

# Report

Report to:	<b>Planning Committee</b>
Date of Meeting:	<b>19 November 2019</b>
Report by:	<b>Executive Director (Community and Enterprise Resources)</b>

Application no.	P/19/1153
Planning proposal:	Erection 24 dwellinghouses and associated road and services

## 1 Summary application information

Application type:	Detailed planning application
Applicant:	South Lanarkshire Council
Location:	Land at Edinburgh Road/Carwood Road Biggar, South Lanarkshire

## 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.

## 3 Other information

- ♦ Applicant's Agent: Richard Barclay
- ♦ Council Area/Ward: 03 Clydesdale East
- ♦ Policy Reference(s): South Lanarkshire Local Development Plan  
Policy 1 Spatial strategy  
Policy 2 Climate change  
Policy 4 Development management and placemaking  
Policy 6 General urban area/settlements  
Policy 12 Housing land  
Policy 13 Affordable housing and housing choice  
Policy 14 Green network and green space  
Supplementary Guidance 3 - Development Management, Placemaking and Design  
Policy DM13 Development within general urban area/settlement

Plan 2  
Policy 1 Spatial Strategy  
Policy 2 Climate change  
Policy 3 General Urban Areas  
Policy 5 Development Management and  
Placemaking  
Policy 11 Housing  
Policy 12 Affordable Housing  
Policy 13 Green Network and Greenspace  
Policy DM1 New Development Design

◆ **Representation(s):**

▶	1	Objection Letters
▶	0	Support Letters
▶	0	Comment Letters

◆ **Consultation(s):**

Roads Development Management Team

Environmental Services

Roads Flood Risk Management

Scottish Water

Biggar Community Council

## **Planning Application Report**

### **1 Application Site**

- 1.1 The application site (0.85 ha) comprises vacant land on the north western edge of Biggar and forms part of Phase 2 of a residential development currently under construction by Story Homes. It is bounded to the west by dwellings situated along Northcrofts Road and to the south by a nursery together with allotments and path linking through to North Back Road proposed as part of the wider development. To the north and east, the site is adjacent to the remaining approved development (construction work has yet to commence on that area of the site) consisting of grass and excavated ground. Further to the east are the completed dwellings, road layout, and landscaping and amenity open space comprising Phase 1 of the wider development. Topographically, the land slopes in a north/south direction.

### **2 Proposal(s)**

- 2.1 The proposal involves the construction by the Council of 24 semi-detached dwellings as part of its new housebuilding programme. The houses would range in size from one to four bedroom units and include a mix of 1 and 2 storey properties (one of the single storey house types includes attic accommodation and roof lights) incorporating contemporary elements. The application forms part of a wider development CL/12/0358 for 285 dwellings and associated road network, amenity open space, drainage and SUDS pond. A condition of that approval required the developer to provide serviced land to the Council or a Registered Social Landlord for affordable housing. The intention is that the Council will build these houses to meet demand for affordable housing in the Biggar area. The road layout accessing the proposed Council housing links into and accords with the wider road network serving the neighbouring approved residential area. The drainage and sewerage will also connect into associated infrastructure for Phase 1 and 2 of the Storey Homes development.
- 2.2 As supporting documents, the applicant has submitted site and ground investigation reports.

### **3 Background**

#### **3.1 Local Plan Status**

- 3.1.1 The adopted South Lanarkshire Local Development Plan (SLLDP) identifies the site as being located within the settlement boundary of Lower Braidwood 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 and a masterplan site including provision for affordable housing within appendix 3 where Policies 12 – Housing Land and 1 'Spatial Strategy' apply.
- 3.1.2 Other relevant policies in the assessment of this application are: Policy 2 - Climate Change; Policy 4 - Development Management and Placemaking; Policy 13 – Affordable housing and housing choice and; Policy 14 – Green network and greenspace together with Supplementary Guidance on Sustainable Development & Climate Change; Development Management, Placemaking and Design; Green

Network and Greenspaces, and Affordable Housing The content of the above policies and how they relate to the proposal is addressed in detail in Section 6 of this report.

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

- 3.2.1 SPP advises that Local Development Plans should clearly set out the scale and distribution of the affordable housing requirement for their area. Where Housing Need and Demand Assessment (HNDA) and local housing strategy process identify a shortage of affordable housing, the plan should set out the role that planning will take in addressing this. Planning authorities should consider whether it is appropriate to allocate some small sites specifically for affordable housing.

### 3.3 **Planning Background**

- 3.3.1 Planning Permission CL/12/0358 was granted in August 2014 for 285 dwellings to be built over two phases. Condition 26 of consent set down a requirement that the developer reaches agreement with the Council for on-site provision of affordable housing.

## 4 **Consultation(s)**

- 4.1 **Roads and Transportation Services Development Management Team**– no objections. The layout is acceptable in terms of road width, parking and sightlines.  
**Response:** Noted

- 4.2 **Roads and Transportation Services HQ (Flooding Unit)** – offer no objection subject to conditions requiring a flood risk assessment and a Sustainable Urban Drainage System (SUDS).  
**Response:** Noted. Should consent be granted, conditions can be attached to cover these matters.

- 4.3 **Scottish Water** - No objection. There is currently sufficient capacity at the Coulter Water Treatment Works however capacity at the Biggar Waste Treatment Works cannot as yet be confirmed, therefore, further appraisal will be necessary.  
**Response:** Noted.

- 4.4 **Biggar Community Council** – No response to date.  
**Response:** Noted.

- 4.5 **Environmental Services** – No response to date.  
**Response:** Noted.

## 5 **Representation(s)**

- 5.1 Following the carrying out of statutory neighbour notification and the advertisement of the application in the Lanark Gazette for the non-notification of neighbours, 1 letter of objection was received. The issues raised are summarised as follows:

a) **Noise and disturbance.**

**Response:** There will be a degree of disturbance during construction, however, this will only be for a temporary period of time. Environmental

Services have a responsibility to investigate noise complaints to determine if a statutory noise nuisance has occurred.

- b) **Dust from the site covers garden furniture and potentially has exacerbated a chest infection.**

**Response:** If permission is granted, a condition will be attached requiring dust mitigation measures in the event of a problem arising.

- c) **The proposed boundary fence will prevent access to maintain a shed which sits on the rear boundary of the objector's property.**

**Response:** This is considered to be a legal matter and, therefore, not of direct relevance to the planning assessment of the proposal.

- d) **Loss of privacy.**

**Response:** The proposed dwellings are a sufficient distance back from existing dwellings whereby privacy standards in the Council's Residential Design Guide will not be compromised.

- 5.2 This letter has been copied and is 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 24 affordable dwellinghouses and associated infrastructure on land adjacent Northcrofts Road, Biggar. The determining issues in considering this application are its compliance with the policies of the adopted South Lanarkshire Local Development Plan, the associated Supplementary Guidance and the Council's Residential Development Guide, the impact on the amenity of the adjacent properties and surrounding area and road safety.

- 6.2 Policy 1 - Spatial Strategy of the adopted South Lanarkshire Local Development Plan supports the delivery of residential masterplan sites identified in Appendix 3 of the Plan. This includes a site Edinburgh Road in Biggar which the application site forms part of. The masterplan requirements include: that residential development respects the character of Biggar and the setting of adjacent uses; a landscape strategy; green network provision; a robust settlement boundary; contribution to education provision and; provision of affordable housing. Most of these elements have been addressed by the ongoing implementation of Planning Permission CL/12/0358 over two phases and the developer, Story Homes, has already made the necessary education contribution. Policy 13 - Affordable Housing and Housing Choice expects developers to contribute to meeting affordable housing needs 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. Following the carrying out of a viability assessment during the determination of the application for the wider site, Story Homes agreed to the provision of serviced land for affordable housing in the location and of a site area, the subject of this application, and this is reflected in the approved drawings for that development. In consideration, the proposal complies with Policies 1 and 13 and the Affordable Housing supplementary guidance.

- 6.3 The application site is identified as part of the housing land supply in the adopted SLLDP and is included within the settlement boundary of Biggar. 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 Biggar 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.
- 6.4 The application site is located within the settlement boundary of Biggar 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. 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. In addition, the development will be able to make use of play areas and games court within the wider development. Adequate garden space for the amenity of residents is proposed and there would not be an adverse impact, on residential amenity due to overlooking or overshadowing. Satisfactory car parking provision is provided for each dwellinghouse and there would be no adverse impact upon traffic safety. The proposals also comply with the aims of the Councils Residential Design Guide. 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.
- 6.5 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 Biggar 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 and the Sustainable Development and Climate Change supplementary guidance.
- 6.6 Policy 14 Green Network and Greenspace advises that any development proposals should safeguard the local green network, identified on the proposals map, and identify opportunities for enhancement. The application site forms part of a wider residential development subject of Planning Permission CL/12/0358 which includes retention of woodland and trees, extensive landscaping and the creation of pockets of greenspace throughout the approved layout. Further, the current planning application includes additional tree planting in the southern section of the site. Therefore, the proposal complies with Policy 14 and the associated supplementary guidance.

- 6.7 On 29 May 2018, the Planning Committee approved the proposed South Lanarkshire Local Development Plan 2 (Volumes 1 and 2) and Supporting Planning Guidance on Renewable Energy. Therefore, the Proposed SLLDP2 is now a material consideration in determining planning applications. The proposed development has been considered against the relevant policies in the proposed plan and it is noted that these policies are broadly consistent with the current adopted South Lanarkshire Local Development Plan 1. It is considered that the proposals accord with Policies 1, 2, 3, 5, 11, 12, 13 and DM1 in the proposed plan.
- 6.8 In view of the above, and taking into account of the current local development plan context, the proposal represents an appropriate form of development which will help meet demand for affordable housing in the local community. It is, therefore, recommended that detailed planning consent be granted subject to the conditions listed.

## **7 Reasons for Decision**

- 7.1 The proposal complies with Policies 1, 2, 4, 6, 12, 13 and 14 of the adopted South Lanarkshire Local Development Plan and associated Supplementary Guidance: Affordable Housing, Development Management Place Making and Design; Green Network and Greenspace and; Sustainable Development and Climate Change. The proposals also accord with the Proposed South Lanarkshire Local Development Plan 2.

**Michael McGlynn**  
**Executive Director (Community and Enterprise Resources)**

Date: 29 October 2019

### **Previous references**

- ◆ CL/12/0358

### **List of background papers**

- ▶ Application form
- ▶ Application plans
- ▶ South Lanarkshire Local Development Plan 2015 (adopted)
- ▶ Proposed South Lanarkshire Development Plan 2
- ▶ Neighbour notification letter dated 31 July 2019
  
- ▶ Consultations
  - Roads Development Management Team
  - Environmental Services
  - Roads Flood Risk Management 19.09.2019
  - Scottish Water 06.08.2019

Biggar Community Council

CER Play Provision Community Contribs

22.08.2019

► Representations

Dated:

Alma Smith, By Email

19.08.2019

**Contact for further information**

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

Ian Hamilton, Planning Officer, Montrose House, 154 Montrose Crescent, Hamilton, ML3 6LB

Phone: 01698 455174

Email: [ian.hamilton@southlanarkshire.gov.uk](mailto:ian.hamilton@southlanarkshire.gov.uk)



### **Conditions and reasons**

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

02. 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.

03. 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 02 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.

04. 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: To ensure the appropriate provision of landscaping within the site.

05. 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.

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

06. 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 the following signed appendices: 1 'Sustainable drainage design compliance certificate', 2 'Sustainable drainage design - independent check certificate' 3 'Flood risk assessment compliance certificate', 4 'Flood risk assessment - independent check certificate' and 5 'Confirmation of future maintenance of sustainable drainage apparatus'. 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 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.

07. That no dwellinghouse shall be occupied until the site is served by a sewerage scheme and water supply constructed to the specification and satisfaction of Scottish Water as Sewerage Authority.

Reason: To ensure that an appropriate sewerage system and water supply is provided.

08. That, in the event of dust nuisance problems being created by operations on site, the developer shall take reasonable measures to minimise the transmission of dust, to the satisfaction of the Planning Authority.

Reason: In the interests of amenity.

09. That prior to any work starting on site, a programme indicating the phasing of construction of development, together with a Traffic Management Plan indicating the circulation of vehicles and pedestrians, shall be submitted to the Council as Planning Authority for approval. The approved details shall be implemented throughout the period of the development of the site.

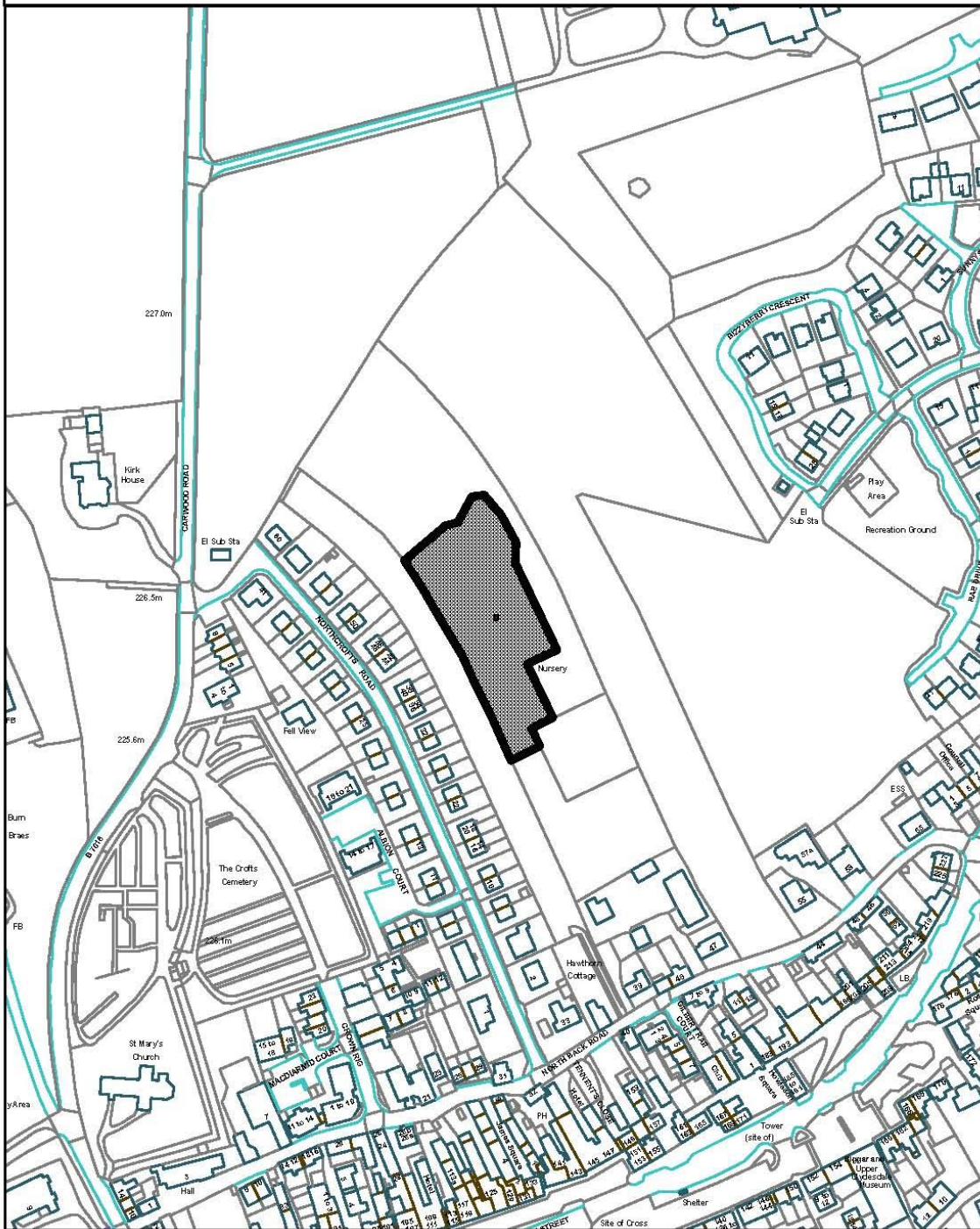
Reasons: In the interests of road safety.

- 10 That unless otherwise agreed, prior to the commencement of the development hereby approved, details of measures to facilitate the provision of full fibre broadband to serve the development, including details of appropriate digital infrastructure and a timescale for implementation, shall be submitted to and approved in writing by the Council as Planning Authority. The approved measures shall thereafter be carried out in accordance with the agreed implementation timescale.

Reason: To ensure the provision of digital infrastructure to serve the development.

P/19/1153

Land 70m East of 52 Northcrofts Road, Loaningdale Avenue, Biggar



© Crown copyright and database rights 2019 OS 100020730. You are permitted to use this data solely to enable you to respond to, or interact with, the organisation that provided you with the data. You are not permitted to copy, sub-licence, distribute or sell any of this data to third parties in any form.



Scale:  
1:2,500  
Date:  
28/10/2019



**South Lanarkshire Council**  
**Community and Enterprise Resources**  
Planning and Economic Development