

	<h1>Report</h1>	Agenda Item <h1>4</h1>
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Report to: **Planning Committee**
 Date of Meeting: **6 July 2010**
 Report by: **Executive Director (Enterprise Resources)|**

Application No HM/10/0165
 Planning Proposal: Demolition of Wall and Industrial Building and Erection of 18 Flatted Dwellings With Associated Access and Parking

1 Summary Application Information

- Application Type : Detailed Planning Application
- Applicant : Mr David Blake
- Location : 26 Church Street
Larkhall
ML9 1HE

2 Recommendation(s)

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

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

2.2 Other Actions/Notes

- (1) The Planning Committee has delegated powers to determine the application.
- (2) If planning consent is granted, the decision notice should be withheld until a financial contribution of £4500 for the improvement of community facilities in the area is agreed and submitted by the applicant.

3 Other Information

- ◆ Applicant's Agent: Garry Adam Chartered Architect Ltd
- ◆ Council Area/Ward: 20 Larkhall
- ◆ Policy Reference(s): **Adopted South Lanarkshire Local Plan**
Policy RES2 – Proposed Housing Site
Policy RES6 – Residential Land Use

Policy ENV31 – New Housing Development
Policy DM1 – Development Management
ENV11 – Design Quality
Policy ENV12 – Flooding
Policy ENV35 – Water Supply
Policy ENV36 – Foul Drainage and Sewerage
Policy ENV37 – Sustainable Urban Drainage Systems

Residential Development Guide

◆ Representation(s):

- ▶ 0 Objection Letters
- ▶ 0 Support Letters
- ▶ 0 Comments Letters

◆ Consultation(s):

Environmental Services

Roads and Transportation Services (Hamilton Area)

Scottish Water

Planning Application Report

1 Application Site

- 1.1 The application site relates to an irregular shaped area of land located approximately 2 metres below road level on the west side of Church Street in close proximity to the retail centre of Larkhall.
- 1.2 The application site is level and extends to approximately 0.18 hectares. The site is used as a storage area and forms the front section of a larger industrial area currently used as a builders yard bounded by Gallowhill, Church Street and Broom Court .
- 1.3 The application site is bounded by Church Street to the front (east) by means of a 1.8 metre high brick wall and the side elevation of a vacant industrial building. St. Machan's Church and terraced cottages are located directly opposite. The western boundary (rear) is the remainder of the applicant's business premises. To the north are commercial premises whilst the southern boundary of the site is shared with residential curtilages.

2 Proposal(s)

- 2.1 The applicant proposes the erection of a 3 storey new built block of flats together with associated access road, parking and amenity requirements. The development will provide 18 residential units with a mix of one and two bedroom flats. The development will necessitate the removal of the existing vacant industrial building and 1.8 metre high brick wall fronting Church Street.
- 2.2 The 3 storey block of flats will be of a modern design finished externally with a combination of pre cast stone, timber and Marley roof tiles. The height of the proposed flatted block will be approximately 8.5 metres above road level set back approximately 3 metres from Church Street. A small wall with wrought iron fence (overall height 1.2 metres) will be erected along the heel of the footpath with Church Street. Due to level differences between the application site and road level the front elevation of the development which faces Church Street will read visually as 2 storey whilst to the rear the proposal will be 3 storey. The flats will be accessed from the rear of the building.
- 2.3 The proposal will necessitate the creation of a new access road and provision of 24 car parking spaces to serve the development. The new access road will be taken from the same point as the existing sub standard access on Church Street. An area of communal amenity space will be provided to the rear of the site.

3 Background

3.1 Local Plan Policy

- 3.1.1 The adopted South Lanarkshire Local Plan represents the Council's Policy on land use throughout the Council's area. This plan identifies the site as a Proposed Housing site subject to Policy - RES2 and located within a general residential area – subject to Policy RES6. Policy RES2 states that the Council will support development for housing on these sites identified within the proposals map whilst

Policy RES 6 seeks to safeguard the amenity of existing residential areas and protect them from the introduction of inappropriate uses.

- 3.1.2 In addition, supplementary design criteria that all new developments should adhere to are set out in Policies ENV11 – Design Quality, ENV31 – New Housing Development and DM 1 – Development Management.
- 3.1.3 Policies ENV11 and ENV31 promote the principles of sustainable development through design and layout and seek to achieve developments which make a positive contribution to the character and appearance of the area within which they are located and which relate well to existing development, public transport, local services and facilities. Policy DM1 requires that proposals take account of the local context and built form.
- 3.1.4 Also relevant are Policy ENV37 – Sustainable Urban Drainage System through which the Council seek to promote the requirements for SUD's in appropriate developments. Whilst Policies ENV12 – Flooding, ENV35 – Water Supply and ENV36 – Foul Drainage and Sewerage seek to ensure that any development is adequately serviced and raises no flooding issues
- 3.1.5 South Lanarkshire Council's Residential Development Guide must also be considered. This Guide provides guidance on the key development standards that applicants are required to meet in relation to new housing development.

3.2 Relevant Government Advice/Policy

- 3.2.1 Relevant Government guidance is set out within the consolidated Scottish Planning Policy 2010 which requires planning authorities to promote the efficient use of land by directing development towards sites within existing settlements where possible to make effective use of existing infrastructure and service capacity. Scottish Planning Policy further recognises that infill developments are seen as a useful contribution to the housing supply providing the character and amenity of the existing residential area is not unacceptably damaged by the effects of the development.

3.3 Planning Background

- 3.3.1 This application relates to the front section of an area of industrial land currently used as a builders yard that has been identified for housing in the adopted South Lanarkshire Local Plan. The complete site which will be developed for residential use is within the ownership of the applicant. It is the applicant's intention to develop the site in 3 phases. Phase 1 has recently been constructed whilst this current proposal relates to Phase 2.
- 3.3.2 The original planning application for Phase 1 related to the area of ground immediately adjoining Broomhill Court. This application was submitted under planning reference HM/08/0441 – Demolition of Industrial Building and Erection of 6 Dwelling Houses. Following discussions with the Planning Service this application was withdrawn on 13 January 2009.
- 3.3.3 A revised planning application HM/08/0674 - Erection of 4 terraced houses and 4 flats was subsequently submitted and approved on 10 February 2009. A minor amendment to this consent was approved under planning reference HM/09/0228 on 9 July 2009.

4 Consultation(s)

- 4.1 **Roads and Transportation Services** - Have no objection to the proposal subject to the new access being constructed in accordance with their current guidelines, the provision of visibility splays 2.5 metres by 90 metres and provision of a pedestrian footway on both sides of the access. The Roads Service is satisfied that the 24 car parking spaces provided are sufficient to meet the development's requirements
Response: - Noted. These requirements can be included as conditions where appropriate.
- 4.2 **Environmental Services** – No response to date.
Response: Noted.
- 4.3 **Scottish Water** - No response to date.
Response: Noted. However in accordance with standard practice any consent granted will be conditioned to ensure that no dwellings are commenced until the developer provides written agreement from Scottish Water that the site can be served by appropriate sewerage and water schemes.

5 Representation(s)

- 5.1 Statutory neighbour notification was undertaken. No letters of objection have been received in respect of the proposals.

6 Assessment and Conclusions

- 6.1 The applicant seeks detailed planning consent for the erection of a 3 storey development which will provide 18 flatted properties together with associated access road, parking and amenity requirements on an area of industrial land which fronts onto Church Street Larkhall. The proposal will necessitate the demolition of an existing vacant industrial building and 1.8 metre high brick wall which fronts onto Church Street. The main considerations in determining this application are whether the proposal satisfies Local Plan Policy, the impact of the proposal on the amenity of the surrounding area and any other relevant material considerations i.e. the proposed development's impact in relation to the road network and road safety and the proposal's impact upon the residential properties in close proximity to the site.
- 6.2 The adopted South Lanarkshire Local Plan represents the Council's Policy on land use throughout the Council's area. This plan identifies the area as being affected by Policy RES2 – Proposed Housing site which states that the Council will support development for housing on these sites and Policy RES 6 – Residential Land Use which seeks to safeguard the amenity of existing residential areas In terms of general land use designation the proposal raises no issues in this regard.
- 6.3 Supplementary design criteria that all new developments should adhere to are set out in Policies ENV11 and ENV31 and DM 1. Policies ENV11 and ENV31 promote quality and sustainability within the design and layout of new housing developments. Developments should make a positive contribution to the character and appearance of the area and should be well related to existing development, public transport, local services and facilities. Policy DM1 requires that proposals take account of the local context and built form. It is considered that the proposal represents an acceptable

balance in terms of establishing an appropriate form and level of development, whilst respecting the traditional characteristics of this town centre location. The proposal sits comfortably within the application site and whilst it is recognised that the development sits higher than the properties either side of the application site, the difference in height is not considered unreasonable. Due to level differences between the application site and road level the front elevation of the proposed development which faces onto Church Street will read visually as 2 storey. This is similar in height and scale to a number of properties within the village centre in close proximity to the application site. As such it is considered that the proposal generally respects the local scale and massing of the surrounding area and will integrate well with the streetscape.

- 6.4 In terms of boundary treatment, the proposal will result in the removal of an unattractive building and wall both of which are in a poor state of repair. A low wall with decorative railing will be installed along the heel of the footpath in front of the development onto Church Street. In addition the application site is located in close proximity to the town centre and provides easy access to public transport and all community and recreational facilities. As such it is considered that the re-development of this site, located within a prominent town centre location, will visually enhance the streetscene and can be satisfactorily integrated into the existing pattern of development without detriment to the amenity of the surrounding area. Given the above, I am satisfied that the proposal conforms with the above policies.
- 6.5 In terms of infrastructure, appropriate conditions have been attached in respect of compliance with Policies ENV12 – Flooding, ENV35 – Water Supply, ENV36 – Foul Drainage and Sewerage and ENV37 – Sustainable Urban Drainage Systems. The proposal therefore raises no concerns in this regard
- 6.6 In respect of compliance with the Council's Residential Design Guide. The proposed development has been set back 3 metres from Church Street to ensure that the proposal satisfactorily meets the Guide's privacy requirements, in particular the 20 metre window to window distance. This setback ensures that the privacy of the terraced cottages located directly opposite the site on Church Street will be safeguarded. It is acknowledged that the amenity space provided within this phase of the development falls short of the recommended requirement. However in accordance with the Residential Design Guide the applicant has agreed to provide a financial contribution of £4500 towards upgrading recreational provision in the area in lieu of providing the full amenity provision within the site. This sum would be payable to the Council prior to the issue of consent. However it should be noted that draft proposals submitted in respect of Phase 3 of the site indicate an overall amenity provision within the complete site which exceeds that stated within the Guide. As such I am satisfied that the proposed development raises no issues with the guidelines contained in the Council's Residential Development Guide.
- 6.7 In regard to road safety, Roads and Transportation Services have no objections to the proposal and are satisfied that the development is served by an appropriate road layout and that a satisfactory level of parking has been provided within the site. The development will be served by the formation of a new access road taken from a substantially improved access on Church Street. A small wall with wrought iron fence will be erected along the heel of the footpath with Church Street to discourage any on street parking and all access to the flats will be to the rear of the development. Given the above Roads and Transportation Services consider the proposal raises no road safety concerns and are satisfied that Church Street is capable of

accommodating the additional traffic that will be generated from the development of this site without adverse safety implications. On this basis I am satisfied that the proposal is acceptable.

- 6.7 No third party representations were received in respect of the proposal. The views of the other consultees have been sought and whilst I have received no response to date from Environmental Health or Scottish water, I am satisfied that all relevant planning issues, in particular, issues regarding provision of satisfactory water and sewerage schemes, submission of a Drainage Impact Assessment and the provision of an appropriate SUDS scheme can be adequately addressed by attaching appropriate conditions to the consent.
- 6.9 After full consideration of this current proposal it is considered that the proposed development is sensitive to the character of the immediate locality and will improve the quality and appearance of the local environment. The development will result in the positive regeneration of a town centre site that will enhance the surrounding area and can be satisfactorily integrated into the existing pattern of development without detriment to the amenity of the surrounding area or nearby residential properties.
- 6.10 As the proposed development accords with the policies of the adopted local plan, has raised no objections through consultation or neighbour notification and there are no other relevant material considerations it is recommended that planning permission be granted subject to the conditions attached.

7 Reasons for Decision

- 7.1 The development accords with Policy RES6 and Policy RES2 of the adopted South Lanarkshire Local plan and raises no concerns in respect of compliance with the design criteria as detailed in policies DM1, ENV31, ENV11, ENV12, ENV35, ENV36 and ENV37 of the adopted South Lanarkshire Local Plan. Furthermore there will be no road safety issues or loss of amenity resulting from the proposal.

Colin McDowall
Executive Director (Enterprise Resources)

22 June 2010

Previous References

- ◆ HM/08/0441 – Demolition of Industrial Building and Erection of 6 Dwelling Houses – Withdrawn 13 January 2009.
- ◆ HM/08/0674 - Demolition of Industrial Building and Erection of 4 Terraced Dwelling Houses and 4 Flats – Approved 10 February 2009
- ◆ HM/09/0228 – Amendment to planning consent HM/08/0674 – Approved 09 July 2009

List of Background Papers

- ▶ Application Form
- ▶ Application Plans
- ▶ Neighbour Notification

► Consultations
Roads and Transportation Services (Hamilton Area)

20/05/2010

Contact for Further Information

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

Christina Laird, Planning Officer, Brandon Gate
Ext 3513 (Tel : 01698 453513)
E-mail: Enterprise.hamilton@southlanarkshire.gov.uk

CONDITIONS

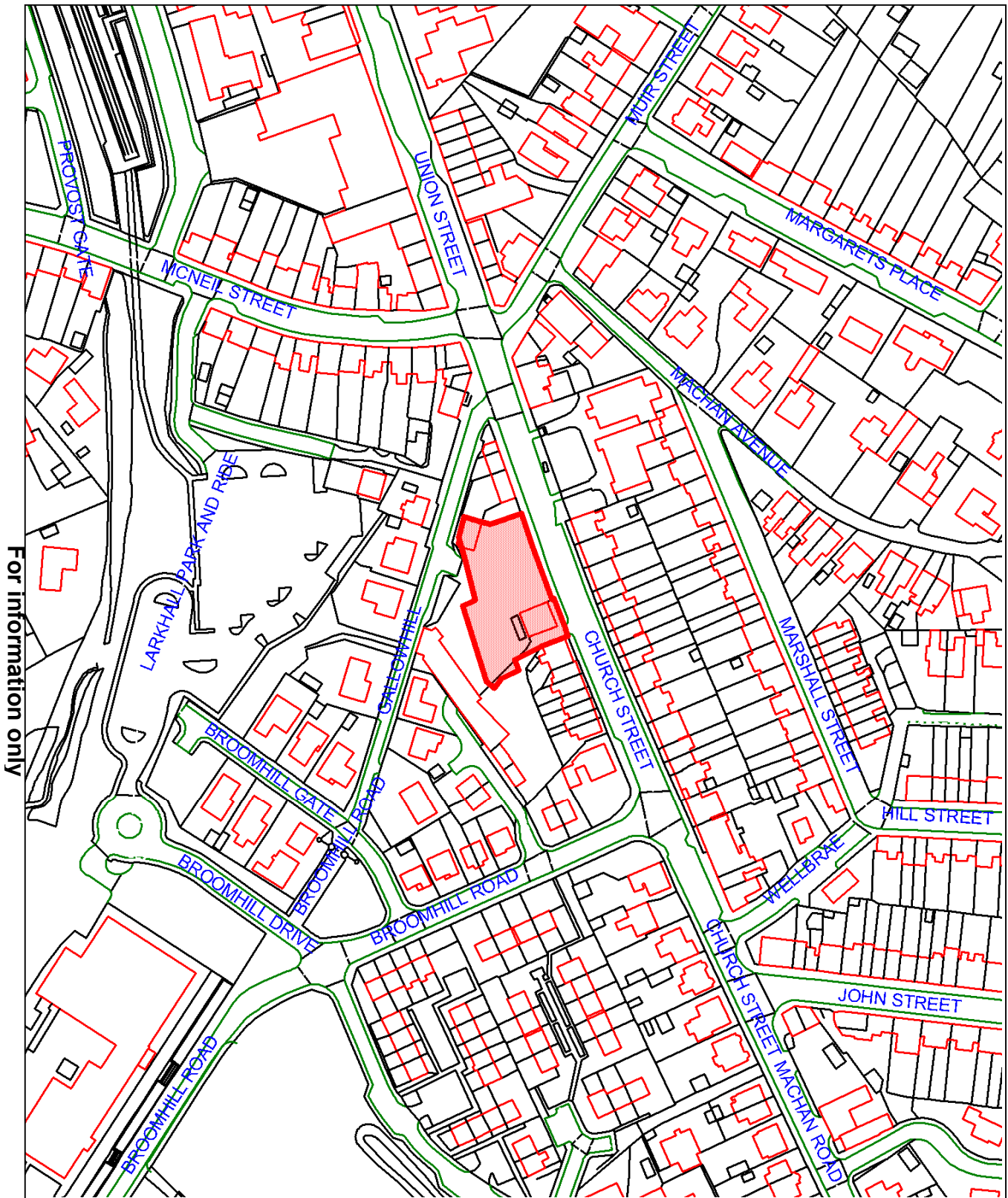
- 1 This decision relates to drawing numbers:PD03 RevE, PD04 RevE, PD05 RevD,
- 2 The development hereby permitted shall be started within three years of the date of this permission.
- 3 That the development shall be carried out strictly in accordance with the plans hereby approved and no change to the 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 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.
- 6 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.
- 7 That before the development hereby approved is completed or brought into use, a 2 metre wide and 1.5 metre wide footway shall be constructed along the access of the site to the specification of the Council as Roads and Planning Authority.
- 8 Development shall not commence until details of all surface finishes to the parking areas have been submitted for the consideration and written approval of the Council as Planning Authority. Development shall thereafter be carried out using the approved materials or such alternatives as may be agreed in writing with the Council as Planning Authority.
- 9 That before the development hereby approved is completed or brought into use, 24 parking spaces (2.5m x 5m modules) shall be laid out, constructed and thereafter maintained to the specification of the Council as Roads and Planning Authority.
- 10 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 0.9 metres in height above the road channel level shall be removed from the sight line

areas and thereafter nothing exceeding 0.9 metres in height shall be planted, placed or erected within these sight lines.

- 11 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.
- 12 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 11 above, shall be erected and thereafter maintained to the satisfaction of the Council.
- 13 That before any of the flats hereby approved are occupied the access road shall be constructed to the specification and satisfaction of the Council as Roads and Planning Authority
- 14 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.
- 15 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.
- 16 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).
- 17 That no property 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.
- 18 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.
- 19 That before any work commences on site details will be submitted and agreed in writing with the Council as Planning Authority to provide a safety barrier along the frontage of the site indicated in PURPLE on the approved plans.

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 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.
- 6 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.
- 7 In the interest of public safety
- 8 These details have not been submitted or approved.
- 9 To ensure the provision of adequate parking facilities within the site.
- 10 In the interest of road safety
- 11 These details have not been submitted or approved.
- 12 In order to retain effective planning control
- 13 In the interest of public safety
- 14 In the interests of the visual amenity of the area.
- 15 In the interests of amenity.
- 16 To demonstrate that a satisfactory means of waste and surface water drainage can be achieved.
- 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 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 interest of public safety



For information only

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