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|  | <h1>Report</h1> | Agenda Item <h1>15</h1> |
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Report to: **Planning Committee**
 Date of Meeting: **3 November 2009**
 Report by: **Executive Director (Enterprise Resources)**

Application No EK/09/0255
 Planning Proposal: Erection of 99 No. Residential units comprising 72 units within semi-detached, terraced, cottage flat blocks (include 2 wheelchair accessible single storey houses), 27 flats within three 3 storey flatted blocks

1 Summary Application Information

- Application Type : Detailed Planning Application
- Applicant : Clyde Valley Housing Association
- Location : Scholar's Gate
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 conditions attached)

2.2 Other Actions/Notes

The Planning Committee has delegated powers to determine this application.

3 Other Information

- ◆ Applicant's Agent: Mast Architects Ltd
- ◆ Council Area/Ward: 06 East Kilbride South
- ◆ Policy Reference(s): **South Lanarkshire Local Plan 2009**
RES2 – Proposed Housing Sites Policy
RES5-Affordable Housing and Housing Choice,
RES6-Residential Land Use,
ENV11-Design Quality,
ENV31-New Housing Development,
ENV32- Design Statements
ENV37-Sustainable Urban Drainage Systems,
DM1-Development Management.

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

- ◆ Consultation(s):

Whitehills (East Kilbride) Community Council

Environmental Services

Roads & Transportation Services H.Q. (Flooding)

Scottish Water

Power Systems

British Telecom

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

TRANSCO (Plant Location)

Roads and Transportation Services (East Kilbride)

Planning Application Report

1 Application Site

- 1.1 The application site relates to the former St Andrews High School site which is located in the southwest of East Kilbride. The vacant, cleared site extends to 3.66 hectares. A new school combining the former St Andrews and St Brides Schools was built on the original St Brides High School Site at the Town Centre as part of the secondary schools modernisation programme.
- 1.2 The application site is mainly flat and triangular in shape with some mature trees on the southeastern boundary together with a group of trees in the northwestern corner. It is bounded by residential properties to the south and southeast, a residential care home and a newly constructed Sports Centre to the west and Stroud Road to the north. Within the site, two Council day care centres exist. These are located within the western section of the site and have their own dedicated car parking and private garden ground bounded by vertical close boarded fencing. These care centres use the existing access from the southwestern corner of the site from Scholars Gate.

2 Proposal(s)

- 2.1 The proposal entails the erection of 99 residential units comprising three 3 storey flatted blocks, four 2 storey terraced blocks & twenty four 2 storey semi-detached blocks(including 2 single storey wheelchair adapted units) and three 2 storey blocks of cottage flats. The flatted blocks are of 3 storey design with pitched roofs. The houses are of standard two-storey pitched roof design. A variety of facing brick and other materials such as cladding to create accents together with grey concrete roof tiles are proposed as external finishes to all the units. A mix of 2,3,4 and 5 apartments are proposed. Access/egress is proposed from Scholars Gate via the site's existing access which would be modified to Roads and Transportation Services specifications. The majority of houses have on-curtilage parking and all flats have parking provided within an adjacent parking court.
- 2.2 Amenity open space is proposed in the northeast corner of the site and includes a pedestrian footpath link from Ballerup Terrace into the layout. An additional pedestrian footpath link to the surrounding footpath network is also proposed at the northwest corner of the site.
- 2.3 As part of the required sustainable urban drainage system for the layout, a retention pond is to be constructed at the southwestern corner of the site. Suitable safety fencing is proposed.
- 2.4 The site is proposed for development by East Kilbride Development Consortium which is led by Clyde Valley Housing Association in partnership with East Kilbride & District Housing Association and West of Scotland Housing Association. This partnership approach will be able to maximise the benefits of bulk procurement by being able to tender the works for this site together with another two East Kilbride sites at Plover Drive in Greenhills and a site at the former Claremont House in St Leonards at the one time. This site would provide 99 houses and flats for social rent.
- 2.5 The proposal is therefore 100% affordable housing.

3 Background

- 3.1.1 The application site resulted from the demolition of St Andrews High School following its amalgamation with St Brides High School. In the adopted South Lanarkshire Local Plan the site is covered by Policy RES2 –Proposed Housing Sites which commits the Council to developing the site for housing. Policy RES5-Affordable Housing and

Housing Choice is also relevant and states that the Council is committed to meeting the recognised need for affordable housing.

- 3.1.2 Policy ENV31-New Housing Development requires the Council to promote quality and sustainability in its design and layout and should make a positive contribution to the character and appearance of the environment in which it is located. In assessing new developments, the Council will require well designed proposals which integrate successfully with their surroundings and which are well related to existing development, public transport, local services and facilities. Design which is of poor quality or which does not respect its context will be refused. In order to ensure quality design the proposal requires to be assessed against additional Design and SUDS policies such as ENV11, ENV32 and ENV37. These policies state that all new development should make a positive contribution to the character and appearance of the local environment, integrate well with the immediate surroundings and should adopt principles of sustainable development including a requirement to use Sustainable Urban Drainage Systems in liaison with Scottish Water, SEPA and the Council's Flood Prevention Officer.

4 Consultation(s)

- 4.1 **Whitehills (East Kilbride) Community Council** - no response.

Response: Noted

- 4.2 **Environmental Services** - no objections subject to conditions.

Response: Noted. Appropriate conditions would be attached to any consent granted.

- 4.3 **Roads & Transportation Services H.Q. (Flooding)** – no objections subject to the provision of a satisfactory sustainable drainage system.

Response: Noted and appropriate conditions would be attached to any consent granted.

- 4.4 **Scottish Water** - no objections, however the developer is required to submit a fully completed development impact assessment form to Scottish water.

Response: Noted. An informative will be attached to any consent granted.

- 4.5 **Power Systems** - SP Energy Works have objected at this moment in time given that they have received no intimation from the developer regarding their substation apparatus within the site.

Response: Noted. The existing substation is to be relocated within the site. Works would require to be in accordance with and to the satisfaction of Scottish Power. An informative will be attached to any consent granted.

- 4.6 **British Telecom** - no response.

Response: Noted

- 4.7 **S.E.P.A. (West Region)** - no objections subject to the foul drainage being connected to the public sewer and SUDS principles being incorporated in the scheme.

Response: Noted. Appropriate conditions would be attached to any consent granted.

- 4.8 **TRANSCO (Plant Location)** - no response to date.

Response: Noted

- 4.9 **Roads and Transportation Services (East Kilbride)** - no objections subject to conditions.

Response: Noted. Appropriate conditions would be attached to any consent granted.

5 Representation(s)

- 5.1 One letter of representation was received. The points raised are summarised as follows:

- a) **Concern raised about the removal of trees along the eastern boundary adjacent to Ballerup Terrace.**

Response: Although many of the mature trees on the site are to be retained, some are proposed for removal. However any trees removed will require to be replaced. In addition a landscape scheme for the site will require to be submitted and implemented.

- b) **Concern that the development of the site and the area of amenity open space will result in flooding of the underpass under Stroud Road to the north of the site rendering in unusable for pedestrians.**

Response: The developer is required to ensure that proper surface drainage for the site is designed in accordance with sustainable urban drainage principles. The drainage scheme will require to be to the satisfaction of the Council's Roads and Transportation Service as well as Scottish water and SEPA.

- 5.2 This letter has been copied and is available for inspection in the usual manner.

6 Assessment and Conclusions

- 6.1 This application relates to the redevelopment of the land associated with the former St Andrews High School at Scholars Gate, Whitehills, East Kilbride. As part of the Council's Public Private Partnership initiative a new school was constructed on the St Brides High School site in the Town Centre amalgamating the two schools. This resultant surplus area at St Andrews has been committed by the Council for residential use.

- 6.2 The application entails the erection of 99 houses and flats to provide 100% affordable housing for rent in association with Clyde Valley Housing Association in partnership with East Kilbride and District Housing Association and West of Scotland Housing Association.

- 6.3 The main determining factors in assessing this application relate to compliance with Local Plan policy, impact on residential amenity and traffic generation/road safety.

- 6.4 The proposal can be assessed against Policies RES2 and RES 6 of the adopted South Lanarkshire Local Plan which states that housing is the predominant land use in the area and the Council is committed to developing this surplus land for housing association/rented housing under RES2- Proposed Housing Sites. In addition the Council will resist any development which is detrimental to the amenity of such areas.

- 6.5 Design policies ENV11 and ENV32 require new developments to demonstrate the application of the principles of sustainable development and to make a positive contribution to the character and appearance of the surrounding area. Policy ENV31 goes on to require new housing development to be of a design and scale appropriate to the site and surroundings, incorporating adequate open space, landscaping, play areas and a satisfactory road layout. The developers have submitted a detailed

design statement for the site which demonstrates quality of design and layout and incorporates a suds scheme in accordance with these policies.

- 6.6 Policy RES5- Affordable Housing and Housing Choice is also relevant. It recognises the need to provide housing to meet the needs and demands of a diverse population. In this respect the Council will require developers to facilitate affordable housing. In this instance the use of land surplus to requirements will provide 100% affordable social housing for rent through the consortium involving Clyde Valley Housing Association in partnership with East Kilbride and District Housing Association and West of Scotland Housing Association.
- 6.7 In terms of detailed design and layout, I am satisfied that the proposed scheme will integrate successfully with the surrounding area. The proposal is therefore in accordance with Policies ENV11- Design Quality, ENV31 –New Housing Development and DM1- Development Management of the South Lanarkshire Local Plan. An area of amenity open space will be provided at the north eastern corner of the site together with a SUDS pond located in the south western corner of the site. Furthermore two pedestrian links to the surrounding footpath network will be provided. The developers have submitted a detailed design statement for the site which demonstrates quality of design and layout and incorporates a SUDS scheme in accordance with Policies ENV32 and ENV 37.
- 6.8 The developer proposes to retain as many mature trees on the site as possible, however some are proposed for removal. An independent bat survey has been submitted by the developer and has been carefully considered by the Council. Although a tree containing a bat roost is proposed for removal, the Council are satisfied that this negative impact identified can be avoided by attaching conditions to ensure appropriate mitigation is adopted by the developer.
- 6.9 In this respect the developer will be required to apply to the Scottish Government for a bat licence due to the presence of a bat roost within the site. The Council considers that the three tests relating to the issuing of a bat licence can be achieved. A condition would be attached to any approval prohibiting works from commencing on site until the licence is obtained.
- 6.10 The proposed layout is generally in accordance with the Council's approved Residential Development Guide in terms of spacing, gardens and parking provision. A revised layout has been produced which meets the Roads Engineer's requirements in terms of road layout, geometry of access and parking standards. Surface water storage has also been successfully designed within the site by way of filter drains and a suds pond to meet Sustainable Urban Drainage System requirements.
- 6.11 In view of the above, I am satisfied that the proposal complies with the relevant policies contained within the adopted local plan, that amenity of local residents will not be adversely affected and that the provision of affordable housing within this area of Greenhills helps to meet the demonstrable need. I therefore recommend that consent is granted.

7 Reasons for Decision

- 7.1 The proposals comply with Policies RES5-Affordable Housing and Housing Choice, RES6-Residential Land Use, ENV11-Design Quality, ENV31-New Housing Development, ENV32- Design Statements ENV37-Sustainable Urban Drainage Systems and DM1-Development Management of the adopted South Lanarkshire

Local Plan in that it will provide social housing for rent of a high design which will not adversely affect residential amenity.

Colin McDowall
Executive Director (Enterprise Resources)

27 October 2009

Previous References

- ◆ None

List of Background Papers

- ▶ Application Form
- ▶ Application Plans
- ▶ Consultations

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| Environmental Services | 25/08/2009 |
| Roads & Transportation Services H.Q. (Flooding) | 19/08/2009 |
| Scottish Water | 06/08/2009 |
| Power Systems | 11/08/2009 |
| S.E.P.A. (West Region) | 16/09/2009 |
| Roads & Transportation Services (East Kilbride) | 21/08/2009 |

- ▶ Representations

Representation from : F McElhinney, 80 Ballerup Terrace, Whitehills, East Kilbride
, DATED 12/08/2009

Contact for Further Information

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

Maud McIntyre, Planning Officer, Civic Centre
Ext 6385 (Tel : 01355 806385)
E-mail: Enterprise.ek@southlanarkshire.gov.uk

CONDITIONS

- 1 This decision relates to drawing numbers: 592_SG_L(20) 004(Rev C);05; 06; 010(Rev A); 011(Rev A); 012(Rev A); 013(Rev A); 014(Rev A); 015(Rev B); 016; 017(Rev A); 018(Rev A); 019; 020(Rev A); 021(Rev A); 050(Rev A); 051; 052; 053; 054; 055; 056(Rev A); 057; 058; 059; 060(Rev A); 061(Rev A).
- 2 The development hereby permitted shall be started within three years of the date of this permission.
- 3 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.
- 4 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.
- 5 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.
- 6 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 5 above, shall be erected and thereafter maintained to the satisfaction of the Council.
- 7 That all trees to be retained within the site shall be fully protected during the period of construction and prior to any work commencing on the site, written details specifying the nature of such measures shall be submitted to and approved by the Council as Planning Authority.
- 8 All trees to be removed must be replaced by semi-mature/mature trees of a similar species at the locus to the satisfaction of the Council as Planning Authority.
- 9 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.; (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.

- 10 That the approved landscaping scheme shall be completed to the satisfaction of the Council as Planning Authority during the first available planting season following occupation of the buildings or completion of the development hereby approved, whichever is the sooner, and shall thereafter be maintained and replaced where necessary to the satisfaction of the Council.
- 11 That before the development 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 of the Council as Roads and Planning Authority.
- 12 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.
- 13 That the applicant shall install traffic calming measures by way of road humps within the development to the design and satisfaction of the Council as Roads Authority. All works required at the applicant's expense.
- 14 That the remote footway to the northeast of the site shall have a maximum gradient of 5% and shall be constructed to the satisfaction of the Council as Roads Authority.
- 15 The surface of the driveways, car parking areas and remote footpath shall be so trapped and finished in hardstanding as to prevent any surface water or deleterious material from running onto or entering the highway.
- 16 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.
- 17 A Sustainable Drainage System serving the application site in accordance with the Council's current design criteria is to be provided. (Reference Number version 2.0 dated April 2009). A copy is enclosed for the Applicant's attention/action.
- 18 The applicant shall provide a coloured plan showing the sustainable drainage apparatus serving the Application site together with the contact name and emergency number of the party responsible for its future maintenance. Details of the future maintenance regime in accordance with the latest Construction Design and Management(CDM) Regulations is also to be provided on this drawing.
- 19 (a) Prior to commencement of any works on site, a comprehensive site investigation carried out to the appropriate Phase level, shall be submitted to and approved in writing by the Council as Planning Authority. The investigation shall be completed in accordance with the advice given in the following:
 - (i) Planning Advice Note 33 (2000) and Part IIA of the Environmental Protection Act 1990 (as inserted by section 57 of the Environment Act 1995);
 - (ii) Contaminated Land Report 11 - 'Model Procedures for the Management of Land Contamination (CLR 11) - issued by DEFRA and the Environment Agency;

(iii) BS 10175:2001 - British Standards institution 'The Investigation of Potentially Contaminated Sites - Code of Practice'.

(b) If the Phase 1 investigation indicates any potential pollution linkages, a Conceptual Site Model must be formulated and these linkages must be subjected to risk assessment. If a Phase 2 investigation is required, then a risk assessment of all relevant pollution linkages using site specific assessment criteria will require to be submitted.

(c) If the risk assessment identifies any unacceptable risks as defined under Part IIA of the Environmental Protection Act, a detailed remediation strategy will be submitted to and approved in writing by the Council as Planning Authority. No works other than investigative works shall be carried out on site prior to receipt of the Council's written approval of the remediation plan.

20 That throughout the construction period (with the exception of the maintenance works not audible outside the premises), works shall be restricted to the following hours of operation:

Mondays to Fridays : between 8am and 7pm

Saturdays : between 8am and 1pm

Sundays : None

21 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.

22 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.

23 That before any development commences on site, details of facilities for the storage of refuse within the site, including design, location, external finishes and access for its uplift, shall be submitted to and approved in writing by the Council as Planning Authority. No dwelling unit shall be occupied until these facilities have been provided in accordance with the approved scheme or such alternative as may be agreed in writing with the Council as Planning Authority.

24 That no dwellinghouse shall be occupied until the site is served by a sewerage scheme constructed in accordance with Scottish Water standards and as approved by the Council as Planning Authority in consultation with Scottish Water as Sewerage Authority.

25 That a bat protection plan for the development hereby approved, taking cognisance of the findings of the submitted bat survey, shall be submitted and approved by South Lanarkshire Council in consultation with Scottish Natural heritage prior to any works commencing on site.

26 That the approved bat protection plan shall be implemented to the satisfaction of the Council in consultation with Scottish Natural Heritage, prior to any works commencing on the site, including any tree removal.

27 That safe pedestrian and vehicular access to both existing day care centres shall be maintained at all times to the satisfaction of the Council as Planning and Roads

Authority.

- 28 That prior to the commencement of any work on site, a method statement shall be submitted to and approved in writing by the Council as Planning Authority in relation to construction access, routing of construction traffic, phasing of works and pedestrian and vehicular access to the existing day care centres.
- 29 Prior to the commencement of development on site, an energy statement which demonstrates that on-site zero and low carbon energy technologies contribute at least an extra 15% reduction in CO2 emissions beyond the 2007 building regulations carbon dioxide emissions standard, shall be submitted to and approved in writing by the Council as Planning Authority. The statement shall include:
- a) the total predicted energy requirements and CO2 emissions of the development, clearly illustrating the additional 15% reduction beyond the 2007 building regulations CO2 standard;
 - b) a schedule of proposed on-site zero and low carbon energy technologies to be included in the development and their respective energy contributions and carbon savings;
 - c) an indication of the location and design of the on-site energy technologies; and
 - d) a maintenance programme for the on-site zero and low carbon energy technologies to be incorporated.
- 30 The approved on-site zero and low carbon energy technologies shall be fully installed and operational prior to the occupation of any approved buildings and shall thereafter be maintained and shall remain fully operational in accordance with the approved maintenance programme, unless otherwise agreed in writing by the Council as Planning Authority.

REASONS

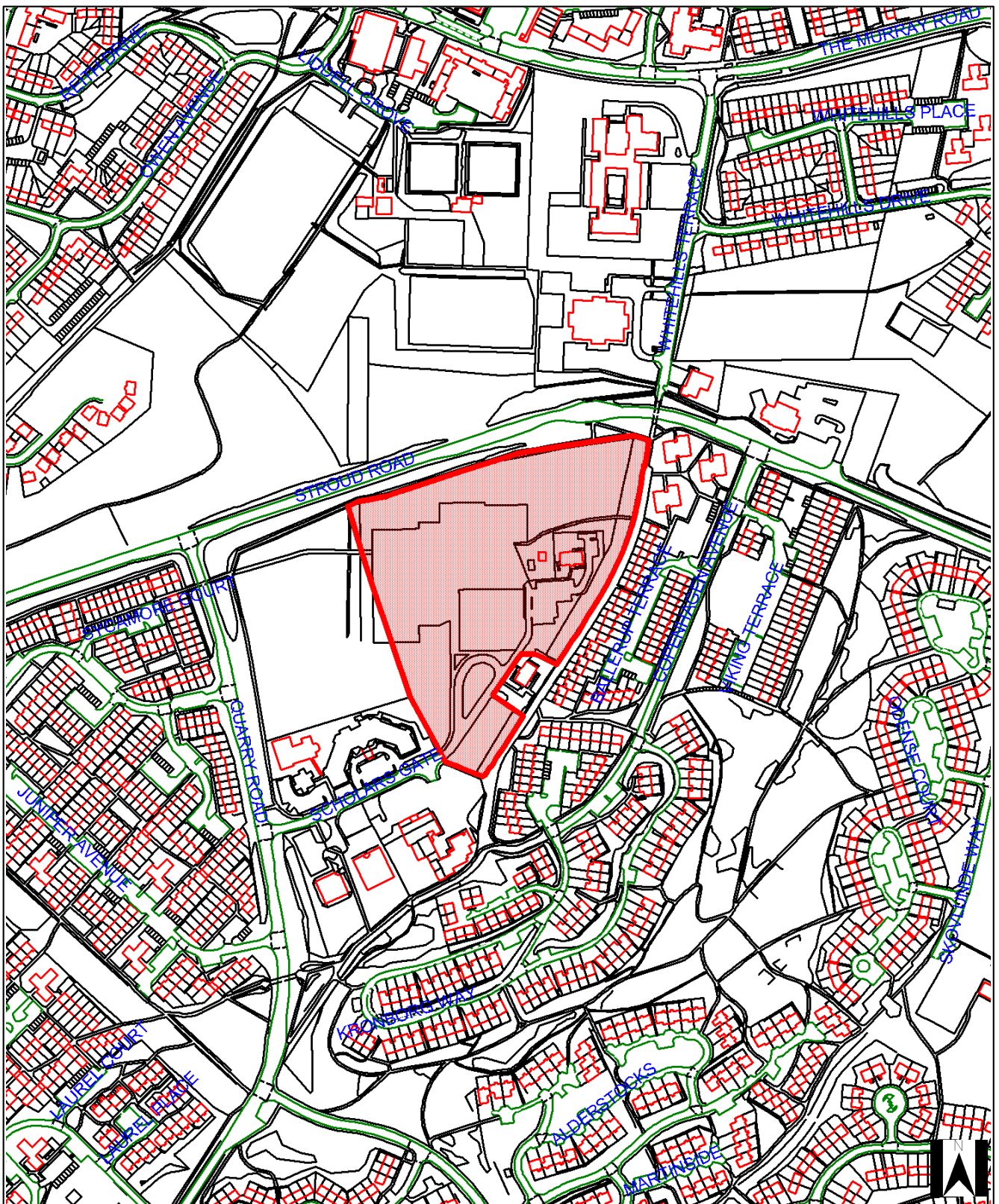
- 1 For the avoidance of doubt and to specify the drawings upon which the decision was made.
- 2 To comply with section 58 of the Town and Country Planning (Scotland) Act 1997, as amended.
- 3 In the interests of amenity and in order to retain effective planning control.
- 4 In the interests of amenity and in order to retain effective planning control.
- 5 These details have not been submitted or approved.
- 6 In order to retain effective planning control
- 7 To ensure that adequate steps are taken to protect existing trees on the site throughout the period of the proposed building operations.
- 8 In the interests of amenity.
- 9 In the interests of the visual amenity of the area.
- 10 In the interests of amenity.
- 11 In the interest of public safety
- 12 To ensure satisfactory vehicular and pedestrian access facilities to the dwellings
- 13 In the interest of road safety.

- 14 In the interest of pedestrian safety.
- 15 In the interest of public safety.
- 16 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.
- 17 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.
- 18 To ensure the provision of an adequate future maintenance scheme for the SUDs scheme.
- 19 To avoid unacceptable risks to human health and the environment, to ensure that the land is remediated and made suitable for its proposed use.
- 20 To minimise noise disturbance to adjacent occupants.

- 21 In order to retain effective planning control
- 22 To ensure the provision of a satisfactory land drainage system.
- 23 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.
- 24 To ensure that adequate refuse arrangements are provided that do not prejudice the enjoyment of future occupiers of the development or neighbouring occupiers of their properties, to ensure that a satisfactory external appearance is achieved and to ensure that appropriate access is available to enable refuse collection.

- 25 In order to safeguard protected species.
- 26 In order to safeguard protected species.
- 27 In the interest of public safety.
- 28 In the interests of public safety.
- 29 To secure a reduction in carbon dioxide emissions.
- 30 To secure the timeous implementation of on-site zero and low carbon energy technologies.

For information only



For information only