

Report

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Report to:	East Kilbride Area Committee
Date of Meeting:	31 August 2005
Report by:	Executive Director (Enterprise Resources)

Application No	EK/04/0455
Planning Proposal:	Erection of three stone benches

1 Summary Application Information

- Application Type : Detailed Planning Application
- Applicant : St Leonards Community Council
- Location : Colonsay
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 the attached conditions

2.2 Other Actions/Notes

3 Other Information

- ◆ Applicant's Agent:
- ◆ Council Area/Ward: 15 Calderglen
- ◆ Policy Reference(s): East Kilbride and District Local Plan
(Adopted)Policy RES 5 – Residential Amenity

- ◆ Representation(s):
 - ▶ 2 Objection Letters and petition
 - ▶ 0 Support Letters
 - ▶ 0 Comments Letters

- ◆ Consultation(s):

Land Services, Community Resources

Economic Development (Estates & Asset)

Planning Application Report

1 Application Site

The application site relates to three stone seating benches at 3 locations in the St. Leonards area of East Kilbride. The first site is at the junction of Newhousemill Road and Colonsay, attached to the existing stone feature. The second is at the grassed area to the front of White Cart Tower and the third is on Strathaven Road near to the steps for the pathway.

2 Proposal(s)

This is a detailed planning application for the erection of three stone seating benches in the style of the existing sign features in St. Leonards. The community council erected stone feature signs and it is intended the stone seating benches will be in a similar style to match the existing signs.

3 Background

- 3.1 The application site is identified as within a residential area of East Kilbride in the adopted East Kilbride and District Local Plan. The relevant policy covering the sites is Policy RES 5 – Residential Amenity.

4 Consultation(s)

- 4.1 **Community Resources** – Have stated that they will not be responsible for the maintenance of the structures.

Response: The community council have stated that they will have full responsibility for the maintenance of the structures. The proposed benches are of a construction similar to the signs where no additional maintenance of the open space will be required. Condition 3 relates to this.

- 4.2 **Estates (Asset Registry)** – Requested the relocation of one of the benches.

Response: The community council removed 2 of the original 5 benches proposed and relocated the bench in question to the suggested location.

5 Representation(s)

- 5.1 Following statutory neighbour notification procedures two letters of objection were received and one petition with 17 signatures, in respect of this application. The grounds of objection are summarised below:

That the location of the benches close to houses will be problematic with regards to noise, litter, glass and youths gathering in the evenings.

Response: There were 5 benches proposed originally, one across from 45 Colonsay and one across from 13 Tiree. The community council agreed to remove both of these benches due to local concern with the proximity to residential properties. There was no objections to the proposal at White Cart Tower and the other two benches are located away from residential properties but in visible open public areas that have a high volume of passing vehicles. As the community council have removed the two benches that caused concern I see no reason for refusal of the application.

6 Assessment and Conclusions

- 6.1 The determining issue that requires to be addressed in respect of this application is compliance with existing and draft local plan policy.
- 6.2 In terms of the adopted East Kilbride and District Local Plan the application can be assessed against Policy RES 5 – Residential Amenity. The policy states that all

planning applications should resist any development that will be detrimental to the amenity of those areas. The policy states that the council will not approve bad neighbour uses which may by virtue of noise, smell, disturbance or public safety be detrimental to residential areas. I am satisfied that the community council have removed the two benches that may have had a detrimental effect on surrounding residential properties. The other benches are in open public space within view of passing traffic.

- 6.3 In summary, I would consider that the proposal complies with Policy RES 5 of the East Kilbride and District Local Plan (Finalised Draft). I would, therefore, raise no objection to the proposal and recommend that planning permission be granted.

Iain Urquhart
Executive Director (Enterprise Resources)

12 August 2005

Previous References

- ◆ None

List of Background Papers

- ▶ Application Form
- ▶ Application Plans
- ▶ Consultations

- ▶ Representations

Representation from : M Sutherland, 53 Colonsay
St Leonards
East Kilbride, DATED 05/08/04

Representation from : Owner/ occupier, 37 Colonsay
St Leonards, East Kilbride, DATED 05/08/04

Representation from : C Walker, 45 Colonsay
St Leonards, East Kilbride, DATED 05/08/04

Representation from : Colin Stewart, 47 Colonsay
St Leonards, East Kilbride, DATED 05/08/04

Representation from : Mr & Mrs McCafferty, 49 Colonsay
St Leonards, East Kilbride, DATED 05/08/04

Representation from : Mr & Mrs Connolly, 43 Colonsay
St Leonards, East Kilbride, DATED 05/08/04

Representation from : Mr E Hamilton, 39 Colonsay
St Leonards, East Kilbride, , DATED 05/08/04

Representation from : Mrs M Innes, 35 Colonsay
St Leonards, East Kilbride, DATED 05/08/04

Representation from : Mr & Mrs Compston, 31 Colonsay
St Leonards, East Kilbride, DATED 05/08/04

Representation from : Mr J Harris, 27 Colonsay
St Leonards, East Kilbride, DATED 05/08/04

Representation from : H Monrgomery, 25 Colonsay
St Leonards, East Kilbride, DATED 05/08/04

Representation from : G Cunningham, 21 Colonsay
St Leonards, East Kilbride, DATED 05/08/04

Representation from : S Higgins, 21 Colonsay
St Leonards, East Kilbride, DATED 05/08/04

Representation from : S Henderson , 19 Colonsay
St Leonards, East Kilbride, DATED 05/08/04

Representation from : Owner/ Occupier, 51 Colonsay
St Leonards, East Kilbride, DATED 05/08/04

Representation from : R Robertson, 41 Colonsay
St Leonards, East Kilbride, DATED 05/08/04

Representation from : Graham Robertson , 41 Colonsay
St Leonards, East Kilbride, DATED 05/08/04

Contact for Further Information

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

Evelyn-Ann Stewart, Planning Officer
Ext : 6315 (Tel :01355 806315)
E-mail: Enterprise.ek@southlanarkshire.gov.uk

Detailed Planning Application

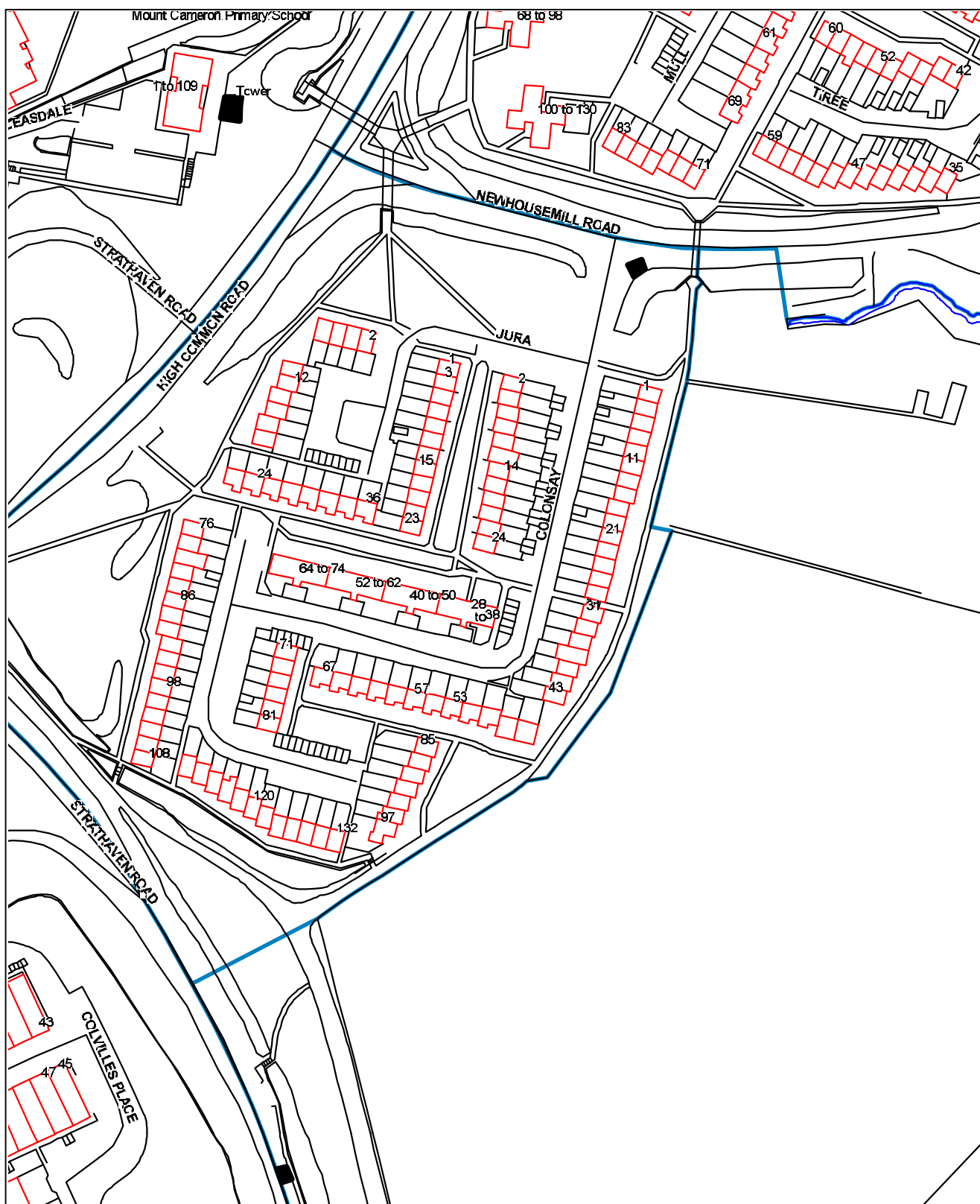
PAPER APART – APPLICATION NUMBER : EK/04/0455

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 the stone benches shall be installed and thereafter maintained at the applicants expence to the satisfaction of 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.



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