

# Report

Report to:	<b>Planning Committee</b>
Date of Meeting:	<b>21 November 2017</b>
Report by:	<b>Executive Director (Community and Enterprise Resources)</b>

Application No	EK/17/0307
Planning Proposal:	Erection of 16 Dwellings (4 Semi-detached Dwellings and 12 Flatted Dwellings)

## 1 Summary Application Information

- Application Type : Detailed Planning Application
- Applicant : South Lanarkshire Council
- Location : Former Heathery Knowe Primary School  
Whitehills Terrace  
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 Conditions Attached

### 2.2 Other Actions/Notes

- (1) The Planning Committee has delegated powers to determine this application.

## 3 Other Information

- ◆ Applicant's Agent: South Lanarkshire Council
- ◆ Council Area/Ward: 07 East Kilbride Central South
- ◆ Policy Reference(s): **South Lanarkshire Local Development Plan (adopted 2015)**  
Policy 4 - Development management and placemaking  
Policy 6 - General urban area/settlements

**Development management, placemaking and design supplementary guidance (2015)**  
Policy DM13 - Development within general urban area/settlement

### ◆ Representation(s):

- ▶ 1 Objection Letter
- ▶ 0 Support Letters
- ▶ 1 Comment Letter

◆ Consultation(s):

Roads and Transportation Services (Development Management Team)

Roads and Transportation Services (Flood Risk Management Section)

Environmental Services

Estates Services

Scottish Water

SP Energy Network

The Coal Authority - Planning and Local Authority Liaison Department

# **Planning Application Report**

## **1 Application Site**

- 1.1 The application site relates to an area of land adjacent to the new Heathery Knowe Primary School located within The Murray, an established residential area of East Kilbride. The site, which extends to approximately 0.56 hectares, sits to the north of the new primary school building and adjoins the school's grass playground area and MUGA pitch. The site was surplus to the Education Service's requirements after the new school and associated play areas and parking facilities were constructed.
- 1.2 The site is bounded to the south by the play areas and MUGA pitch associated with Heathery Knowe Primary School, to the west by residential properties at Liddell Grove, to the east by Whitehills Terrace with a residential property opposite and to the north by The Murray Road with residential properties and sheltered housing accommodation opposite. There is currently no vehicular access to the site, however, pedestrian access can be taken from The Murray Road and Whitehills Terrace. The site is relatively flat towards the south, however, there is a significant drop in levels at the north of the site towards The Murray Road.

## **2 Proposal(s)**

- 2.1 The applicant, South Lanarkshire Council, seeks detailed planning consent for the construction of a residential development comprising 16 dwellings with associated access, parking and landscaping provision. The proposed units would comprise four two storey, semi-detached properties and 12 cottage flats over three blocks. The house types proposed would cater for a broad mix of needs and would be made available as social rented properties.
- 2.2 The properties would be set out in a linear fashion from east to west and would front to the south towards Heathery Knowe Primary School. The proposed development would be accessed via the formation of a new access road from Whitehills Terrace, adjacent to the primary school. Natural screening measures would be incorporated to the rear of the proposed dwellings adjacent to The Murray Road and at the proposed entrance to the site adjacent to Whitehills Terrace. In terms of external finishes, brick and render are proposed to integrate with the surrounding area. The properties would also be designed to reflect sustainability through the inclusion of solar PV panels where appropriate.

## **3 Background**

### **3.1 Local Development Plan**

- 3.1.1 With regard to the South Lanarkshire Local Development Plan (adopted 2015) the site falls within the general urban area as defined by Policy 6. Policy 4 – Development Management and Placemaking is also of relevance to the proposal. In addition, the guidance contained within the supplementary guidance document relating to development management, placemaking and design is of relevance to the proposed development. South Lanarkshire Council's Residential Development Guide also provides additional advice of relevance and sets out the criteria against which new housing development proposals should be assessed.

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

- 3.2.1 Relevant Government guidance is set out within the Scottish Planning Policy (SPP) which confirms the requirement for the Council to maintain a five year supply of effective housing land. Planning authorities are required to promote the efficient use of

land by directing development towards sites within existing settlements, where possible, in order to make effective use of existing infrastructure and service capacity.

- 3.2.2 In terms of residential development, SPP advises that the planning system should enable the development of well designed, energy efficient, good quality housing in sustainable locations and allocate a generous supply of land to meet identified housing requirements across all tenures. New housing developments should be integrated with public transport and active travel networks, such as footpaths and cycle routes, rather than encouraging dependence on the car. New streets should connect well with existing streets and with walking and cycling networks, and allow for links into future areas of development.

## **4 Consultation(s)**

- 4.1 **Roads and Transportation Services (Development Management Team)** – offered no objections to the proposed development subject to conditions relating to access, visibility and traffic calming issues.  
**Response:** Noted. The requested conditions would be attached to any consent issued.
- 4.2 **Roads and Transportation Services (Flood Risk Management Section)** - offered no objections to the proposal subject to the Council's Sustainable Urban Drainage Systems (SUDS) design criteria being satisfied through the completion of a self certification document.  
**Response:** Noted. The requested conditions would be attached to any consent issued.
- 4.3 **Environmental Services** – offered no objections to the proposed development subject to the imposition of conditions relating to the submission of a noise assessment and a dust management and monitoring scheme.  
**Response:** Noted. The requested conditions would be attached to any consent issued.
- 4.4 **Estates Services** – offered no objections to the proposed development.  
**Response:** Noted.
- 4.5 **The Coal Authority** – following the submission of a site investigation report The Coal Authority confirmed that they had no objections to the proposed development.  
**Response:** Noted.
- 4.6 **Scottish Water** – offered no objections to the proposed development.  
**Response:** Noted.
- 4.7 **SP Energy Networks** – offered no objections to the proposed development.  
**Response:** Noted.

## **5 Representation(s)**

- 5.1 Statutory neighbour notification procedures were undertaken and the application was advertised in the East Kilbride News for neighbour notification purposes. In response, one letter of objection and one letter of comment were received in respect of the proposals, the points of which are summarised below:
- a) **The development could have an adverse impact on the adjacent flatted dwellings to the west of the site in terms of overlooking and loss of privacy.**

**Response:** It is noted that the proposed dwellinghouses and flats would include only north and south facing windows associated with habitable rooms, whereas the existing flats referred to by the objector are located to the west of the site. In particular, the west facing gable wall of the block of cottage flats proposed to be located nearest to the existing flats would contain only a single window associated with a stairway landing. As such, it is not considered that there would be any adverse impact on the adjacent flats in terms of overlooking or loss of privacy.

- b) **The development could have an adverse impact on the adjacent flatted dwellings to the west of the site in terms of overshadowing and loss of light.**

**Response:** It is noted that the proposed development would be located a significant distance from the existing flats to the west of the site due to the provision of an area of open space and a turning area within the site to the west of the proposed dwellinghouses. Given the distance between the existing and proposed properties, it is considered unlikely that there would be any significant impact in terms of overlooking or loss of light in this instance.

- c) **The development could have an adverse impact on the adjacent flatted dwellings to the west of the site in terms of noise and fumes from the proposed turning area.**

**Response:** Given the proximity of both the existing and proposed flatted blocks to The Murray Road it is considered unlikely that the proposed turning area to the west of the proposed flatted dwellings would create any significant additional issues in terms of noise or fumes. However, as part of the consideration of wider noise issues associated with the proposed development, the Council's Environmental Services have requested that a Noise Assessment be carried out in respect of the proposed development in this instance. A condition would, therefore, be attached to any consent issued requiring a Noise Assessment to be carried out and submitted for approval prior to the commencement of any works on site. Subject to adherence to this condition and the implementation of any associated mitigation measures, it is not considered that there would be any concerns in this regard.

- d) **It should be ensured that the development does not adversely impact on flora, fauna or species within the site.**

**Response:** It is noted that the site at present is grassed and does not contain any buildings, trees, hedges or other features that would be likely to contain any flora, fauna or be utilised by protected species. It is, therefore, extremely unlikely that the development would create any issues in this regard.

- e) **Provision of social housing should be included within the proposed development.**

**Response:** It is proposed that all of the 16 houses and flats would be social rented properties in this instance.

- 5.2 The above letters have been copied and are available for inspection in the usual manner and on the Planning Portal.

## **6 Assessment and Conclusions**

- 6.1 Planning consent is sought by South Lanarkshire Council for a residential development of 16 dwellings with associated access, parking and landscaping on land to the north of Heathery Knowe Primary School, East Kilbride. The proposed units would comprise four two storey, semi-detached properties and 12 cottage flats over

three blocks. The house types proposed would cater for a broad mix of needs and would be made available as social rented properties. The properties would be set out in a linear fashion from east to west and would front to the south towards Heathery Knowe Primary School. The proposed development would be accessed via the formation of a new access road from Whitehills Terrace, adjacent to the primary school. Natural screening measures would be incorporated to the rear of the proposed dwellings adjacent to The Murray Road and at the entrance to the proposed site adjacent to Whitehills Terrace.

- 6.2 The determining issues in the assessment of this application are its compliance with local plan policy as well as its impact on surrounding amenity. Under the terms of Section 25 of the Town and Country Planning (Scotland) Act 1997 all applications must be determined in accordance with the development plan unless material considerations indicate otherwise. In this case, the development plan framework against which the proposal requires to be assessed comprises the South Lanarkshire Local Development Plan (adopted 2015) and its associated supplementary guidance.
- 6.3 In terms of the adopted local development plan, it is noted that the site is located in an area which forms part of the general urban area as designated by Policy 6. As such, the principle of the use of the site for residential purposes is considered to be acceptable. With regard to the specific design and layout of the proposed development, Policy 4 – Development Management and Placemaking requires all proposals to take account of and be integrated with the local context and built form. The policy states that development proposals should have no significant adverse impacts on the local community and, where appropriate, should include measures to enhance the environment and the quality of placemaking. These requirements are further supported by Policy DM13 of the associated supplementary guidance relating to development management, placemaking and design.
- 6.4 It is considered that the proposed development would be appropriate to the site in question in terms of design and layout and would comply with the standards set out in the Council's Residential Development Guide, particularly in relation to road layout, the density of the development, car parking provision and provision of amenity space. The proposed development of modern suburban semi-detached dwellinghouses and cottage flats would be in keeping with the pattern of development in the surrounding area. The proposed dwellings would be positioned a sufficient distance from existing properties to the west and north of the site to ensure that there would be no adverse impact on these properties in terms of overshadowing or loss of privacy. Appropriate retention and screening measures would be put in place to the north of the development, adjacent to The Murray Road, to ensure that the development would be suitably integrated with its surroundings. Sectional drawings have been submitted to demonstrate that the properties would be afforded usable garden spaces and would not be adversely impacted in terms of privacy as a result of the proximity of the site to The Murray Road.
- 6.5 The Council's Roads and Transportation Services have advised that, subject to conditions relating to access, traffic calming and provision of visibility splays, they have no objections to the proposed development. Environmental Services have noted a requirement for a Noise Assessment to be carried out in respect of the proposal and have also requested that a dust management scheme is implemented on site. Conditions would be attached to any consent issued requiring these matters to be appropriately dealt with. Subject to the required conditions, it is considered that the proposal would have no adverse amenity impact and would comply with Policy 4 of the adopted local development plan and with all relevant policy and guidance as set out in associated supplementary guidance.

- 6.6 In addition to the standard neighbour notification procedure carried out by the Council, the application was also advertised in the local press. One letter of objection and one letter of comment have been received in relation to the proposed development. The points raised are addressed in detail in Section 5 above. It is not considered appropriate for the application to be refused planning consent based on the points of objection raised.
- 6.7 In conclusion, it is considered that the proposed development would be appropriate to the site in question in terms of design and layout, would not adversely affect surrounding amenity and would be fully compliant with the provisions of the relevant policies of the South Lanarkshire Local Development Plan, specifically Policies 4 and 6 as well as with all relevant policy and guidance contained within associated supplementary guidance. I would, therefore, recommend that planning permission is granted for the proposed development subject to the attached conditions.

## **7 Reasons for Decision**

- 7.1 The proposal would have no adverse amenity impact and is compliant with Policies 4 and 6 of the South Lanarkshire Local Development Plan (adopted 2015) and with all relevant associated supplementary guidance.

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

**6 November 2017**

### **Previous References**

- ◆ None

### **List of Background Papers**

- ▶ Application Form
- ▶ Application Plans
- ▶ South Lanarkshire Local Development Plan (adopted 2015)
- ▶ Development management placemaking and design supplementary guidance (2015)
- ▶ Neighbour notification letter dated 30/8/2016
- ▶ Consultations

The Coal Authority - Planning and Local Authority Liaison Department	28/09/2017
Environmental Services	29/09/2017
Roads & Transportation Services (Flood Risk Management Section)	05/09/2017
Scottish Water	18/09/2017
Roads & Transportation Services (Development Management Team)	13/09/2017
SP Energy Network	07/09/2017
Estates Services	05/09/2017

- ▶ Representations

Representation from : Sandra B Borland, DATED 26/09/2017

Representation from : Joe Allan, 94 Franklin Place  
Westwood  
East Kilbride  
G75 8LS, DATED 13/09/2017

**Contact for Further Information**

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

Declan King, Planning Officer, Montrose House, Hamilton  
Ext 5049 (Tel: 01698 455049)  
E-mail: [declan.king@southlanarkshire.gov.uk](mailto:declan.king@southlanarkshire.gov.uk)



## CONDITIONS

- 1 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. The development shall thereafter be carried out in accordance with the approved details to the satisfaction of the Council as Planning Authority.
- 2 That the landscaping scheme detailed on drawing no. 170.35.01 of the drawings hereby approved 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 the 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.
- 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 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 3 above, shall be erected and thereafter maintained to the satisfaction of the Council.
- 5 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.
- 6 That no development shall commence until details of surface water drainage arrangements (including provision of a flood risk assessment, drainage assessment and maintenance responsibilities) 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 (Appendices 1,2,3,4 & 5).
- 7 That the development hereby approved shall not be completed or brought into use until the surface water drainage works have been completed in accordance with the details submitted to and approved by the Council as Planning Authority, under the terms of Condition 6 above.
- 8 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.
- 9 That, prior to the commencement of any construction works on site, the applicant

shall undertake a noise assessment to determine the impact of road traffic noise on the proposed development using the principles set out in "Calculation of Road Traffic Noise" (DoT/Welsh Office, HMSO, 1988) or by a method to be agreed by the Planning Authority such as the shortened daytime measurement method. The survey shall take cognisance of the Scottish Government Document: Technical Advice Note Assessment of Noise. The survey shall be submitted to and approved by the Planning Authority and where potential noise disturbance is identified, it shall include a scheme for protecting the proposed dwellings from road traffic noise.

The scheme shall ensure that the internal levels with windows open (or under exceptional circumstances closed) do not exceed an LAeq,16hr of 40dB daytime and an LAeq,8hr of 30dB night-time. The external levels shall not exceed an LAeq,16hr of 50dB daytime in any rear garden areas, when measured free-field. The approved scheme for the mitigation of noise shall be implemented prior to the development being brought into use and where appropriate, shall be retained in accordance with the approved scheme to the satisfaction of the Council as Planning Authority.

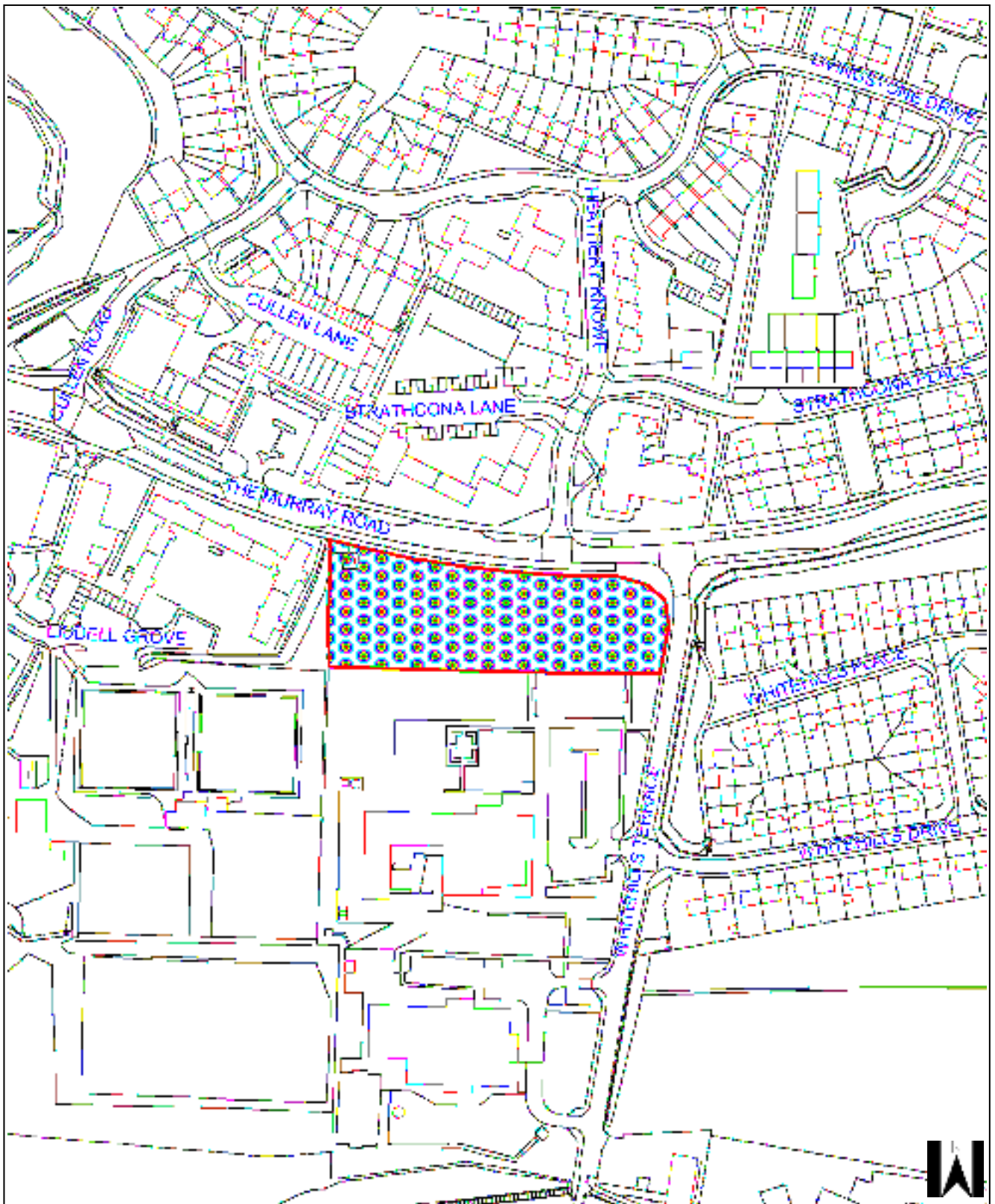
- 10 Prior to development commencing on site, a scheme for the control and mitigation of dust shall be submitted to and approved in writing by the Council as Planning Authority. No changes to the approved scheme shall take place unless agreed in writing by the Council as Planning Authority. The scheme shall thereafter be implemented in accordance with a programme to be agreed in writing with the Council as Planning Authority.
- 11 That before any of the dwellinghouses hereby approved are completed or brought into use, a visibility splay of 2.5 metres by 43 metres measured from the road channel shall be provided on both sides of the vehicular access at the junction of the access to the site and Whitehills Terrace 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. Prior to the commencement of development on site a drawing shall be submitted to and approved by the Council as Roads and Planning Authority demonstrating the provision of the required visibility splays on site.
- 12 That before any dwellinghouse hereby approved is completed or brought into use, a visibility splay of 2.5 metres by 35 metres measured from the road channel shall be provided on both sides of the driveway serving the property 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. Prior to the commencement of development on site a drawing shall be submitted to and approved by the Council as Roads and Planning Authority demonstrating the provision of the required visibility splays on site.
- 13 That before any dwellinghouse hereby approved is completed or brought into use, a visibility splay of 2.4 metres by 2.4 metres measured from the heel of the footway shall be provided on both sides of the driveway serving the property 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. Prior to the commencement of development on site a drawing shall be submitted to and approved by the Council as Roads and Planning Authority demonstrating the provision of the required visibility splays on site.

- 14 That the access road proposed to be constructed to serve the development shall be of a flexible surfacing and shall be a minimum of 5.5m wide with a two metre wide footway located along the northern side of the access road and a two metre wide service strip located along the southern side of the access road, to the satisfaction of the Council as Roads and Planning Authority.
- 15 That, prior to the commencement of any works on site, a plan detailing the provision of traffic calming measures within the site shall be submitted to and approved by the Council as Roads and Planning Authority. The approved details shall thereafter be put in place on site to the satisfaction of the Council as Roads and Planning Authority prior to the development being brought into use.

## REASONS

- 1.1 In the interests of amenity and in order to retain effective planning control.
- 2.1 In the interests of amenity.
- 3.1 These details have not been submitted or approved.
- 4.1 In order to retain effective planning control.
- 5.1 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.
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- 7.1 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.
- 8.1 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.
- 9.1 To safeguard the residential amenity of the area.
- 10.1 To safeguard the amenity of the area.
- 11.1 In the interest of road safety.
- 12.1 In the interest of road safety.
- 13.1 In the interest of public safety.
- 14.1 In the interest of road safety.
- 15.1 In the interest of road safety.

For information only



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