

	<h1>Report</h1>	Agenda Item <h1>10</h1>
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Report to: **Planning Committee**
 Date of Meeting: **5 October 2010**
 Report by: **Executive Director (Enterprise Resources)**

Application No CL/10/0340
 Planning Proposal: Erection of 16 Semi-Detached Dwellinghouses

1 Summary Application Information

- Application Type : Detailed Planning Application (Amend)
- Applicant : M & M Quality Homes
- Location : Cairngryffe Street
Pettinain

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) If planning consent is granted, the decision notice should be withheld until a section 75 agreement between the applicants and the Council to ensure the submission of a financial contribution of £4500 for the improvement of community facilities in the area has been concluded.
- (3) The applicants will be responsible for the Council's legal costs in the preparation of the agreement.

3 Other Information

- ◆ Applicant's Agent: Hardie Associates
- ◆ Council Area/Ward: 03 Clydesdale East
- ◆ Policy Reference(s): **South Lanarkshire Local Plan (Adopted)**
 - Policy STRAT4: Accessible Rural Area
 - Policy RES2: Proposed Housing sites
 - Policy ENV30: New Housing Development
 - Policy ENV11: Design Quality
 - Policy DM1: Development Management

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

► 0 Comments Letters

◆ Consultation(s):

Roads and Transportation Services (Clydesdale Area)

Planning Application Report

1 Application Site

- 1.1 The application site which extends to 0.7 hectares lies to south of Cairngryffe Street at the southern edge of the settlement of Pettinain. The site was formerly in use as a nursery but now comprises rough ground bound in the south and east by mature woodland and to the west by agricultural land the Rae Burn. To the north the site is adjoined by Cairncryffe Road and detached dwelling houses.

2 Proposal(s)

- 2.1 The applicant seeks detailed consent for the construction of 16 semi-detached dwellings orientated around a cul-de-sac formed by extending Cairngryffe Road.
- 2.2 The two storey dwellings, each with 3 bedrooms, comprise of a conventional design finished in roughcast, tiles and masonry quoins. The houses would be positioned around the new access with a turning head at the terminus point. Landscaping will be established along the rear boundaries and in an area of ground situated at the turning head between plots 12 and 13. A SUDS area will be located in the north west corner of the site.

3 Background

3.1 Local Plan Status

- 3.1.1 The application site is located within the Accessible Rural Area in the adopted South Lanarkshire Local Plan where Policy STRAT4: Accessible Rural Area states development will be directed to within settlements. The site is identified as a new housing site. Policy RES2: Proposed Housing Sites will support those sites included in the Housing Land audit and identified on the Proposals Map.

- 3.1.2 Policies ENV30: New Housing Development and DM1: Development Management of the adopted Local Plan states that proposals will require to take account of the local context and built form and should be compatible with adjacent buildings and surrounding streetscape in terms of scale, massing, design, external materials and impact on amenity. Proposals are required to meet certain criteria in order to comply with these policies. Policy ENV11: Design Quality of the adopted Local Plan seeks to promote quality and sustainability in a development's design and states that any new development should enhance and make a positive contribution to the character and appearance of the environment in which it is located.

3.2 Relevant Government Advice/Policy

- 3.2.1 The Scottish Planning Policy states Planning Authorities should promote the efficient use of land and buildings, directing development towards sites within existing settlements where possible to make effective use of existing infrastructure and service capacity and to reduce energy consumption.

3.3 Planning History

- 3.3.1 Outline planning permissions were granted under planning application ref nos CL/05/0599 and CL/07/0101 for residential development on the northern and southern parts of the site respectively. In September 2008, Planning Permission (CL/08/0323) was granted for the erection of 10 detached dwellings on the whole of the site.

4 Consultation(s)

- 4.1 **Roads and Transportation Services** – no objections subject to the installation of a suitable drainage system. There is already a Roads Construction Consent for the new access road.

Response: Noted. An appropriate condition can be attached to cover drainage.

5 Representation(s)

- 5.1 Following the carrying out of neighbour and owner notification and the advertisement of the application in the local press due to the non-notification of neighbours, one letter of objection was received. The contents are summarised below.

(a) The number of houses is large relative to the size of the village.

Response: The site is within the settlement boundary as identified in the Local Plan and this proposal is only 6 more than the existing consent for 10 houses. In considering the site area and the development pattern in the locality, the density is not high and the layout accords with the Council's Residential Guide in terms of garden space and privacy.

(b) There is no demand for houses in isolated rural communities suggested by the fact that there are houses at the Raeburn development which have been on the market for some time thereby causing concern that the site will be left partially completed leaving an eyesore.

Response: Disagree. There is still a high demand for housing in the countryside especially in rural communities, such as Pettinain, which are within commuting distance of Edinburgh and Glasgow. This is also evidenced by the fact the majority of the houses in the Raeburn Development are occupied. This proposal involves the development of a smaller house type which falls within the range of affordability for more people than larger detached houses. The development itself affords opportunities for environmental improvements as the site which is a former nursery is presently derelict and overgrown with weeds.

(c) The access road to the site is narrow and poorly surfaced and without traffic calming could be easily turned into a speedway. The exit to Grange Terrace is subject to limited sight lines due to vehicles parked on the roadway.

Response: The additional traffic generation will not be significant. Roads have not objected nor have they advised on any requirement to improve the public road network.

(d) Pettinain is a small rural community with no local facilities and only a very limited bus service. There are no educational or social facilities the nearest being Carstairs, Symington or Lanark.

Response: In terms of facilities Pettinain is similar to other small villages in the area however there is a play park, playing field and a public hall. The allocation of new housing sites in the local plan involved the consideration of the proximity to services and facilities and as such in this case it was demonstrated that there is scope to accommodate a small housing release within Pettinain. It should be noted that Pettinain lies in close proximity to Lanark, Carstairs Junction and Carstairs where the usual educational and social facilities are available. In addition, the applicants have agreed to submit a contribution to the upgrading of community facilities in the area.

(e) The field in question is extremely wet and will require surface drainage, via a SUDS system with an outlet to the Raeburn. It is assumed consideration has been given to the chance of flooding affecting homes in Raeburn.

Response: The section of the Raeburn alongside the site which runs through Pettinain has not been identified as being prone to flooding in the SEPA flood maps.

A condition will be attached requiring the installation of a SUDS system the purpose of which is to ensure that surface water run off from the development will not exceed that pertaining to the existing site.

The letter has been copied and is available for inspection in the usual manner and on the Council's Planning Portal.

6 Assessment and Conclusions

- 6.1 The application site is identified as a new housing site in the adopted local plan and there is an extant detailed consent for the erection of 10 detached houses. The principle of residential development has therefore been established. The current proposal involves an increase in the number of houses proposed to sixteen. The main determining issues in this instance are the extent to which the proposal complies with the planning policies and guidelines on new residential development and its effect on the amenity and character of the area.
- 6.2 In the context of the village and the wider area the site is visually contained by neighbouring woodland and surrounding topography. This containment would be enhanced through additional landscaping which is subject of an attached condition. Within Pettinain there is a mixture of housing and therefore I am satisfied that the form of development proposed can be successfully integrated without affecting the setting or character of the village. The mass, scale and design of the proposed dwellings is considered acceptable. The layout, orientation, garden space and amenity provision is also satisfactory and complies with the Councils Residential Development Guidelines.
- 6.3 Access to the site is via an existing public road while the new access that would serve the proposed houses is subject to a Roads Construction Consent. Roads and Transportation Services have not objected subject to the installation of adequate drainage. That and other service/infrastructure issues can be covered by the use of appropriate conditions. A contribution would be made by the applicant to allow the upgrading of community facilities in the area.
- 6.4 After carefully assessing all relevant factors I consider planning permission be granted.

7 Reasons for Decision

- 7.1 The principle of residential development has been established by previous outline and detailed consents, the proposal is consistent with Policies STRAT4, RES2, ENV30, DM1 and ENV11 of the adopted South Lanarkshire Local Plan and there would be no adverse impact on residential or visual amenity.

Colin McDowall
Executive Director (Enterprise Resources)

14 September 2010

Previous References

- ◆ Planning Permission CL/08/0323
- ◆ Outline Planning Permission CL/05/0599

◆ Outline Planning Permission CL/07/0101

List of Background Papers

- ▶ Application Form
- ▶ Application Plans

- ▶ Consultations
Roads and Transportation Services (Clydesdale Area) 26/08/2010

- ▶ Representations
Representation from : Iain F Muir, The Beeches, 25 Cairngryffe Street, Pettinain,
ML11 8SW, DATED 10/08/2010

Contact for Further Information

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

Ian Hamilton, Planning Officer, Council Offices, South Vennel, Lanark, ML11 7JT
Ext 3186 (Tel :01555 673186)
E-mail: Enterprise.lanark@southlanarkshire.gov.uk

CONDITIONS

- 1 This decision relates to drawing numbers:08/48/se/pl01 (site layout) 08/48/se/pl01 (Type B semi) & 08/48/se/pl03 (location plan).
- 2 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.
- 3 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.
- 4 That before work commences on site, a secure livestock proof fence shall be erected along the southern, western and eastern boundaries.
- 5 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 Conditions 3 and 4 above, shall be erected and thereafter maintained to the satisfaction of the Council.
- 6 That before any work commences on the site, a scheme of landscaping for the area shaded green on the approved plans 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.
- 7 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.
- 8 That before the dwellinghouses hereby approved are 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. This will include a drainage system that prevents water from any driveways discharging to the carriageway.
- 9 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.

- 10 That no dwellinghouse shall be occupied until the developer provides a written agreement from Scottish Water that the development will not cause or contribute to the premature operation of consented storm overflows and can be served by a sewerage and water scheme constructed to the specification and satisfaction of Scottish Water as the Water and Sewerage Authority.
- 11 That the fencing and landscaping required by conditions 3 and 4 respectively shall adhere to the conservation recommendations and mitigation measures outlined in the Badger and Bat Survey Report (Ellancowan Environmental Consultancy, 29th October 2007).
- 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 prior to any work commencing on the site, a maintenance management schedule for the landscaping scheme approved under the terms of Condition 6 above shall be submitted to and approved by the Council as Planning Authority. Thereafter, the landscaping shall be maintained in accordance with the approved management schedule to the satisfaction of the Council.
- 14 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.
- 15 That before any dwellinghouse hereby approved is occupied, all of the parking spaces relating to that plot as shown on the approved plans shall be laid out, constructed and thereafter maintained to the specification of the Council as Roads and Planning Authority.

REASONS

- 1 For the avoidance of doubt and to specify the drawings upon which the decision was made.
- 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 and to prevent access to the site during the construction period by large mammals from the surrounding areas.
- 6 In order to retain effective planning control.
- 7 In the interests of the visual amenity of the area.
- 8 In the interests of amenity.
- 9 In order to retain effective planning control.
- 10 To ensure the provision of a satisfactory drainage system.

- 11 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.
- 12 To ensure that the development is served by an appropriate effluent disposal system and water supply.
- 13 In the interests of wildlife.
- 14 To ensure the site is free from contamination.
- 15 To secure a reduction in carbon dioxide emissions.

CL/10/0340

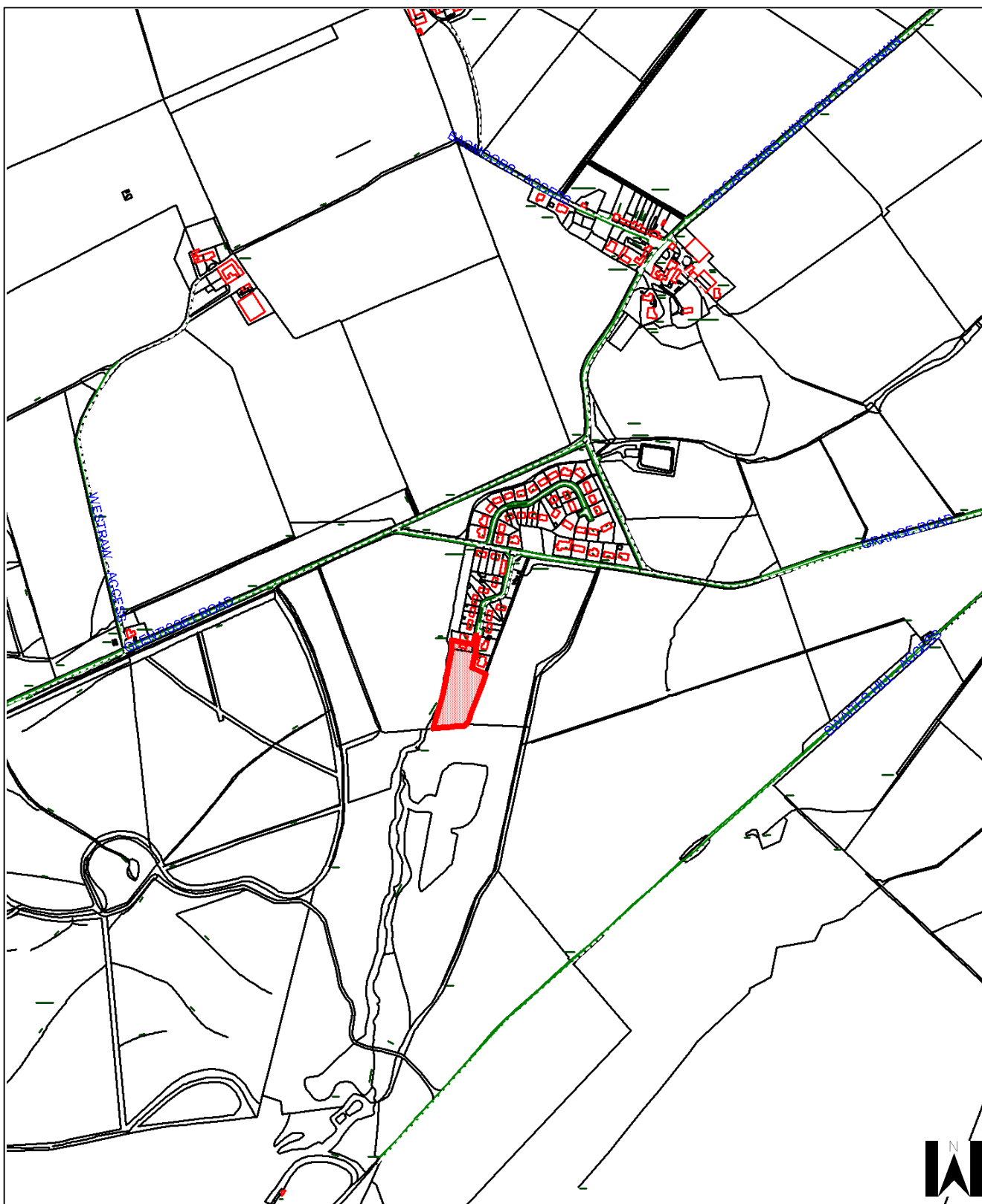
Cairngryffe Street

Planning and Building Standards Services

Scale: 1: 10000

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