

Report

Report to:	Planning Committee
Date of Meeting:	1 May 2018
Report by:	Executive Director (Community and Enterprise Resources)

Application no.	CL/17/0474
Planning proposal:	Erection of 25No. dwellinghouses and formation of associated access, SUDs, landscaping and play park

1 Summary application information

Application type:	Detailed planning application
Applicant:	Allied Contracts UK Ltd
Location:	West Of Byretown Grove Kirkfieldbank

2 Recommendation(s)

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

- (1) Grant detailed planning permission (subject to conditions) based on conditions attached

2.2 Other actions/notes

- (1) The Planning Committee has delegated powers to determine this application.
- (2) Detailed planning permission should not be issued until an appropriate obligation under Section 75 of the Planning Act, and/or other appropriate agreement, has been concluded between the Council, the applicants and the site owner(s). This planning obligation should ensure that appropriate financial contributions are made at appropriate times during the development towards the following:
 - Financial contribution towards the provision of affordable housing.
 - Financial contribution towards educational facilities

In accordance with agreed procedure, should there be no significant progress, on behalf of the applicant, towards the conclusion of the Planning Obligation within 6 months of the date of the Committee, the proposed development may be refused on the basis that, without the planning control/developer contribution which would be secured by the Planning Obligation, the proposed development would be unacceptable.

If, however, this matter is being progressed satisfactorily the applicant will be offered the opportunity to enter into a Processing Agreement, if this is not already in place. This will set an alternative agreed timescale for the conclusion of the Planning Obligation.

All reasonable legal costs incurred by the Council in association with the above Section 75 Obligation shall be borne by the applicant

3 Other information

- ◆ Applicant's Agent: Convery Prenty Architects
- ◆ Council Area/Ward: 02 Clydesdale North
- ◆ Policy Reference(s): **South Lanarkshire Local Development Plan (adopted 2015)**

POL6- General urban area/settlements
POL4- Development management and placemaking
POL2- Climate change
NHE4- Gardens and designed landscapes
NHE16- Landscape
DM13- Development within general urban area/settlement
NHE1- New Lanark World Heritage Site
POL15- Natural and historic environment
NHE7- Conservation areas

◆ Representation(s):

▶	23	Objection Letters
▶	0	Support Letters
▶	0	Comment Letters

◆ Consultation(s):

Roads Development Management Team

Scottish Water

Housing Services

Education Resources School Modernisation Team

Environmental Services

Historic Environment Scotland

Flood Risk Management

Planning Application Report

- 1.1 The application site is located on the southern edge of Kirkfieldbank and is located within the New Lanark World Heritage Site Buffer Zone and New Lanark Conservation Area. The New Lanark World Heritage Site is located approximately 700 metres to the south east of the application site, with intervening land consisting of Braxfield Park, the River Clyde, and existing residential development off Byretown Road.
- 1.2 The site is bounded on all 4 sides by existing residential properties, consisting of single storey houses of modern design and materials. The site extends to 1.56 hectares, and currently consists of rough grassland. An access point to serve the site from Byretown Grove was created as part of the development of the adjoining estate and this forms part of the public road. There is a small watercourse located immediately to the east of the site which runs behind existing properties along Byretown Grove. The watercourse is culverted under the existing dwelling at 21 Byretown and also culverted under the proposed access into the application site. The site slopes downward from south to north and drops by approximately 5m over the length of the site.

2 Proposal(s)

- 2.1 The applicant seeks detailed planning consent for the erection of 25No. detached dwellinghouses and formation of associated access, SUDs, landscaping and a play park. The house types are predominantly single storey and of modern design and materials. However three of the proposed houses are 1.5 storeys in height, and centrally located within the layout of the application site. The playpark would also be centrally located within the layout, and extends to an area of 525 square metres. The playpark land will also function as an area for Sustainable Urban Drainage (SUDs).
- 2.2 The vehicular access into the development is proposed off Byretown Grove to the east of the site. This would involve the continuation of an existing section of the public road and includes an existing box culvert over the watercourse.
- 2.3 As supporting documents the applicant has submitted a Heritage Impact Assessment, design statement, and cross-sections showing existing and proposed ground levels.

3 Background

3.1 Local Plan Background

- 3.1.2 The adopted South Lanarkshire Local Development Plan (SLLDP) identifies the site as being located within the settlement boundary of Kirkfieldbank where Policy 6 - General urban area/settlements applies. The site is also identified as a proposed housing site within South Lanarkshire Council's Housing Land Supply audit where Policy 12 – Housing Land is applicable.
- 3.1.3 The site is located within the New Lanark World Heritage Site (WHS) Buffer Zone, New Lanark Conservation Area, a Special Landscape Area and the Falls of Clyde Designed Landscape. The proposal requires to be assessed against Policy 15 - Natural and Historic Environment, and the Natural and Historic Environment Supplementary Guidance in this respect.
- 3.1.4 Other relevant policies in the assessment of this application are: Policy 2 - Climate Change and Policy 4 - Development Management and Placemaking, together with Supplementary Guidance on Sustainable Development & Climate Change and Development Management, Placemaking and Design. The content of the above

policies and how they relate to the proposal is addressed in detail in Section 6 of this report.

- 3.1.5 The development meets the criteria where financial contributions towards education services and affordable housing are considered necessary. The scale of development also requires an on-site play park. The proposal will be assessed against Policy 5 - Community Infrastructure Assessment and Policy 12 – Affordable Housing and Housing Choice and the Council's Community Infrastructure Assessment supplementary guidance in this respect.

3.2 **Relevant Government Advice/Policy**

- 3.2.1 SPP advises that the planning system should identify a generous supply of land to support the achievement of housing land requirements and maintaining at least a 5 year supply of land at all times. It should also enable the development of well designed, energy efficient, good quality housing in sustainable locations and focus on the delivery of allocated sites. Planning should take every opportunity to create high quality places and direct development to the right places, whilst taking cognisance of the natural, built and historic environment.

3.3 **Planning History**

- 3.3.1 There are no previous planning applications relating to the application site.
- 3.3.2 Planning consent CL/04/0429 for the erection of 53 dwellinghouses, associated infrastructure and landscaping on land immediately to the east of the current application site was approved at Planning Committee on 22 March 2005. The approved site layout recognised the need for possible future access to the current application site. The access point referred to was partially constructed and is provided off Byretown Grove. The unfinished and grassed section of access into the site is within the boundary of the adopted highway, and is subject of a previously approved Roads Construction Consent (RCC) which allows an adopted vehicular access into the application site.

4 **Consultation(s)**

- 4.1 **Roads and Transportation Services (Development Management Team)** – do not object to this application, and are satisfied with the proposed car parking and access arrangements.

Response: It is noted that no concerns are raised with regard to public or road safety.

- 4.2 **Scottish Water** – do not object to this application, and advise the developer to contact Scottish Water to discuss a connection to the public infrastructure.

Response: Noted.

- 4.3 **Environmental Services** – to date no response has been provided.

Response: Noted.

- 4.4 **Roads and Transportation Services (Flood Risk Management Section)**– do not object to this application subject to any consent granted being conditioned to address the following: a Sustainable Drainage System (SUD's) provided to serve the site; a drainage assessment to be carried out, and the relevant Appendices of the Council's Design Criteria Guidance being completed.

Response: Noted. Should consent be granted then conditions will be attached to address the above requirements.

- 4.5 **Historic Environment Scotland (HES)** – do not object to the development proposal. They did advise that the original heritage impact assessment did not provide enough detail to meet guidance in their document Managing Change in the Historic Environment.
Response: The applicant has updated their heritage impact assessment and this Service is satisfied that the detail provided is sufficient to demonstrate that there will be no significant harm on the historic environment.
- 4.6 **Housing Services** – have intimated that the payment of a commuted sum towards affordable housing provision in the local market area rather than the onsite provision is their preferred option. The applicant has in principle indicated a willingness to enter into a section 75 obligation.
Response: Noted. Planning permission would not be issued until an appropriate obligation under Section 75 of the Planning Act, and/or other appropriate agreement, has been concluded between the Council and the applicants. This planning obligation would ensure that appropriate financial contributions are made at appropriate times during the development towards affordable housing. The applicant has in principle indicated a willingness to enter into a section 75 obligation.
- 4.7 **Education Resources - School Modernisation Team** – no objections subject to the developer providing a financial contribution for education accommodation in the school catchment areas for the site. The money would be directed to Lanark Grammar School, St Mary's Primary School, Lanark, and nursery provision in the area.
Response: Noted. Planning permission would not be issued until an appropriate obligation under Section 75 of the Planning Act, and/or other appropriate agreement, has been concluded between the Council and the applicants. This planning obligation would ensure that appropriate financial contributions are made at appropriate times during the development towards education accommodation. The applicant has in principle indicated a willingness to enter into a section 75 obligation. This planning obligation would ensure that appropriate financial contributions are made at appropriate times during the development towards educational provision in the local area.

5 Representation(s)

- 5.1 Following the carrying out of statutory neighbour and owner notification and the advertisement of the application in the Lanark Gazette as Development Affecting the Character or Appearance of a Conservation Area and for the non-notification of neighbours, 23 letters of objection were received. This includes one letter of representation from Angela Crawley MP. The grounds of objections are summarised as follows:
- a) **The local road network cannot cope with additional traffic resulting from the development. The additional traffic will cause noise disturbance and pollution to the detriment of residential amenity, and will create road and public safety issues for residents. The main access point should be amended and taken from Byretown Road, and local road improvements and traffic calming should be carried out. The direction of proposed traffic exiting the site would reduce the privacy of residents on Byretown Grove, and cause detriment through car lights shining through the windows. The additional traffic would also impact on the ability of an existing resident on Byretown Grove to enter and leave their driveway. The access roads may also be congested with any additional overflow car parking.**
Response: The Council's Roads and Transportation Service has considered the application and have no objections or concerns related to road or public safety. They

are satisfied with the access and car parking arrangements proposed and overall consider the proposals would not have an adverse impact on the local road network.

- b) **There is insufficient detail showing how mains water, surface water and sewerage will be dealt with, or maintenance to the watercourse for residents. The current pumping station cannot cope with the proposed development. There is concern that any new development will make existing service provision, including electricity, telecommunication, mains water pressure and sewerage issues, worse. This information should be provided prior to a decision being made to enable members of the public all the details to make informed comments.**

Response: The provision of services such as electricity and telecommunication is not a material consideration in the determination of this application. It is the responsibility of the developer to discuss directly with Scottish Water the provision of mains water services and foul drainage treatment for the site and it is noted that Scottish Water do not object to this application. The issue of maintenance to the culvert is a private legal matter, it is not considered that the proposed development layout would restrict access to the culvert.

- c) **There is concern that the development will not be completed to a reasonable standard. There is no need or demand for additional houses at this site.**

Response: The proposed layout is acceptable in planning terms and the appearance of external materials and areas of open space can be controlled through conditions attached to any planning consent approved and the subsequent monitoring of the development as it progresses. The issue of demand is not a material consideration in the determination of this application; however it should be noted that this site is included in the Council's Housing Land Supply which is required to ensure that sufficient numbers of housing is built within the Council area.

- d) **An application for housing on land to the west of Byretown Road would cause additional traffic implications and may impact on surface water drainage and flooding.**

Response: The application referred to relates to planning permission in principle (CL/12/0201) for residential development that has been approved on land the opposite side of Byretown Road to the site. A further detailed application to develop the site is required and this will require taking into account drainage issues and the traffic implications in relation to neighbouring development.

- e) **The local school and medical facilities have limited capacity.**

Response: The proposal has been considered by South Lanarkshire Council Education Services, and a financial contribution towards local education services has been requested to accommodate the impact of the development on schools within the catchment area. The applicant has agreed to pay the requested amount. The provision and capacity of NHS services is not a material consideration in the assessment of this application.

- f) **The development would detract from the area's natural landscape beauty and views to the site. This would be exacerbated by the removal of existing trees and hedgerows.**

Response: It is not considered that there are trees or landscaping within the site that are required to be retained. The character of the site at present is that of open grassland which does not contribute to the character of the area. This issue is addressed in section 6.7 of this report.

- g) **Alternative brown field sites should be developed to fulfil any housing shortage. The site should be retained as open space.**

Response: The application site is identified as a suitable site for the provision of housing within the adopted SLLDP. This issue is addressed in section 6.2 of this report.

- h) **The development would have detrimental implications for wildlife habitats and the enjoyment of the Clyde Walkway. No ecological walkover survey has been submitted. The proposal is contrary to Policy 4 Development Management and Placemaking as protected species have not been considered.**

Response: No trees that could be used as a bat habitat are required to be felled while the rough grassland within the site is unlikely to provide habitat for badgers. Nevertheless should consent be granted a condition will be attached to ensure that an on-site ecological survey is carried out prior to any works being carried out on site. It should be noted that the application site does not directly adjoin the Clyde Walkway, and is separated by existing properties built as part of the Byretown Grove development to the north and east of the site. This provides mitigation to any potential visual impact of any users of the Clyde Walkway.

- i) **The proposed development may lead to flooding issues for existing neighbouring residents. The impact on the riparian zone associated with the adjoining watercourse has not been considered. The proposed fencing will close in the watercourse and maintenance will not be safe or meet Secured by Design concepts. No flood risk assessment or details on the function of the SUDs infrastructure have been submitted. The proposal is contrary to Policy 17 Water Environment and Flooding.**

Response: The Flood Management Team do not object to this application subject to any consent granted being conditioned to address the following: a Sustainable Drainage System (SUD's) provided to serve the site; a drainage assessment to be carried out, and the relevant Appendices of the Council's Design Criteria Guidance being completed. Should consent be granted then conditions will be attached to address these requirements. The scheme will be required to address surface water run off to adjoining properties.

- j) **The provision of services to the site may require the existing road network to be opened up to the detriment of existing residents.**

Response: It is acknowledged that the installation of services may require works to the public road network. This work will be over a short term and will be monitored by the Council's Roads and Transportation Services. These short term works are not a justified reason to refuse the application.

- k) **The density of housing proposed should be reduced, with a restriction to single storey houses to be in keeping with existing neighbouring housing and prevent overlooking and loss of light.**

Response: The layout and plot sizes meet the criteria of the Council's Residential Design Guide, whilst the housing density is similar to that of existing adjoining development. It is considered that neither the layout nor density will cause unacceptable harm to residential or visual amenity. The proposed 3 No. 1.5 storey houses are centrally located within the application site and will not protrude above existing development along Byretown Road. When viewed from a distance they will satisfactorily integrate with surrounding development and will not be visually prominent within the landscape. The indicative site sections submitted by the applicant adequately demonstrate this.

- l) **The roads are not suitable for construction vehicles and may cause damage to public and private property. Any construction vehicles should come via Byretown Road to reduce the impact.**

Response: The Council's Roads and Transportation Services are satisfied that a vehicular access can be provided from Byretown Grove. Any damage from construction vehicles to the public road network will be monitored during the carrying out of the development, whilst any damage to private property is a civil matter.

- m) **There was a technical issue using the Council's Planning Portal which prevented comments on the planning application being made. This may have put off others from objecting and may have compromised the application process.**

Response: In the event that comments could not be made using the Council's Planning Portal, then customers can email or write to the Planning Service to have their objection registered. It is not considered that the ability to make a representation was unreasonably impaired.

- n) **The proposed entrance runs over a culverted stream which could be damaged by construction traffic making the access unsuitable.**

Response: The stream at the proposed access point has previously been culverted in preparation for any future development. The box culvert is considered sufficient to protect the watercourse, and will be built up and finished to an adoptable standard to the satisfaction of the Roads Service.

- o) **On the proposed layout there is a footpath to the north of the site which connects to existing development along Byretown Grove. This is not needed or allowed.**

Response: The applicant has amended the proposal to remove the footpath link.

- p) **The developer does not own the land required to construct the access road into the site, and the correct land owners have not been notified. No agreement has been given for such works and therefore the access is not viable. The proposal is contrary to Policy 4 Development Management and Placemaking in this respect.**

Response: All of the land required to construct the proposed access from Byretown Grove is within the adopted highway and South Lanarkshire Council as Roads Authority are satisfied that the proposed access has been approved through a previous Roads Construction Consent. The applicant has carried out owner notification as required.

- q) **The Planning Officer intimated that the proposed access point had been planned through the planning history for development at Byretown Grove. However this cannot be correct as the house at 9 Byretown Grove was built with 3 bedrooms positioned less than 1 metre away from the access, and should not have been allowed.**

Response: The planning history adjoining the site is discussed in detail in section 3.3.2 of this report. The approved layout showed that the access into the application site was planned via a continuation of the existing access point off Byretown Grove, neighbouring the dwelling at 9 Byretown Grove.

- r) **The layout does not accord with the guidance within South Lanarkshire Council's Residential Guide or Development Management Placemaking and Design Supplementary Guidance or Creating Places and Designing Streets policy.**

Response: This issue has been considered in section 6 of this report.

- s) **It is unreasonable for members of the public to make comments on the proposal when the Council's Road and Transportation department has not given their comments.**

Response: It is not considered that the ability to make a representation was unreasonably impaired.

- t) **There is insufficient open space, landscaping and play area proposed. The proposal is contrary to Policy 4 Development Management and Placemaking in this respect.**

Response: The proposed extent of open space and play area is considered acceptable in relation to the scale and density of development proposed.

- u) **There would be a detrimental impact on the setting of the New Lanark World Heritage Buffer Zone and New Lanark Conservation Area. Due to deforestation works the site will be clearly visible from the world heritage site, and this may be contrary to the UNESCO conditions and status.**

Response: The site is located within the New Lanark World Heritage Buffer Zone and New Lanark Conservation Area, and the impact of the proposals on these elements has been fully considered in the submission of a heritage impact assessment. Historic Scotland has considered the proposal and does not object. In addition, the development would be no more detrimental to the existing built environment than at present and would be integrated into the surrounding area.

- v) **The application site is located outwith the settlement boundary.**

Response: The application site is located within the settlement boundary of Kirkfieldbank as identified in the adopted South Lanarkshire Local Development Plan.

- w) **There are no oil tanks or septic tanks and soak-aways shown on the drawings submitted.**

Response: These features are not required as part of the development.

- x) **The proposed block plan revisions show inconsistent house types within the layout.**

Response: The revision reference indicates the newest plans submitted; and those that are superseded. In this case revision J is the most up to date layout and forms part of the assessment of this application.

- y) **There is no boundary fencing details shown on the latest block plan revision.**

Response: Should consent be granted then a condition will be attached to request that all boundary fencing details are submitted prior to work commencing on site.

5.1.2 Elected Member representation

One letter of representation has been received by Angela Crawley MP. The grounds of objection are as follows:

- z) **Due to the scale of the development the volume of traffic will create congestion to the detriment of the town.**

Response: Roads and Transportation Services have not objected to the application and it is considered that a development of the scale proposed would have a negligible impact on the road network.

- aa) **There is a lack of provision for the disposal of sewerage and rain water, and a connection to the existing pumping station may cause significant problems for Kirkfieldbank residents.**

Response: Scottish Water has not objected to the application. Consent will be required from them by the applicant.

- 5.2 These letters have been copied and are available for inspection in the usual manner and on the planning portal.

6 Assessment and Conclusions

- 6.1 The applicant seeks detailed planning consent for the erection of 25No. dwellinghouses and formation of associated access, SUDs, landscaping and play park on land off of Byretown Grove, Kirkfieldbank. The determining issues in consideration of this application are its compliance with national and local plan policy and in particular its impact on the amenity of adjacent properties, road safety, and on the New Lanark World Heritage Site and surrounding landscape.
- 6.2 The application site is identified as part of the housing land supply in the adopted SLLDP and is included within the settlement boundary of Kirkfieldbank. The residential development of the site positively contributes towards the Council's requirement to maintain a five year effective supply of housing land provision. Furthermore, effective housing land within the settlement of Kirkfieldbank meets the aims of Scottish Planning Policy by providing a sufficient and sustainable supply of housing within an existing residential area with access to services nearby. The proposal satisfactorily complies with aims of Policy 12 of the adopted local development plan and therefore the principle of the proposed development is acceptable.
- 6.3 The application site is located within the settlement boundary of Kirkfieldbank as identified in the adopted SLLDP. Policy 6 - General Urban/Settlements and Policy 4 - Development Management and Place Making, together with the Development Management and Placemaking Supplementary Guidance supports residential developments where they do not have a significant adverse effect on the amenity of the area. In addition, any new development must relate satisfactorily to adjacent and surrounding development in terms of scale, massing, materials and intensity of use. The character and amenity of the area must not be impaired by reason of traffic generation, parking, overshadowing, overlooking or visual intrusion.
- 6.4 The existing streetscape contains similar house types consisting of detached single storey houses of modern design and materials. The density and height of the proposal is similar to residential development in the locality and would visually integrate well with the existing pattern of development. The applicant has included a play park and sufficient open space to serve this scale of development. The design, mass, scale, height, size and materials of the dwellings are in keeping with their surroundings and are comparable to the adjacent phases of development. Adequate garden space for amenity of residents is proposed and there would be an adverse impact on residential amenity due to overlooking or overshadowing. The proposed access arrangement off Byretown Grove has been carefully assessed and is considered acceptable by the Roads and Transportation Service. Satisfactory car parking provision is provided for each dwellinghouse. The proposals also comply with the aims of the Councils Residential Design Guide.
- 6.5 In view of the above, it is considered that the proposal would relate satisfactorily to adjacent development, and the character and amenity of the residential area would not be impaired by reason of traffic generation, parking, visual intrusion or physical impact. The proposal is therefore satisfactory in terms of Policy 4 - Development Management and Place Making, Policy 6 - General Urban/Settlements, and the Development Management and Placemaking Supplementary Guidance of the adopted local development plan.
- 6.6 Policy 15- Natural and Historic Environment and the associated Natural and Historic Environment supplementary guidance require the character and setting of the New Lanark World Heritage Site Buffer Zone, New Lanark Conservation Area, Special

Landscape Area and Designed Landscape to be protected. The applicant has submitted a Heritage Impact Assessment to demonstrate their consideration of how the development impacts upon the historic environment. The density and external appearance of the dwellings are similar to existing dwellings which surround the application site on 3 sides. The applicant has submitted ground level information to demonstrate the impact of the development on existing neighbouring development and show that the 1.5 storey houses which are proposed will not protrude above the built development within the vicinity, and as such will not appear visually dominant in the landscape. The housing development is considered to fill a gap within an established area of housing, and would not be viewed as an isolated or incongruous feature within the landscape setting. There is no mature landscaping within the site which is worthy of protection. The applicant proposes to incorporate new tree planting throughout the development which will enhance the natural landscape character of the site. On balance, the proposal would ensure that there is no unacceptable impact on the setting of New Lanark Conservation Area and that the integrity of the New Lanark World Heritage Site buffer zone is not significantly eroded. In view of the above, it is considered that the development proposal accords with the aims of the aforementioned policies.

- 6.7 Policy 2 Climate Change seeks to minimise and mitigate against the effects of climate change by considering criteria, including being sustainably located. The site is sustainably located within the settlement boundary of Kirkfieldbank and is closely located to bus routes and nearby shops and services. The site is not at risk of flooding and there are no infrastructure constraints. In consideration the proposals would not undermine the objectives of the policy.
- 6.8 Policy 5 - Community Infrastructure Assessment states that where development proposals would require capital or other works or facilities to enable the development to proceed, financial contributions towards their implementation will be required. These contributions will be appropriately assessed and developers will be required to ensure transparency in the financial viability of a development. In compliance with this the applicant has agreed to make financial contributions towards education facilities within the catchment area of the site. Policy 13 - Affordable Housing and Housing Choice states that the Council will expect developers to contribute to meeting affordable housing needs across South Lanarkshire by providing, on sites of 20 units or more, up to 25% of the site's capacity as serviced land for the provision of affordable housing, where there is a proven need. If on-site provision is not a viable option the Council will consider off-site provision in the same Housing Market Area. The provision of a commuted sum will only be acceptable if on or off site provision cannot be provided in the locale or there are no funding commitments from the Scottish Government. The Council's preference in this case is to seek a commuted sum in lieu of on site provision and this has been accepted by the applicant the value of which would be based on the development viability of the site. The applicant has agreed in principle to the payment of financial contributions for education provision and off site affordable housing which will be addressed through the conclusion of a section 75 obligation. The scale and nature of the financial contributions is subject of on-going discussion. In addition to the above the applicant will provide an equipped play park within the application site for use by the community.
- 6.9 As noted in section 5 of the report, 23 letters of objection have been received from local residents. Concerns raised in the representations include road safety; the impact on the landscape character of the area and the setting of the New Lanark WHS; the ability of local services to accommodate the proposed number of houses; the need for the development; and the impact on residential amenity. All of these matters have been considered as part of the assessment of the application are not considered to merit refusal.

- 6.10 In summary, the residential proposal is a suitable form of development for the site and complies with local plan policy and national guidance. There would be no significant adverse impact on residential or visual amenity, and there would be no significant adverse impact on the integrity of the New Lanark World Heritage Buffer Zone or New Lanark Conservation Area. The development would provide housing accommodation in Kirkfieldbank within a sustainable location that would integrate with adjoining housing development. It is, therefore, recommended that detailed planning permission is granted subject to conditions.

7 Reasons for Decision

- 7.1 The principle of residential development is acceptable on this site, and the proposed dwellings will have no significant adverse impact on residential or visual amenity, or on the commercial character or the integrity of the New Lanark World Heritage Buffer Zone or New Lanark Conservation Area. The proposal raises no significant environmental or infrastructure issues and complies with Policies 2, 4, 5, 6, 12, 13 and 15 of the adopted South Lanarkshire Local Development Plan and associated Supplementary Guidance.

Michael McGlynn
Executive Director (Community and Enterprise Resources)

12 April 2018

Previous references

- ◆ None

List of background papers

- ▶ Application form
- ▶ Application plans
- ▶ South Lanarkshire Local Development Plan 2015 (adopted) and Supplementary Guidance
- ▶ Neighbour notification letter dated 26 October 2017
- ▶ Lanark Gazette Advertisement 8 November 2017
- ▶ Consultations

CER Play Provision Community Contribs Judith Gibb

Roads Development Management Team

27.03.2018

Scottish Water

Housing Planning Consultations

Education Resources School Modernisation Team

Environmental Services E-consult

HES

RT Flood Risk Management Section

- ▶ Representations
Jeanette Curtis, Chair Of Tara (The Avenue Residents)

Dated:
13.09.2017

Association), 5 Byretown Gardens, Kirkfieldbank, Lanark, ML11 9NZ	
Ian MacLeod, Braeview, 21 Byretown Grove, Kirkfieldbank, Lanark, ML11 9NY	06.10.2017
Danny Craig, Berryfield, 9 Byretown Grove, Kirkfieldbank, Lanark ML11 9NY	06.11.2017
Philip Fox, 8 Wellbuttslea Drive, Kirkfieldbank, Lanark, ML11 9BF	09.11.2017
C Totten, The Bungalow,, Wellbuttslea,, Byretown Road,, Kirkfieldbank,, Lanark, ML11 9TG	10.11.2017
Ian Connell, 11, Byretown Grove	13.11.2017
MR John G Smith, No 6, The Berries, Kirkfieldbank, Lanark, ML11 9WT	15.11.2017
Nicola Wood, 8 Byretown Grove, Kirkfieldbank, ML11 9NY	15.11.2017
Ian Connell,	16.11.2017
Jim McCorquodale, 1 Byretown Gardens, Kirkfieldbank, Lanark, ML11 9NZ	16.11.2017
Pat Ritchie, 6A Byretown Gardens, Kirkfieldbank, ML11 9NZ	16.11.2017
Patricia MacLeod, 'Braeview', 21 Byretown Grove, Kirkfieldbank, Lanark, ML11 9NY	17.11.2017
Mr T Boyle, El_Arish, Corehouse, Kirkfieldbank, Lanark, ML11 9TG	21.11.2017
John & Lorraine Wilson,	22.11.2017
Tom Barrie, 9 The Berries, Kirkfieldbank, Lanark, ML11 9WT	29.11.2017
Roy and Elaine Lloyd, Via Email	30.11.2017
Gillian Wilson, Via Email	01.12.2017
Danny & Grace Craig, Berryfield, 9 Byretown Grove, Kirkfieldbank, Lanark, ML11 9NY	12.12.2017
The Avenue Residents Association, Alan McVey, 19 Byretown Gardens, Kirkfieldbank, Lanark, ML11 9NZ	12.12.2017
Ironside Farrar Ltd, On Behalf Of Marton Carrsels	11.01.2018
Angela Crawley MP, Lanark And Hamilton East, 12 Campbell Street, Hamilton, ML3 6AS	31.01.2018
Stewart Toy Designs Limited, Westwood Lane Farm, Ladywell, Nemphlar, Lanark, MI11 9GX	29.03.2018

Gary Shaw, 2 Byretown Gardens, Kirkfieldbank, Lanark,
ML11 9NZ

05.04.2018

Contact for further information

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

Pamela McMorran, Planning Officer, Montrose House, 154 Montrose Crescent, Hamilton,
ML3 6LB

Ext: 5170 Tel (01698 455170)

Email: pamela.mcmorran@southlanarkshire.gov.uk

Detailed planning application

Paper apart – Application number: CL/17/0474

Conditions and reasons

1. That before any development commences on site or before any materials are ordered or brought to the site, details and samples of all materials to be used as external finishes on the development shall be submitted to and approved by the Council as Planning Authority.

Reason: In the interest of amenity and to retain planning control

2. That notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(Scotland) Order 1992 (or any such order revoking or re-enacting that order), no gates, fences, walls or other means of enclosure shall be erected between the front of the dwellinghouse and the adjoining road.

Reason: In the interest of amenity and to retain planning control

3. That before any work commences on the site, a scheme of landscaping shall be submitted to the Council as Planning Authority for written approval and it shall include:(a) an indication of all existing trees and hedgerows plus details of those to be retained and measures for their protection in the course of development; (b) details and specification of all trees, shrubs, grass mix, etc., including, where appropriate, the planting of fruit/apple trees; (c) details of any top-soiling or other treatment to the ground; (d) sections and other necessary details of any mounding, earthworks and hard landscaping; (e) proposals for the initial and future maintenance of the landscaped areas; (f) details of the phasing of these works; and no work shall be undertaken on the site until approval has been given to these details.

Reason: In the interest of amenity and to retain planning control

4. That the approved landscaping scheme shall be completed to the satisfaction of the Council as Planning Authority during the first available planting season following occupation of the building(s) or completion of the development hereby approved, whichever is the sooner, and shall thereafter be maintained and replaced where necessary to the satisfaction of the Council.

Reason: In the interests of the visual amenity of the area.

5. 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.

Reason: In the interest of amenity and to retain planning control

6. That proposals for the factored maintenance of all areas of open space including the play park within the development 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.

Reason: To ensure the responsibility of maintenance is arranged.

7. That before any work commences on the site, a scheme for the provision of a play area within the site hatched blue on the approved plans shall be submitted to the Council as Planning Authority for written approval and shall include: (a) details of the type and location of play equipment, seating and litter bins to be situated within the play area(s); (b) details of the surface treatment of the play area, including the location and type of safety surface to be installed; (c) details of the fences to be erected around the play area(s); and (d) details of the phasing of these works.

Reason: These details are to be submitted for approval

8. That prior to the completion or occupation of the tenth dwellinghouse within the development, all of the works required for the provision of equipped play area included in the scheme approved under the terms of Condition No.7 above, shall be completed, and thereafter that area shall not be used for any purpose other than as an equipped play area for public use.

Reason: To ensure the agreed works are carried out timeously

9. That before any of the dwellinghouses hereby approved are completed or brought into use, all of the parking spaces relating to that house shall be laid out, constructed and thereafter maintained to the specification of the Council as Roads and Planning Authority.

Reason: To ensure adequate parking provision

10. That no dwellinghouse 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.

Reason: In the interest of road and public safety

11. That no development shall commence until details of surface water drainage arrangements have been submitted to and approved in writing by the Council as Planning Authority; such drainage arrangements will require to comply with the principles of sustainable urban drainage systems and with the Council's Sustainable Drainage Design Criteria and shall include signed appendices as required. The development shall not be occupied until the surface drainage works have been completed in accordance with the details submitted to and approved by the Council as Planning Authority.

Reason: To ensure satisfactory drainage of the site

12. That no development shall take place until an ecology survey to determine the presence or absence of European protected species at the site has been undertaken and submitted to and approved by the Council as Planning Authority. The development shall not begin until any such action as is recommended by these surveys has been implemented and completed in accordance with the agreed details.

Reason: In order to protect this European Protected Species.

13. 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.

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

14. 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 13, shall be erected and thereafter maintained to the satisfaction of the Council.

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

15. 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), the domestic garages associated with Plots 04 and 06 shall be retained for use as car parking.

Reason: To ensure sufficient car parking is provided to serve each house.

16. That private vehicular access and driveways shown on the approved plan shall be completed with the first 2.0 metres in length from the heel of the footway/service strip shall be hard surfaced across its full width and thereafter maintained to prevent deleterious material being carried onto the road.

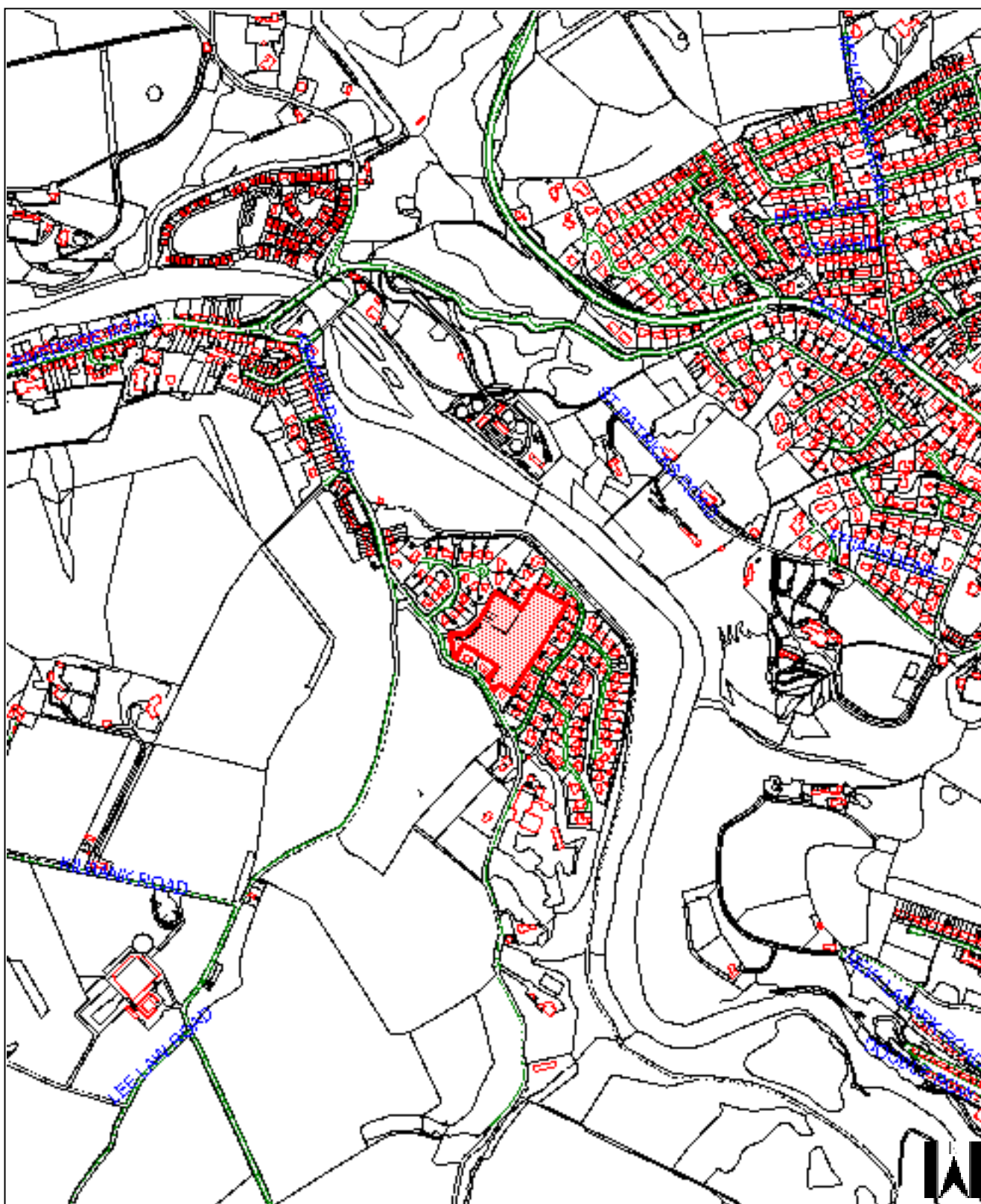
Reason: To prevent deleterious material being carried onto the road.

CL/17/0474

West of Byretown Grove, Kirkfieldbank

Planning and Building Standards

Scale: 1: 10000



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