestrian access onto Boswell Drive, the location of the bin stores and the proximity of the off street car parking spaces to Calder Street are unacceptable. This is on the basis that pedestrian access to Boswell Drive is likely to result in on-street parking at this location, which provides access to adjoining residential properties and the new Calderside Academy School and therefore be detrimental to both road and public safety. The distance of the proposed bin stores from Calder Street is in excess of the 15 metres requirement and that the first parking space requires to be set back 15 metres from the access point to prevent tail backs onto Calder Street.

**Response:** - Noted. With regards to the Divisional Roads Engineer's concerns over pedestrian access to Boswell Drive it is confirmed that the applicants propose the provision of a pedestrian rail, at their expense, along the frontage of their development to reduce the risk of on street parking, associated with their

development, along Boswell Drive. This is acceptable to Roads and Transportation. Furthermore, it is confirmed that the applicant's proposal is for the refuse collection to be directly from Boswell Drive, not Calder Street. This would be within the 15m distance specified by Roads and Transportation. In relation to the proximity of the parking spaces to the access point it is confirmed that these will be 12.2m from Calder Street, which is less than the 15 metres stated by Roads and Transportation Services. However, it is noted that the proposed access has been improved from that which exists at present and the proposed car park will accommodate a similar number of vehicles to the previous use of the car park. Furthermore, it is noted that Calder Street has benefited from the implementation of traffic calming measures, which assist in the reduction of traffic speeds. On the basis of the above I feel that a relaxation can be allowed in this instance as the likelihood of an occurrence, envisaged by the Divisional Engineer, is not significant and the development would result in an overall benefit to the amenity of the area.

- 4.2 **Roads and Transportation (Flooding)** - Have no objection to the proposal subject to undertaking of a Drainage Impact Assessment, surface water being treated in accordance with the principles of Sustainable Urban Drainage Systems, the provision of details of flood prevention works and the provision of an adequate sewerage scheme.

**Response:-** Noted. These requirements can be imposed as conditions to any such consent.

- 4.3 **Environmental Services** - Have no objections subject to noise control during construction, the undertaking of an asbestos survey, control of dust, the treatment of contamination and pest control.

**Response:-** Noted. Where appropriate, conditions shall be imposed if planning permission is granted.

- 4.4 **Scotland Gas Networks** - Have offered no objection to the proposal subject to the protection of their apparatus adjoining the site.

**Response:** - Noted. The applicants have been made aware of these requirements.

- 4.5 **Scottish Power** - Have no objection to the proposal subject to the protection of their apparatus adjoining the site.

**Response:** - Noted. The applicants have been made aware of these requirements.

- 4.6 **Scottish Water** - Have not yet responded.

**Response:** - Noted. Whilst no formal response has been received it is my intention to include appropriate conditions, should consent be granted to ensure an acceptable scheme is installed.

- 4.7 **Scottish Environment Protection Agency** – Have not yet responded to the consultation request.

**Response:** - Noted. Whilst no formal response has been received it is my intention to include appropriate conditions, should consent be granted to ensure an acceptable scheme is installed.

## **5 Representation(s)**

- 5.1 Statutory neighbour notification was undertaken in respect of the proposal. Further notification was carried out as a result of changes made to the scheme. One letter of representation has been received.

5.2 The grounds of objection are summarised as follows:

**a) The scale of building, being 3 storey, is out of character with surrounding properties.**

**Response:** The overall height of the proposed building is comparable to that of the traditional two storey properties on Calder Street. Furthermore the new school building, currently under construction adjoining the application site on Calder Street, is also of a significant scale. For these reasons I do not feel that that proposed development will adversely impact on the amenity of adjoining residential properties or the streetscene in general.

**b) Concerns over the increase to traffic, as a result of both this residential development and adjacent new school building.**

**Response:** Roads and Transportation Services have been consulted on both developments and have raised no issues in this regard. The proposed residential development has sufficient off-street parking provision to serve the scale of development and meets Roads and Transportation Services requirements.

**c) Concerns over the ability of the objector to sell their property at a future date given the visual impact of the development on their property.**

**Response:** It is advised that the impact of a proposal on the value of adjoining properties is not a material planning consideration. The scale of the proposed development is considered to be acceptable. This concern should not therefore unduly influence the determination of this application.

**d) The proposed development would be detrimental to the objector's view.**

**Response:** The right to a view is not a valid planning consideration. This concern should not therefore unduly influence the determination of this application.

## **6 Assessment and Conclusions**

6.1 The application proposes a residential development, comprising 12 units, and associated car parking within the Blantyre area of South Lanarkshire. The main determining issues in assessing this proposal are whether it accords with local plan policy, its impact on amenity and road safety matters.

6.2 With regard to the site's designation, both the adopted Hamilton District Local Plan and Finalised South Lanarkshire Local Plans identified the area as being general residential, (Policies RES1 and RES6 respectively) therefore residential development of the site is appropriate, subject to compliance with normal development control criteria. In this instance Policy DC1 of the adopted local plan and Policies DM1, ENV11, ENV30 and ENV36 apply, as does both policy SLP6 of the South Lanarkshire's Planning Policies and the Council's approved Residential Development Guide.

6.3 The proposed development has been amended, and integrates well with surrounding properties in terms of scale, design and orientation. I am satisfied that the proposed development can be implemented in accordance with criteria set out within the Council's Residential Development Guide, and other applicable policies and guidance, and that there will be no detrimental impact on the amenity of adjoining properties.

- 6.4 The third party objections submitted in respect of the development do not, in my opinion, merit the refusal of the application in this instance and the statutory consultees have raised no objection.
- 6.5 In relation to road safety, the initial concerns of Roads and Transportation Services, with regard to the potential for on street parking associated with the development on Boswell Drive will be addressed through the use of a condition requiring the provision of a pedestrian barrier as well as other appropriate conditions where necessary. Similarly, where appropriate conditions shall be imposed for the other statutory consultees.
- 6.6 The proposed redevelopment of the site if approved, would remove a relatively unsightly building, thereby improving the amenity of this area, to the benefit of adjoining residents.
- 6.7 It is therefore considered that the application is acceptable and I recommend that planning permission be granted.

## **7 Reasons for Decision**

- 7.1 The proposal accords with the policies of both the adopted Hamilton District Local Plan (Policy RES1 – Residential Areas General and Policy DC1 – Development Control General), the finalised South Lanarkshire Local Plan (Policies RES6 – Residential Land Use, DM1 – Development Management, EN11 – Design Quality, ENV30 – New Housing Development and ENV36 – Sustainable Urban Drainage Systems) and additional guidance contained within SLP6 – Development Control General and the Council's approved Residential Development Guide. There will be no amenity or road safety issues resulting from the proposed in relation to surrounding residential properties.

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

**6 February 2007**

### **Previous References**

- ◆ None

### **List of Background Papers**

- ▶ Application Form
- ▶ Application Plans
- ▶ Consultations
  - Roads & Transportation Services H.Q. (Flooding) 29/11/06
  - Roads & Transportation (Hamilton) 08/12/06
  - Environmental Services 30/11/06
  - Scotland Gas Networks 24/11/06
  - Scottish Power 24/11/06
- ▶ Representations

Angela Strang, 108 Calder Street, Blantyre DATED 2 February 2007

**Contact for Further Information**

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

James Watters, Planning Officer, Brandon Gate, Hamilton  
Ext 3522 (Tel : 01698 453522 )  
E-mail: [Enterprise.hamilton@southlanarkshire.gov.uk](mailto:Enterprise.hamilton@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 the open space relating to the development shall be laid out simultaneously with the development or each phase thereof, and shall be completed to the satisfaction of the Council as Planning Authority.
- 5 That proposals for the maintenance of all areas of open space within the development (approved in terms of Condition 4 above) shall be submitted to the Council as Planning Authority and 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.
- 6 That before any work commences on the site/ a scheme of landscaping for all open space areas within the site shall be submitted to the Council as Planning Authority for written approval and it shall include:
  - (a) details and specification of all trees, shrubs, grass mix, etc.;
  - (b) details of any top-soiling or other treatment to the ground;and no work shall be undertaken on the site until approval has been given to these details.
- 7 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.
- 8 That before any of the any of the flats hereby approved are occupied, the fence or wall for which the permission of the Council as Planning Authority has been obtained under the terms of Condition 7 above, shall be erected and thereafter maintained to the satisfaction of the Council.
- 9 That no house 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.
- 10 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.

- 11 That before the development hereby approved is completed or brought into use, a visibility splay of 2.5 metres by 90 metres measured from the road channel 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 and thereafter nothing exceeding 1.05 metres in height shall be planted, placed or erected within these sight lines.
- 12 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.
- 13 That prior to the commencement of development, details of the land drainage works shall be submitted to and approved by the Council as Planning Authority.
- 14 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 13 above.
- 15 That prior to any work starting on site, a Drainage Assessment in accordance with 'Drainage Assessment - A Guide for Scotland', shall be submitted to and approved in writing by the Council as Planning and Roads Authority (and the Scottish Executive as Trunk Roads Authority).
- 16 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.
- 17 That no development shall commence on site until the applicant provides written confirmation from Scottish Environment Protection Agency to the Council as Planning Authority that the site can be satisfactorily serviced in accordance with their requirements.
- 18 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.
- 19 The following hours should be adopted as 'standard' for the carrying out of all works and ancillary operations which are audible at the site boundary.

Monday - Friday	8.00 am - 7.00 pm
Saturday	8.00 am - 1.00 pm
Sunday	None

Any deviation from the above should only occur when:
  - a) The applicant has satisfied the Council that the works can only be carried out at

times outwith the standard hours for operational reasons or;

b) The Council is of the opinion that the works require to be carried out at times outwith the standard hours to prevent or minimise noise problems.

- 20 That prior to the occupation of any flat, hereby approved, a pedestrian barrier shall be provided along Boswell Drive (shown BLUE on the approved plans). All works shall be carried out to the specification and approval of the Council as both Planning and Roads Authority.
- 21 That prior to the commencement of development on site, details of the provision of flood prevention works, together with subsequent management and maintenance arrangements shall be submitted to and approved by the Council as Planning Authority. The works will require to comply with the Council's Sustainable Drainage Design Criteria and requirements.
- 22 That no dwelling unit shall be occupied until the flood prevention measures required under Condition 21 above have been completed in accordance with the approved scheme.

## 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 In the interests of amenity.
- 5 In the interests of amenity.
- 6 In the interests of the visual amenity of the area.
- 7 These details have not been submitted or approved.
- 8 In order to retain effective planning control.
- 9 To ensure satisfactory vehicular and pedestrian access facilities to the dwellings.
- 10 To ensure the provision of adequate parking facilities within the site.
- 11 In the interest of road safety.
- 12 In order to retain effective planning control.
- 13 To ensure the provision of a satisfactory land drainage system.
- 14 To ensure the provision of a satisfactory land drainage system.
- 15 To ensure the provision of a satisfactory land drainage system.
- 16 To ensure the provision of a satisfactory sewerage system.
- 17 To ensure the provision of a satisfactory sewerage system.
- 18 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.
- 19 In the interests of amenity and in order to retain effective planning control.
- 20 In the interest of public and road safety.
- 21 These details have not been submitted or approved.
- 22 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.

### **Informatives**

- 1        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.
  
- 2        Prior to demolition the existing structure should be surveyed for the presence of materials containing asbestos. Where such materials exist, removal works and any statutory notifications should comply with current legislation and Health and Safety Executive guidance.
  
- 3        The applicant is advised that adequate pest control measures should be employed to ensure that any demolition and/or associated ground works occurring as part of this development do not give rise to increased pest activities. Further details of this may be obtained from South Lanarkshire Council, Environmental Services, Atholl House, East Kilbride, G74 1LU. Telephone (01355) 806918.

For information only

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