

	<h1>Report</h1>	Agenda Item
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Report to:	Planning Committee
Date of Meeting:	12 July 2005
Report by:	Executive Director (Enterprise Resources)

Application No	CL/05/0250
Planning Proposal:	Erection of Dwellinghouse

1 Summary Application Information

- Application Type : Detailed Planning Application
- Applicant : William Mitchell
- Location : Plot 2 Railway Road
Coalburn

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 Listed)

2.2 Other Actions/Notes

The Planning Committee has delegated powers to determine this application

3 Other Information

- ◆ Applicant's Agent: None
- ◆ Council Area/Ward: 09 Douglas
- ◆ Policy Reference(s): Lower Clydesdale Local Plan (Adopted)
- Policy ENV2: Rural Area

- ◆ Representation(s):
 - ▶ 0 Objection Letters

◆ Consultation(s):

Environmental Services

Roads and Transportation Services (South Division)

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

Scottish Water

Planning Application Report

1 Application Site

- 1.1 The application site, extending to approximately 0.12 hectares, consists of a vacant area of ground located at Railway Road, close to the settlement of Coalburn.
- 1.2 The site is bounded by an open field to the east and by a new dwelling presently being constructed to the north. Similar vacant ground is located to the south and west, with the settlement of Coalburn beyond.

2 Proposals

- 2.1 Detailed planning permission is sought for the erection of a single-storey dwellinghouse on the site. The detailed plans submitted for the 176 sq metre dwelling indicate external materials will be render for the walls and a concrete roof tile.

3 Background

3.1 Local Plan Status

The adopted Lower Clydesdale Local Plan identifies the site as being within an area subject to Policy ENV2: Rural Area.

3.2 Relevant Government Advice/Policy

Scottish Planning Policy 3: Planning for Housing, affirms that the planning system should encourage the creation of attractive, sustainable residential environments. New residential development must make efficient use of resources, reusing previously developed land wherever possible, supporting the aim of reducing energy consumption, and being accessible by forms of transport other than the private car. The Scottish Executive looks to planning authorities to maintain the effectiveness of existing greenbelts, safeguard the character and amenity of the countryside and protect the setting of towns. SPP3 advocates that most housing requirements, therefore, should be met within or adjacent to existing settlements, making efficient use of existing infrastructure and public services, helping to conserve natural heritage and protect rural amenity.

3.3 Planning Background

There is no recent planning history for the site. An application for a one-and-a-half storey dwellinghouse on land adjoining this application site has been submitted, (planning ref: CL/05/0225). A separate report to Committee for that application is on the current agenda. Planning permission for the erection of a dwelling to the north of the application site was granted on 12 July 2004 under reference CL/04/0229.

4 Consultations

- 4.1 **Environmental Services** – no objections, subject to conditions in respect of contaminated land.

Response: If Committee agree to approve this application, relevant conditions will be placed on the consent.

- 4.2 **Roads & Transportation Services** – have no objections to the proposal as the dwelling would take access from an existing private access road. Also state that the applicant should be made aware that the road could not be considered for adoption without substantial works carried out at the residents' expense.

Response: Noted. The applicants are aware of the position in respect of the private access road.

- 4.3 **Scottish Water** – no objections and advise that there is an existing public water main available. Also state that there is a public sewerage system to which a connection may be made.

Response: Noted.

- 4.4 **SEPA** – to date have not responded to the consultation. The applicant has stated that he intends to connect to the public sewer system in Coalburn.

Response: Noted.

5 Representations

- 5.1 The application was advertised as Development Potentially Contrary to the Development Plan as the site is outwith the settlement boundary of Coalburn. Following this publicity and neighbour notification, no letters of objection have been received.

6 Assessment and Conclusions

- 6.1 I consider the determining issues in this instance to be the proposal's compliance with local plan policy and with the terms of the Council's Residential Development Guide.

- 6.2 In terms of local plan policy, the adopted Lower Clydesdale Local Plan identifies the site as within the Rural Area, subject to Policy ENV2. This policy generally favours development of an appropriate form in the Rural Area, subject to criteria contained within SLP2: Rural Areas policy. This policy allows for house building within the Rural Area in cases where there is an agricultural or economic requirement; where re-use or conversion of an existing building is involved; or where development is to take place on derelict or degraded land which constitutes significant dereliction or blight. Following a detailed assessment, I conclude that this proposal cannot meet any of the above requirements and is therefore contrary to the development plan.

- 6.3 The application site consists of unused vacant ground that I consider has little or no potential for an alternative appropriate rural use. In addition, the site is in close proximity to the settlement of Coalburn and is bounded to the north by a modern dwellinghouse on similar vacant ground. In view of this, I consider an approval contrary to the development plan is warranted in this instance.

- 6.4 In terms of compliance with the Residential Development Guide, the proposal accords with the relevant requirements in respect of plot ratio, window-to-window distance, garden area, access and parking. In addition, the design and scale of the dwelling proposed will not have an overpowering, significantly overshadowing or visually intrusive impact on neighbouring properties. I conclude that the proposal accords with the Residential Development Guide.

- 6.5 In conclusion, I consider the proposal to be an acceptable departure from the adopted Lower Clydesdale Local Plan, for the following reasons:-

- ◆ there are no infrastructure implications;
- ◆ the proposal reuses vacant, underutilized land and will broaden housing choice consistent with the principles of SPP3: Planning for Housing; and
- ◆ the proposal does not effectively extend the settlement due to the location of residential development to the north of the site.

Iain Urquhart
Executive Director (Enterprise Resources)

4 July 2005

Previous References

- ◆ None

List of Background Papers

- ▶ Application Form
- ▶ Application Plans

- ▶ Consultations
 - Scottish Water 03/05/2005
 - Environmental Services 10/05/2005
 - Roads & Transportation Services 24/06/2005

- ▶ Representations
 - None received

Contact for Further Information

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

Stuart Ramsay, Technical Officer, South Vennel, Lanark
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E-mail: Enterprise.lanark@southlanarkshire.gov.uk

CONDITIONS

- 1 That the development hereby permitted shall be started within five years of the date of this permission.
- 2 That the development shall be carried out strictly in accordance with the plans hereby approved and no change to the design or external finishes shall take place without the prior written approval of the Council as Planning Authority.
- 3 That before any development commences on site or before any materials are ordered or brought to the site, details and samples of all materials to be used as external finishes on the development shall be submitted to and approved by the Council as Planning Authority.
- 4 That before development starts, full details of the design and location of all fences and walls, including any retaining walls, to be erected on the site shall be submitted to and approved by the Council as Planning Authority.
- 5 That before the development hereby permitted is occupied or brought into use, all the fences or walls for which the permission of the Council as Planning Authority has been obtained under the terms of Condition 4 above, shall be erected and thereafter maintained to the satisfaction of the Council.
- 6 That before the dwellinghouse hereby approved is completed or brought into use, a dropped kerb access to the site shall be constructed in accordance with the specification and to the satisfaction of the Council as Roads and Planning Authority.
- 7 That before the dwellinghouse hereby approved is completed or brought into use, a turning space shall be provided within the site to enable vehicles to enter and leave the application site in forward gears at all times.
- 8 That before the dwellinghouse hereby approved is completed or brought into use, a private vehicular access or driveway of at least 6 metres in length shall be provided.
- 9 That before the dwellinghouse hereby permitted is occupied, 3 car parking spaces shall be provided within the curtilage of the plot and outwith the public road or footway and shall thereafter be maintained to the satisfaction of the Council as Planning Authority.
- 10 That before the dwellinghouse hereby approved is occupied, a drainage system capable of preventing any flow of water from the site onto the public road or into the site from surrounding land shall be provided and maintained to the satisfaction of the Council as Roads and Planning Authority.
- 11 That the dwellinghouse hereby approved shall not be occupied until the site is served by a sewerage scheme constructed to the specification and satisfaction of Scottish Water as Sewerage Authority.
- 12 That before development starts a Phase 1 or Desk Study, to review all currently

available information about the historical uses of this site, shall be carried out to determine any types of contamination likely to be encountered and possible pathways to sensitive receptors shall be submitted to and approved by the Council as Planning Authority. If this investigation gives any indication of the potential for contaminants to be present, development shall not begin until a full intrusive survey has been carried out and its findings submitted to and, approved by the Council as Planning Authority. This survey shall clearly document the methodology, findings and results. The risks posed by the presence of pollutants in relation to sensitive receptors shall be assessed to current guidelines and, where appropriate recommendations for further investigations or remediation options to reduce these risks identified.

- 13 That before the dwellinghouse hereby approved is completed or brought into use, remediation/control measures must be fully implemented to the satisfaction of the Council as Planning Authority.
- 14 That any alterations to the remediation plan may only take place with the written approval of the Council as Planning Authority.
- 15 That on completion of all remediation works, a completion report confirming that works have been carried out to the agreed plan, shall be submitted to and approved by the Council as Planning Authority.

REASONS

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

For information only

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