

# Report

Report to:	<b>Planning Committee</b>
Date of Meeting:	<b>8 October 2019</b>
Report by:	<b>Executive Director (Community and Enterprise Resources)</b>

Application No	P/19/1126
Planning Proposal:	Erection of 48 dwellinghouses (including cottage flats) with associated roads, parking and landscaping.

## 1 Summary Application Information

- Application Type : Detailed planning application
- Applicant : South Lanarkshire Council/HUB
- Location : Land 350M East Of Kennedies Farm of Highstonehall Road Hamilton

## 2 Recommendation(s)

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

- (1) Grant Detailed Permission - Subject to Conditions (based on the conditions attached)

### 2.2 Other Actions/Notes

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

## 3 Other Information

- ◆ Applicant's Agent: Miller Homes
- ◆ Council Area/Ward: 18 Hamilton West and Earnock
- ◆ Policy Reference(s): **South Lanarkshire Local Development Plan**  
 Policy 1 - Spatial Strategy  
 Policy 4 - Development Management and Place Making  
 Policy 12 - Housing Land  
 Policy 13 - Affordable Housing and Housing Choice  
 Policy 14 - Green Network and Greenspace  
 Policy 15 - Natural and Historic Environment

Policy 17 - Water Environment and Flooding

**South Lanarkshire Local Development Plan:  
Supplementary Guidance**

**Development Management, Place Making  
and Design SG**

Policy DM1 - Design

**Residential Design Guide SG**

**Green Network and Green Spaces SG**

**Affordable Housing SG**

**Natural and Historic Environment SG**

Policy NHE18 - Walking, Cycling and Riding  
Routes

Policy NHE 19 - Protected Species

**Sustainable Development and Climate  
Change SG**

Policy SDCC2 - Flood Risk

Policy SDCC3 - Sustainable Drainage Systems

Policy SDCC4 - Water Supply

Policy SDCC5 - Foul Drainage and Sewerage

**South Lanarkshire Local Development Plan  
2**

Policy 1 - Spatial Strategy

Policy 2 - Climate Change

Policy 5 - Development Management and Place  
Making

Policy 7 - Community Infrastructure  
Assessment

Policy 11 - Housing Land

Policy 12 - Affordable Housing and Housing  
Choice

Policy 13 - Green Network and Greenspace

Policy 14 - Natural and Historic Environment

Policy 16 - Water Environment and Flooding

Policy SDCC1 - Vacant, Derelict and  
Contaminated Land

Policy SDCC2 - Flood Risk

Policy SDCC3 - Sustainable Drainage Systems

Policy DM1 - New Development Design

Policy DM15 - Water Supply

Policy DM16 - Foul Drainage and Sewerage  
Policy NHE 9 - Protected Species  
Policy NHE18 - Walking, Cycling and Riding  
Routes

◆ Representation(s):

- ◆ 0 Objection Letters
- ◆ 0 Support Letters
- ◆ 0 Comments Letter

◆ Consultation(s):

Roads (Development Management Team)

Roads (Flood Risk Management)

Environmental Services

Community Resources (Play Provision)

Housing Services (HQ)

Scottish Water

## **Planning Application Report**

### **1 Application Site**

- 1.1 The land to the north of Highstonehall Road, Hamilton is currently being developed, by both Miller Homes and Avant Homes, as part of the Hamilton Community Growth Area (CGA) proposals. As part of the “Planning Permission in Principle” submission, and associated S75 Obligation (Application no. HM/10/0052) three sites for the delivery of affordable housing units were identified. The current application site was identified within the approved “Matters Specified in Conditions” application (Application no. HM/16/0486) for this purpose.
- 1.2 The site is currently an area of undeveloped land which is bound to the north and east by land being developed for residential purposes, by Avant Homes and Miller Homes respectively.
- 1.3 The land to the south and west is currently agricultural in character. However, it is noted that the land to the south is also designated within the South Lanarkshire Local Development Plan as forming part of the Hamilton CGA and is likely, therefore, to be the subject of future residential development.
- 1.4 Access to the site will be via the new spine road serving the adjacent residential development close to its junction with Highstonehall Road.

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

- 2.1 This detailed planning application seeks permission to erect 48 affordable housing units within the site. The development will provide 1, 2 and 3 bed units in the form of semi-detached, terraced and flatted properties. The properties will all be two storey, finished in render and facing brick. The roofs will be finished in concrete roof tiles and incorporate solar panels into their design. The development layout will be a looped cul-de-sac arrangement with vehicular access onto the spine road serving the adjacent development. Additional pedestrian footpath links will be located to the north-west and south-west corners of the site linking into future footpath provision within the wider CGA development.
- 2.2 An Affordable Housing Statement has been submitted in support of the application. This highlights that the S75 Obligation requires the provision of 3 Affordable Housing sites across the Hamilton CGA with a total of 150 units (50 units each) being provided on-site. However, it is advised that, whilst the application site could accommodate 50 units, the scheme submitted has been designed to meet the requirements of the Council.

### **3 Background**

#### **3.1 Local Plan Policy**

3.1.1 In determining planning applications, the Council must assess the proposed development against the policies contained within the adopted South Lanarkshire Local Development Plan (2015) (SLLDP) and associated Supplementary Guidance (SG) produced in support of the SLLDP.

3.1.2 In terms of the SLLDP, the application site is designated as being a Community Growth Area for Hamilton (Policy 1 – Spatial Strategy) and as forming part of the Council's housing land supply (Policy 12). Residential uses are supported within such sites, subject to compliance with normal development management criteria.

3.1.3 A number of other policies within the adopted SLLDP are also considered appropriate to the determination of this application, namely, Policy 4 - Development Management and Placemaking, Policy 13 - Affordable Housing and Housing Choice, Policy 14 - Green Network and Greenspaces, Policy 15 - Natural and Historic Environment, and Policy 17 - Water Environment and Flooding. These policies are supported by Supplementary Guidance, which forms part of the Development Plan for South Lanarkshire, including:

- Development Management, Place Making and Design SG  
Policy DM 1 – Design.
- Affordable Housing SG
- Green Network and Greenspaces
- Natural and Historic Environment SG  
Policy NHE18 - Walking, Cycling and Riding Routes and Policy NHE19 - Protected Species.
- Sustainable Development and Climate Change SG
- Policies SDCC 2 - Flood Risk, SDCC 3 - Sustainable Drainage Systems, SDCC 4 - Water Supply and SDCC 5 - Foul Drainage and Sewerage.
- Residential Design Guide

The aim of these policies and guidance is to seek well designed developments which are located in appropriate locations, appropriately serviced and result in no adverse impact.

3.1.4 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. The new plan builds on the policies and proposals contained in the currently adopted South Lanarkshire Local Development Plan. For the purposes of determining planning applications, the proposed South Lanarkshire Local Development Plan 2 is now a material consideration. In this instance, Policies 1 - Spatial Strategy, 2 - Climate Change, 5 - Development Management and Place Making, 7 - Community Infrastructure Assessment, 11 - Housing Land, 12 - Affordable Housing and Housing Choice, 13

- Green Network and Greenspace, 14 - Natural and Historic Environment, 16 - Water Environment and Flooding SDCC1 - Vacant, Derelict and Contaminated Land, SDCC2 - Flood Risk, SDCC3 - Sustainable Drainage Systems, DM1 - Design, DM15 - Water Supply, DM16 - Foul Drainage and Sewerage, NHE 9 - Protected Species and NHE18 - Walking, Cycling and Riding Routes are relevant

3.1.5 The content of the above policies and how they relate to the proposal is assessed in detail in Section 6 of this report.

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

3.2.1 Scottish Planning Policy (SPP) highlights that the presumption in favour of development does not change the statutory status of the development plan as the starting point for decision-making and advises that proposals that accord with up-to-date plans should be considered acceptable in principle. 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.

### 3.3 **Planning Background**

3.3.1 As previously stated, the application site forms part of the designated Hamilton CGA. An application was submitted in 2010 which sought "Planning Permission in Principle" (Application no. HM/10/0052, approved May 2017) for the delivery of a large part of the designated Hamilton CGA. The associated S75 Obligation identified the need to provide three sites for the provision of on-site affordable housing; comprising a total of 150 units. A subsequent application, for the approval of Matters Specified in the Conditions attached to HM/10/0052 (application no. HM/16/0486, approved May 2017), by Miller Homes and Avant Homes, identified the current application site for the delivery of one of these sites.

## 4 **Consultation(s)**

4.1 **Roads (Development Management Team)** – have advised that they have no objections to the proposal subject to conditions relative to the provision of wheel washing facilities and the provision of a turning facility within the site.

**Response:** Appropriately worded conditions can be incorporated into any consent granted to address any outstanding matters raised.

4.2 **Roads (Flood Risk Management)** – whilst offering no objections to the proposal, they have advised that the development should accord with the Council's SUDs Design Criteria Guidance.

**Response:** Appropriately worded conditions and informatives can be incorporated into any consent granted to address the matters raised.

- 4.3 **Environmental Services** – have no objections to the proposal subject to the inclusion of conditions and/or informatives relative to dust control, noise and contamination.

**Response:** Appropriately worded informatives can be attached to any consent granted to address the matters raised.

- 4.4 **Community (Play Provision)** – sought clarification on the requirement for developer contributions associated with impact of the proposed development.

**Response:** Community Service were advised that the contributions associated with the delivery of the Hamilton CGA were established through the conclusion of the legal obligation associated with application HM/10/0052 and, as such, there were no further contributions required in connection with this current application.

- 4.5 **Housing Services (HQ)** – have offered no objections to the proposal. They have further confirmed that the site is identified in the Council's Strategic Housing Investment Plan and is prioritised for Scottish Government grant funding for social rented housing in 2019/2020.

**Response:** Noted.

- 4.6 **Scottish Water** – offered no objections to the proposal.

**Response:** Noted.

## **5 Representation(s)**

- 5.1 The application was advertised in the Hamilton Advertiser in terms of the Non-notification of Neighbours. No letters of representation were received in response.

## **6 Assessment and Conclusions**

- 6.1 This application seeks permission for a residential development of 48 units on land designated as part of the Hamilton CGA. The development, if approved, will assist in the delivery of part of the affordable housing requirements for the CGA.

- 6.2 In terms of Section 25 of the Town and Country Planning (Scotland) Act 1997, planning applications have to be determined in accordance with the development plan unless other material considerations indicate otherwise. Scottish Planning Policy also highlights that where a proposal accords with up-to-date development plans, it should be considered acceptable in principle. The proposed use, therefore, raises no issues from a land use perspective and can be considered to accord with national planning policy.

- 6.3 The determining issues, therefore, in consideration of this application are its compliance with national and local plan policy and its impact on the amenity of adjacent properties and on the local road network.

- 6.4 The site is identified within the adopted South Lanarkshire Local Development Plan, as being suitable for residential development through its designation as a part of the Community Growth Area for Hamilton. Furthermore, applications for “Planning Permission in Principle (PIP)” (Application no. HM/10/0052) and approval of “Matters Specified in the Conditions attached to HM/10/0052” (application no. HM/16/0486) for the development of this area of the CGA were approved in May 2017. The above PIP application was the subject of an Obligation, under Section 75 of the Planning Act, which required the provision of 150 affordable housing units within the overall CGA. The subsequent MSC application identified the current application site for affordable housing purposes. The principle of the use for housing, therefore, accords with Policies 1- Spatial Strategy and 12 - Housing Land of the adopted SLLDP. In addition, the proposal will assist in meeting the Council’s affordable housing needs in accordance with Policy 13 - Affordable Housing and Housing Choice of SLLDP and guidance within the approved Affordable Housing SG. The proposal is, therefore, acceptable, subject to compliance with normal development management criteria.
- 6.5 The matters considered appropriate, in terms of this criterion, are set out within Section 3.1.3 above. Principally, the stated policies and guidance seek to ensure that any development does not adversely impact on the amenity of such areas, can be adequately serviced and has been designed in a manner which takes cognisance of appropriate guidance and the area within which it is located. Having considered the design and layout of the development, I am satisfied that the scheme is capable of being developed, subject to conditions, without conflict with the general requirements of the applicable policies and guidance.
- 6.6 In terms of the detailed design of the development, it is considered that the proposed layout for the development is acceptable and that it meets the main standards set out in the Council’s Residential Design Guide, particularly in relation to road layout, house to plot ratios, rear garden depths, open space and car parking provision. It is considered that the proposed development is of a high quality design incorporating a suitably high standard of materials. The proposed development, therefore, accords with Policies 4 - Development Management and Place Making and Policy DM1 – Design of the SLLDP and supplementary guidance.
- 6.7 The proposals for the development of the wider area as part of the Hamilton CGA were assessed, and considered acceptable, in terms of flood risk, and drainage will be developed in accordance with the principles of sustainable urban drainage. The current application site formed part of the overall assessment for the wider CGA with regards to drainage and flood risk. In addition, foul drainage will be treated in accordance with the specification and requirements of both Scottish Water and the Council’s Flood Risk Management guidance. On this basis, it is considered that the proposal accords with Policies 17 - Water Environment and Flooding, SDCC 2 - Flood Risk, SDCC 3 - Sustainable Drainage Systems, SDCC 4 - Water Supply and SDCC 5 - Foul Drainage and Sewerage of the SLLDP and supplementary guidance.



- 6.8 It is noted that parts of the application site are also designated as being a Green Network/Priority Greenspace (Policy 14) within the adopted SLLDP. The proposed development will be connected to the footpath network serving the CGA through the provision of appropriate links within its layout. In addition, the proposal will result in the development of a site which is currently undeveloped and given the nature of the proposed development, it is inevitable that there is likely to be some level of impact to wildlife habitats. However, these matters were assessed as part of the wider development proposals and it was considered that any loss would not have a significant impact on the overall designated green network/greenspace through the protection and enhancement of the network through the wider proposed landscaping works. In terms of any potential impact on protected species, it is considered, in this instance, that a condition should be attached to any consent with a requirement that further assessment is undertaken prior to development commencing on site. Subject to this requirement, it is considered that the proposal would raise no issues in terms of Policy 14 - Green Network and Greenspace, Policy 15 - Natural and Historic Environment of the SLLDP and its supporting guidance (Policies NHE18 - Walking, Cycling and Riding Routes and NHE 19 - Protected Species).
- 6.9 No specific concerns, subject to conditions, have been raised by the various consultees and any requirements can be addressed through the use of conditions, where appropriate to do so. No third party representations were received in respect of the development.
- 6.12 In summary, it is considered that the application conforms to both national and local plan policy and that the proposal raises no significant environmental, infrastructure or road safety issues. The proposal will deliver a development which is of a high quality design and assists the Council in meeting its affordable housing needs.
- 6.13 On the basis of the above assessment, it is recommended that planning permission be granted subject to the conditions listed.

## **7 Reasons for Decision**

- 7.1 The proposal accords with the policies of the South Lanarkshire Local Development Plan and Supplementary Guidance (namely Policies 1 - Spatial Strategy, 4 - Development Management and Placemaking, 12 - Housing Land, 13 - Affordable Housing and Housing Choice, 14 - Green Network and Greenspace, 15 - Natural and Historic Environment, 17 - Water Environment and Flooding, DM1 – Design NHE18 - Walking, Cycling and Riding Routes, NHE 19 - Protected Species, SDCC2 - Flood Risk, SDCC3 - Sustainable Drainage Systems, SDCC4 - Water Supply and SDCC5 - Foul Drainage and Sewerage).

Furthermore, the proposal accords with the requirements of the policies and guidance within the proposed South Lanarkshire Local Development Plan 2

(namely Policies 1 - Spatial Strategy, 2 - Climate Change, 3 - General Urban Areas, 5 - Development Management and Place Making, 7 - Community Infrastructure Assessment, 11 - Housing Land, 12 - Affordable Housing and Housing Choice, 13 - Green Network and Greenspace, 14 - Natural and Historic Environment, 16 - Water Environment and Flooding, SDCC1 - Vacant, Derelict and Contaminated Land, SDCC2 - Flood Risk, SDCC3 - Sustainable Drainage Systems, DM1 – Design, DM15 - Water Supply, DM16 - Foul Drainage and Sewerage, NHE 9 - Protected Species and NHE18 - Walking, Cycling and Riding Routes).

There are no other material considerations that would justify the refusal of consent.

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

26 September 2019

#### **Previous References**

- ◆ HM/10/0052
- ◆ HM/16/0486

#### **List of Background Papers**

- ▶ Application Form
- ▶ Application Plans
- ▶ South Lanarkshire Local Development Plan (2015)(adopted)
- ▶ South Lanarkshire Local Development Plan - Supplementary Guidance
- ▶ South Lanark shire Local Development Plan2 - Proposed
- ▶ Newspaper Advertisement dated 15.08.2019
  
- ▶ Consultations
  - Roads (Development Management Team) 11/09/2019
  - Roads (Flood Risk Management) 16/08/2016
  - Environmental Services 09/08/2019
  - Community Resources (Play Provision) 20/08/2019
  - Housing Services (HQ) 16/08/2019
  - Scottish Water 06/08/2019
  
- ▶ Representations
  - None

**Contact for Further Information**

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

James Watters, Planning Officer  
Montrose House, 154 Montrose Crescent, Hamilton ML3 6LB  
Ext 4970 (Tel: 01698 454970)  
E-mail: [planning@southlanarkshire.gov.uk](mailto:planning@southlanarkshire.gov.uk)

## Detailed Planning Application

PAPER APART – APPLICATION NUMBER: P/19/1126

### CONDITIONS

- 1 That, unless otherwise agreed with the Council as Planning Authority, the landscaping and open space schemes (as detailed on drawing 95.48.01 Revision A) 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.

Reason - In the interests of amenity.

- 2 That, unless otherwise agreed with the Council as Planning Authority, before any work commences on site, a maintenance and management scheme shall be submitted to and approved by the Council as Planning Authority for the continuing care, maintenance and protection of the proposed remote footpaths shown on the approved plans.

Reason - To safeguard the amenity of the area.

- 3 That prior to the completion of the development hereby approved, unless otherwise agreed with the Council as Planning Authority, the maintenance and management scheme approved under the terms of Condition 5 above shall be in operation.

Reason - To safeguard the amenity of the area.

- 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 shall be erected and thereafter maintained to the satisfaction of the Council.

Reason - In order to retain effective planning control.

- 5 That prior to development commencing on site, unless otherwise agreed with the Council as Planning Authority, 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.

Reason - To minimise the risk of nuisance from dust to nearby occupants.

- 6 That before the development hereby approved is completed or brought into use, unless otherwise agreed with the Council as Planning Authority, the entire access road and footpath network, including un-adopted remote footpaths, serving the development shall be laid out and constructed in accordance with the specification of the Council as Roads and Planning Authority.

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.

Reason - To ensure satisfactory vehicular and pedestrian access facilities to the site.

- 7 That no dwellinghouse 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.

Reason - To ensure the provision of a satisfactory sewerage system.

- 8 That before the development hereby approved is completed or brought into use, unless otherwise agreed with the Council as Planning Authority, a turning space shall be provided within the site to enable vehicles to enter and leave the application site in forward gears at all times. All turning facilities shall be designed in accordance with the National Roads Development Guide incorporating South Lanarkshire Council Supplementary Guidance.

Reason - In the interest of public safety.

- 9 That prior to any works commencing on site, unless otherwise agreed in writing with the Council as Planning Authority, a traffic management plan shall be submitted detailing, staff parking, wheel washing facilities, routing of traffic and phasing of the works. The submitted traffic management plan shall include provisions for the following:

- That any detritus material carried from the site on to the public road network to be cleared by the applicant on a daily basis.
- Ensure the road network immediately adjacent to the site is kept clear of mud and debris, the applicant must ensure a road brush

motor is made available throughout.

- The provision of adequate wheel washing facilities to be in operation at all times during any earth moving operations.
- That a “clean zone” should be maintained between the end of the wheel wash facility and the public road.
- A plan showing a turning area within the site, to enable vehicles to access and exit the site in forward gears.
- A plan showing the location and number of spaces for site staff / operatives.

The agreed traffic management plan will fully operational prior to any works commencing on site, thereafter implemented in accordance with the agreed scheme.

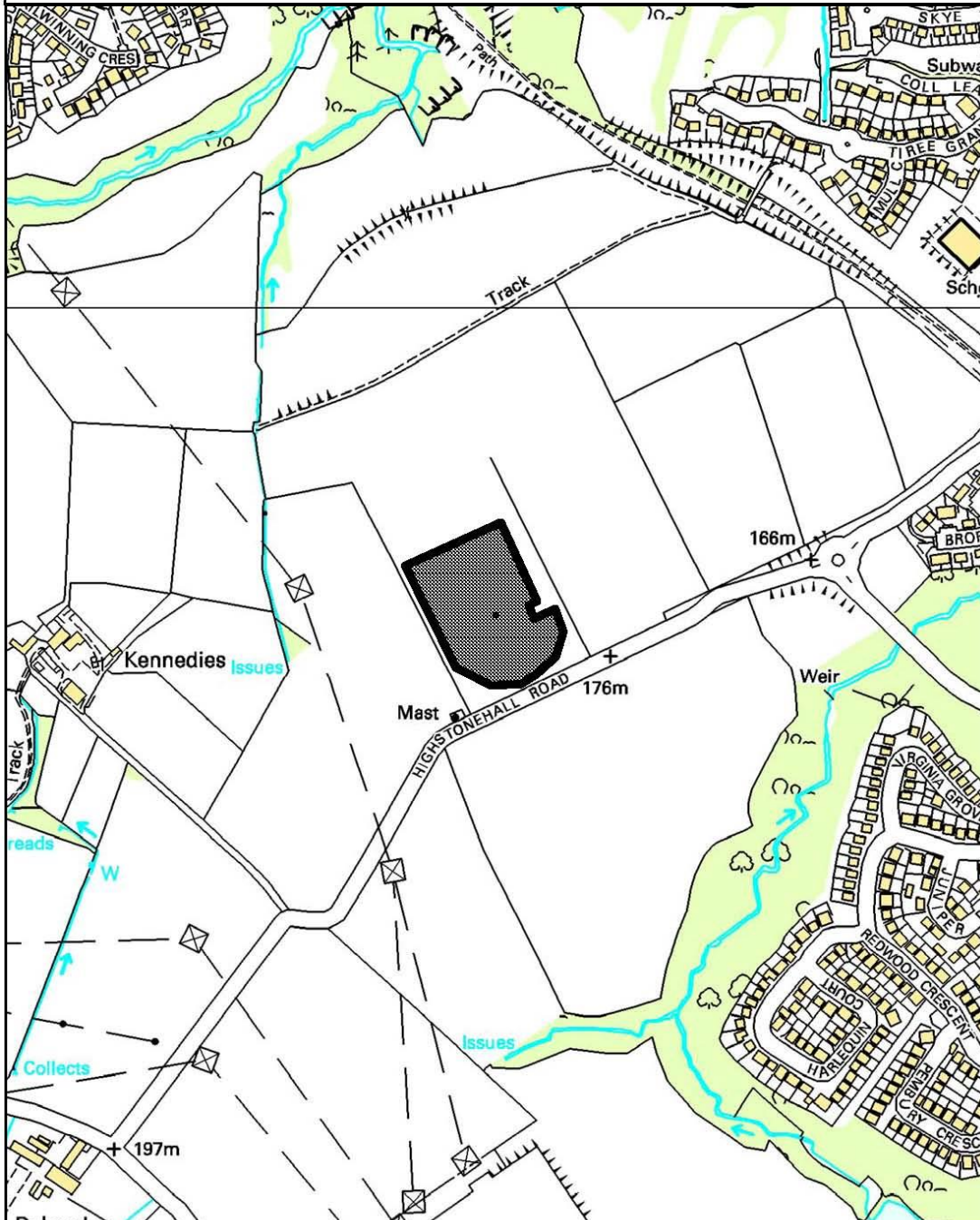
Reason - In the interest of road and public safety.

- 10 Prior to the commencement of development on site, unless otherwise agreed in writing with the Council as Planning Authority, details of the Sustainable Urban Drainage System (SUDS) and its maintenance following installation shall be submitted to and approved by the Planning Authority. The SUDS shall be designed to ensure that contaminants present on the site are not mobilised and that pollution pathways are not created. The Sustainable Urban Drainage System shall thereafter be formed and maintained on site in accordance with the approved details.

Reason: To ensure that no contaminated material leaves the site untreated in order to protect public health, the water environment and to ensure that the site is fit for its intended use.

P/19/1126

Land 350m East of Kennedies Farm, Highstonehall Road, Hamilton



© 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:  
1:5,000  
Date:  
18/09/2019



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