	<h1>Report</h1>	Agenda Item <h1>7</h1>
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Report to:	Planning Committee
Date of Meeting:	27 February 2007
Report by:	Executive Director (Enterprise Resources)

Application No	EK/06/0648
Planning Proposal:	Erection of 61 Sheltered Flats with Managers' Accommodation, together with Formation of Access and Car Park

1 Summary Application Information

- Application Type : Detailed Planning Application
- Applicant : McCarthy and Stone (Developments) Ltd
- Location : Beechgrove & Rosemound
Roxburgh Park
East Kilbride

2 Recommendation(s)

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

- (1) Refuse Detailed Planning Consent

2.2 Other Actions/Notes

The Planning Committee has delegated powers to determine this application.

3 Other Information

- ◆ Applicant's Agent: The Planning Bureau Ltd
- ◆ Council Area/Ward: 18 Maxwellton
- ◆ Policy Reference(s): **East Kilbride and District Local Plan (Adopted)**
RES5 – Residential Amenity
RES6 – New Housing Development

South Lanarkshire Plan

ENV30 – New Housing Development Policy
RES6 – Residential Land Use Policy

- ◆ Representation(s):
 - ▶ 24 Objection Letters
 - ▶ 19 Support Letters
 - ▶ 2 Comments letters

◆ Consultation(s):

Land and Fleet Services (Arboriculture)

Roads & Transportation Services H.Q. (Flooding)

Calderwood Community Council

Environmental Services

Roads and Transportation Services (East Kilbride)

Scottish Water

S.E.P.A. (West Region)

Planning Application Report

1 Application Site

- 1.1 This application relates to a 0.4 hectare site located to the east of the town, presently occupied by two dwellings set in spacious grounds. The site is bounded to the west by the Kittoch Water and its wooded banks, to the north and south by open space and to the east by Roxburgh Park, beyond which lie properties on Avondale Avenue. Beyond the surrounding open space, Atholl House car park is situated to the north and the Whitemoss roundabout to the west.
- 1.2 The ground level of the site drops by approx 3m from the road at Roxburgh Park which in turn sits at a significantly lower level than Avondale Avenue. The site levels then fall away steeply towards the Kittoch Water which is edged by mature trees.

2 Proposal(s)

- 2.1 The proposals entail the erection of 61 one and two bedroomed retirement apartments for the elderly together with managers accommodation and communal facilities. The development takes the form of a single block of contemporary design. The design of the building utilises the topography of the site and varies in height between three and five storeys. Proposed external finishes are brick/ render walls with cast stone stringcourses and sills and a preweathered standing seam zinc roof. According to the Tree Survey submitted, the proposed layout would require the removal of 18 trees to accommodate the development.
- 2.2 Access is proposed from Roxburgh Park with 37 (60%) parking spaces provided. One pedestrian entrance into the building is taken from this car park while a second is taken at staged level directly from Roxburgh Park.

3 Background

3.1 Local Plan Policy

In the adopted East Kilbride and District Local Plan the site is covered by Policy RES5 – Residential Amenity – which states that housing is the predominant land use and that the Council aims to protect residential amenity. Policy RES6 – New Housing Development required that such proposals be of a design and scale appropriate to the site and its surroundings and should incorporate suitable landscaping open space, play areas, access and parking provision. In all respects, developers should incorporate the criteria specified in the Council's approved Residential Development Guide.

- 3.2 In the emerging South Lanarkshire Local Plan (Finalised draft) the site is covered by Policies RES6 and ENV30 which correspond to the adopted plan policies referred to in para 3.1. Policy RES6 also makes reference to the need to comply with Design Policies set out in ENV11 'Design Quality Policy' which states that new developments should make a positive contribution to the character and appearance of the local environment.

4 Consultation(s)

- 4.1 SLC Roads and Transportation Services (HQ) - A Transportation Statement was lodged with the application. In response, Roads and Transportation Services expressed concern about the visibility and geometry at the Avondale Avenue/ Roxburgh Park junction. Given that this is a route frequently used by St Brides pupils, it is recommended that the junction geometry and visibility be improved by means of junction re-alignment, build-outs and associated road markings. It is

however noted that congestion can presently occur at the junction between Avondale Avenue and Whitemoss Avenue and that this queuing of traffic is often caused by vehicles making illegal right hand turns onto Whitemoss Avenue. It is therefore recommended that a physical measure, ie a small island, be constructed in order to prevent these prohibited right turn manoeuvres, thereby facilitating the free flow of traffic at this junction.

Response: Both of these requirements would require to be addressed and would be the subject of conditions imposed on any consent granted.

- 4.2 **SLC Roads and Transportation (EK)** – recommend that the site access is realigned in order to improve visibility and that a 2m wide footpath be provided along the Roxburgh Park frontage. Concern is also expressed in respect of the close proximity of the proposed retaining walls alongside the public road. Proposed parking provision is acceptable.

Response: These points have been discussed with the applicant who agreed to revise the scheme accordingly. However, no further submission has been made. Roads have also raised concerns that the resolution of the issues relating to retention and the footpath would result in the loss of parking within the application site which would mean that the parking provision would not meet Roads and Transportation Services' requirements.

- 4.3 **SLC Environmental Health** – no objections subject to restricted hours of construction, confirmation of drainage proposals and confirmation of bin storage.

Response: The issue of noise nuisance falls within the remit of Environmental Health legislation and is properly dealt with by that Service. SEPA and Scottish Water have been consulted on drainage and appropriate conditions would be imposed on any consent granted. Suitable bin storage facilities are included in the proposal.

- 4.4 **SLC Community Resources (Arboriculturalist)** – agrees with the content of the tree survey and raises no objections to the proposed tree loss although the possible impact on the remaining trees requires to be confirmed upon receipt of additional level information.

Response: The applicant has stated that 18 trees will be lost to accommodate the development however the levels on site mean that any regrading required may have an impact on the trees and result in further tree loss. Whilst the applicant has been asked for further details on the levels and required regrading works, no such submission has been received to date. It is therefore not possible to fully assess the impact on the trees at this stage.

- 4.5 **SEPA** – no response received to date.

- 4.6 **Scottish Water** – no response received to date

- 4.7 **Calderwood Community Council** – no response received to date.

5 Representation(s)

- 5.1 The application has attracted 24 letters of objection, including 1 letter from the local member, 19 letters of support and 2 comments letters. Grounds of objection can be summarised as follows:

- a) **Traffic generated from this development, in addition to that from the proposed housing site at the top of Avondale Avenue, will add to existing levels of congestion on Avondale Avenue, particularly at the entrance to St Brides school, St Brides church, Atholl House car park and the junction with Whitemoss Avenue.**

Response: As described in para 4.1 above, the traffic queuing problems being experienced at this junction have been recognised and it is recommended that measures are put in place to prevent the illegal right turns which contribute towards this problem.

- b) **Increased traffic poses a threat to the safety of who will be attending the new 'super school' which is being built at Avondale Avenue, where previous problems of indiscriminate parking are expected to worsen due to the increased size of the school.**

Response: Concern is expressed about the visibility and geometry at the Avondale Avenue/ Roxburgh Park junction. Given that this is a route frequently used by St Brides pupils, it is recommended that the junction geometry and visibility be improved by means of junction re-alignment build-outs and associated road markings.

- c) **Roxburgh Park presents an unsuitable access to the proposed development, both in terms of width and due to substandard visibility upon entering Avondale Avenue due to the presence of parked car.**

Response: Roads and Transportation Services have expressed concern over the sub-standard nature of this junction and have recommended an upgrading of the junction together with alterations to the access to the development itself.

- d) **There is no footpath at the site entrance, this raising a concern in terms of pedestrian safety when using this route to the town centre.**

Response: Roads and Transportation have requested that a footpath is provided along the frontage of the site.

- e) **Inadequate car parking provision on site will lead to indiscriminate and uncontrolled parking on Roxburgh Park.**

Response: Roads and Transportation Services has accepted a level of 60% car parking within the application site for this type of development however, in resolving Roads and Transportation's concerns over of the footpath provision and retention issues, it may not be possible to provide an acceptable level of parking on site.

- f) **Proposed density is too high and the scale of building excessive in this low density, residential area.**

Response: This aspect will be discussed further in Section 6.

- g) **Proposal will result in the loss of an historic building.**

Response: The building in question is not listed and the site does not lie in a conservation area.

- h) **Construction traffic would cause disruption and obstruction of the road.**

Response: In the event of consent being granted, a method statement relating to management of construction traffic would be requested by condition.

- i) **Inadequate public utilities**

Response: No objections have been received to date from any of the service providers.

- j) **Kittoch Water is infested with raw sewage, suffers from anti social behaviour and as such is an unsuitable location for retired people.**

Response: Any pollution issue should be reported to SEPA for remedial action. Anti-social behavior is a matter for the police to attend to and is not relevant to this application.

- k) **The old bridge to the south of the site should be protected from any construction work and the right of passage over the footpath preserved.**

Response: This would be a requirement of any planning consent granted.

- l) **The proposal encroaches onto Kittoch Field which is to be the subject of a Public Inquiry.**

Response: The site does not encroach onto Kittoch Field.

5.2 Grounds of support can be summarised as follows:

- a) **The development would meet a recognised need for sheltered/ retirement accommodation in the town where there is currently no provision.**

Response: Noted. Whilst it is accepted that there is a need for this type of development within the area, the application must be considered on its individual merits and in relation to planning policies. The proposal must be capable of being accommodated within the application site safely and in a manner which does not harm the amenity of the area.

- b) **The site is on excellent location for such accommodation, being close to the town centre, public transport and public facilities**

Response: Noted. However I would reiterate my comments made in 5.2a) above.

6 Assessment and Conclusions

- 6.1 This application relates to the redevelopment of a site located at the eastern edge of the town centre and entails the erection of 61 sheltered apartments together with associated parking and amenity space.

- 6.2 The main determining issues in assessing this application relate to compliance with local plan policy, impact on residential amenity and traffic generation/access/road safety.

- 6.3 The proposal can be assessed against Policies RES5 and RES6 of the adopted East Kilbride and District Local Plan which state that housing is the predominant land use in the area and that the Council will resist any development which is detrimental to the amenity of such areas. Policy RES6 goes on to require new housing development to be of a design and scale appropriate to its size and its surroundings, incorporating adequate open space, landscaping, play areas and road layouts. The objectives of these policies are echoed in the emerging SLLP (Finalised Draft) which also makes reference to the need to comply with Design Policies set out in ENV11 'Design Quality Policy' which states that new developments should make a positive contribution to the character and appearance of the local environment.

- 6.4 In land use terms, the principle of residential development at this location is therefore in accordance with local plan policy. However, in terms of detailed design and

layout, the proposal involves the erection of a building ranging from three to five storeys in height, incorporating sixty one flats. This represents a high density flatted development on a site limited by its topography. Whilst the applicant has been asked for additional information relating to the levels on site, these have not been received. This is considered to be an inappropriate form of development for the site and out of character with this residential area which is typified by low density, two storey dwellings. I therefore consider the scale of the proposed building to be excessive and contrary to local plan policy.

- 6.5 Turning to residential amenity, concerns have been raised that the over development of the site will impact on local residents by way of on-street parking and traffic congestion. The Traffic Statement which accompanied the application shows that the local road network is able to accommodate the proposal subject to improvements and alterations being carried out at the junction of Roxburgh Park and Avondale Avenue and at the junction of Avondale Avenue and Whitemoss Avenue.
- 6.6 In terms of site access, the area Roads Engineer has raised concerns over the alignment of the site access as well as the proposal to construct retaining walls alongside the public road. A 2m wide footpath is also requested along the site frontage. Whilst the applicant has agreed to address these points in a revised scheme, no amended plans have yet been received and therefore the current scheme remains unacceptable.
- 6.7 In conclusion, I am of the view that the proposal is contrary to local plan policy in that the excessive scale of the building is inappropriate for the site and out of keeping with the adjoining low density residential area and detracts from the amenity of the area. I therefore recommend that consent is refused.

7 Reasons for Decision

- 7.1 The proposal is contrary to Policies RES5 and RES6 of the adopted East Kilbride and District Local Plan and Policies RES6 and ENV11 of the finalised South Lanarkshire Local Plan

Iain Urquhart
Executive Director (Enterprise Resources)

19 February 2006

Previous References

- ◆ None

List of Background Papers

- ▶ Application Form
- ▶ Application Plans
- ▶ Consultations
 - Roads & Transportation Services H.Q. (Flooding) 05/02/07
 - Roads and Transportation Services (East Kilbride) 15/01/07

► Representations

Representation from : Mr G Shepherd, 29 Highfield Place, East Kilbride, G74 4AY, DATED 06/02/07

Representation from : Mr C W Collins, 1 Avondale Place, East Mains, East Kilbride, G74 1NU, DATED 06/02/07

Representation from : Mrs Barbara M Haig, 22 Avondale Place, East Kilbride, G74 1NU, DATED 05/02/07

Representation from : Janet S Scott & Alexander Scott, 24 Avondale Place, East Mains, East Kilbride, G74 1NU, DATED 01/02/07

Representation from : Mr J Carr, 71 Glen Prosen, East Kilbride, G74 3SZ, DATED 09/02/07

Representation from : Mrs R McGuire, 61 Geddes Hill, Calderwood, East Kilbride, G74 3LQ, DATED 01/02/07

Representation from : Mr William G Coysh, Failte, Crutherland, Strathaven Road, East Kilbride, G75 0QJ, DATED 02/02/07

Representation from : A Hakerty, 111 Glen More, St Leonards, East Kilbride, DATED 25/01/07

Representation from : Edward Hernon, 5 Chapelside Road, Nerston, East Kilbride, G74 4PF, DATED 25/01/07

Representation from : JD & JE Allan, EK History Society, 94 Franklin Place, Westwood, East Kilbride, G75 8LS, DATED 23/01/07

Representation from : J.B.Murray, 1 Roxburgh Park, East Mains, East Kilbride, G74 1NP, DATED 24/01/07

Representation from : Euphemia Gilchrist, 35 Saddlers Gate, Strathaven, ML10 6US, DATED 23/01/07

Representation from : Mrs Julie Cochrane, 10 Ashburton Park, Newlandsmuir, East Kilbride, G75 8PX, DATED 24/01/07

Representation from : Thomas H Warnock, Mid Shawton Farm, Chapelton, Nr Strathaven, ML10 6SH, DATED 23/01/07

Representation from : Mr John Pettit, 9 Roxburgh Park, Town Centre, East Kilbride, G74 1NP, DATED 18/01/07

Representation from : Mr Alex Allison, 30 Mount Cameron Drive South, St Leonards, East Kilbride, DATED 07/02/07

- Representation from : Alice Smith JP, 34 Old Coach Road, East Mains, East Kilbride, G74 4DT, DATED 07/02/07
- Representation from : Agnes Clark, 62 Caithness Road, Brancumhall, East Kilbride, DATED 07/02/07
- Representation from : CF Kennedy, Secretary, East Kilbride Disability, 3 Hawbank Road, College Milton, East Kilbride, G74 5EG, DATED 08/02/07
- Representation from : Zoe Casement, 4 McCallum Place, Kittingh, Stewartfield, East Kilbride, G74 4SL, DATED 08/02/07
- Representation from : Robert Cowan, 19 Roxburgh Park, East Kilbride, G74 1NP, DATED 17/01/07
- Representation from : R.T. Young, 17 Roxburgh Park, East Kilbride, G74 1NP, DATED 16/01/07
- Representation from : J A Halliday, 13 Roxburgh Park, East Kilbride, G74 1NP, DATED 15/01/07
- Representation from : John M Davis, 11 Roxburgh Park, East Kilbride, G74 1NP, DATED 16/01/07
- Representation from : JD Allan & JE Allan, Secretary & President, East Kilbride History Society, 94 Franklin Place, Westwood, East Kilbride, G75 8LS, DATED 15/01/07
- Representation from : Joe Allan, (on behalf of Mrs J Allan, Mrs V Millar, , Ms LC Jantsen & Mrs SA Jantsen Cooke), 94 Franklin Place, Westwood, East Kilbride, G75 8LS , DATED 15/01/07
- Representation from : Elaine McNally, 40 Glamis Drive, East Mains, East Kilbride, G74 4EL, DATED 29/01/07
- Representation from : Mrs Catherine Mullan, 27 Avondale Avenue, East Kilbride, G74 1NS, DATED 29/01/07
- Representation from : Gerard Murray, 8 Symington Square, Murray, East Kilbride, G75 0GH, DATED 30/01/07
- Representation from : Royal British Legion (Scotland), East Kilbride Branch, 7 Bosfield Place, East Mains, East Kilbride, G74 4DY, DATED 30/01/07
- Representation from : Mr George and Mrs Joan Campbell, 56 Avondale Avenue, East Kilbride, G74 1NT, DATED 30/01/07
- Representation from : Mr and Mrs J E McCartney, 41 Avondale Avenue, East Kilbride, DATED 30/01/07

- Representation from : Sheila M Phipps, 35 Avondale Avenue, East Kilbride, G74 1NS, DATED 26/01/07
- Representation from : M Young, 17 Roxburgh Park, East Kilbride, G74 1NP, DATED 11/01/07
- Representation from : Alexander & Christian Reid, 7 Roxburgh Park, East Kilbride, G74 1NP, DATED 08/01/07
- Representation from : William & Marnie C McLean, 5 Roxburgh Park, East Kilbride, G74 1NP, DATED 09/01/07
- Representation from : David McAuslan, 15 Roxburgh Park, East Kilbride, G74 1NP, DATED 10/01/07
- Representation from : Councillor Chris Thompson, Council Offices, Almada Street, Hamilton , DATED 29/01/07
- Representation from : Hylda Smart, Craigard, 19 Avondale Avenue, East Kilbride, G74 1NS, DATED 15/02/07
- Representation from : Mr Haig, 22 Avondale Place, East Kilbride, G74, DATED 05/02/07
- Representation from : V. D Giddens, 7 Avondlae Place, East Kilbride, G74 1NU, DATED 15/02/07
- Representation from : Mrs Margaret Kademoglu, 36 Simpson Drive, East Kilbride, G75 0AX, DATED 14/02/07
- Representation from : Mr & Mrs P Gallagher, 37 Avondale Avenue, East Kilbride, G74 1NS, DATED 15/02/07

Contact for Further Information

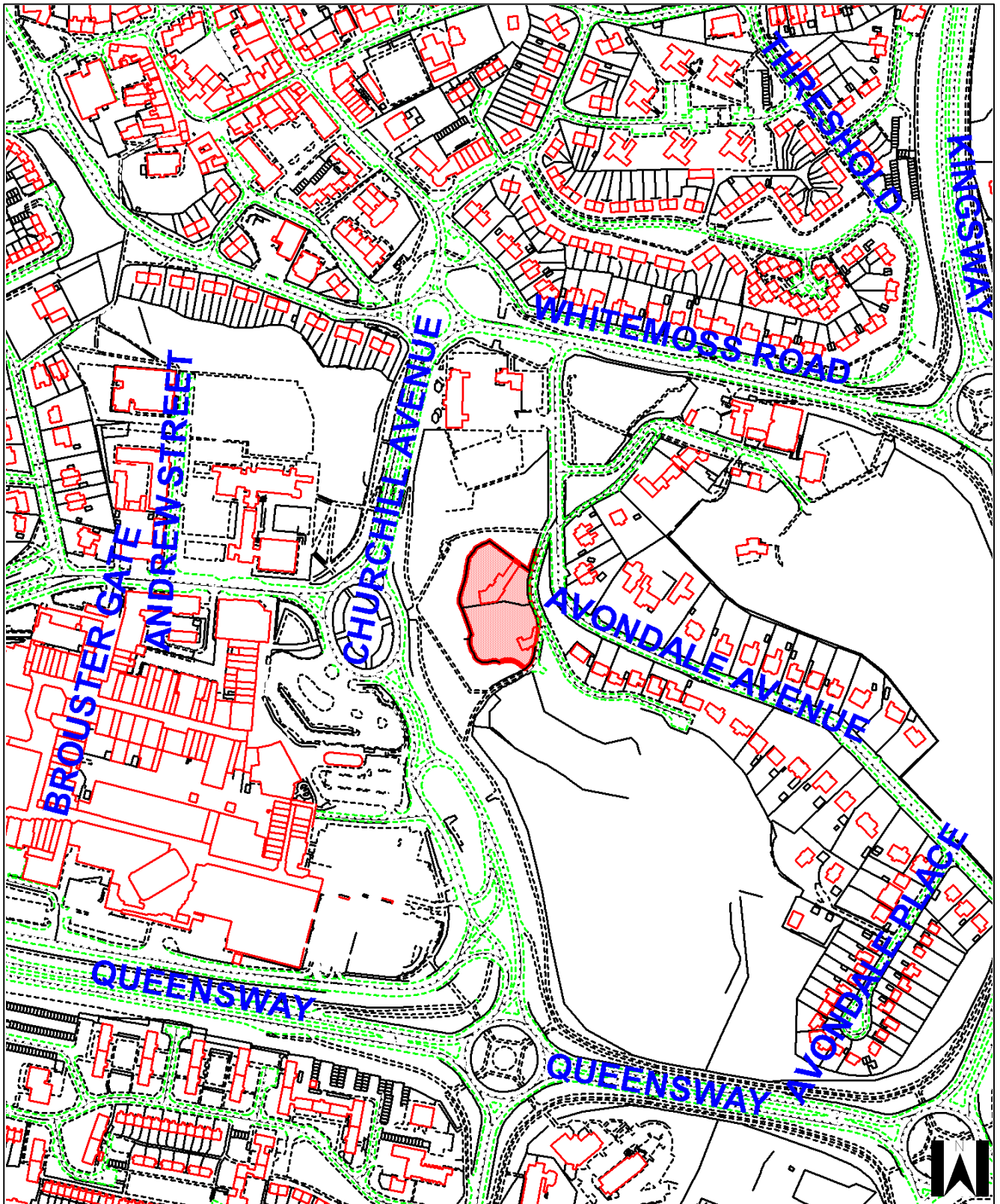
If you would like to inspect the background papers or want further information, please contact:-

Tina Meikle. Area Manager, Civic Centre, East Kilbride
Ext. 6304 (Tel :01355 806304)
E-mail: Enterprise.ek@southlanarkshire.gov.uk

REASONS FOR REFUSAL

- 1 That the proposal constitutes overdevelopment of the site in that the scale of the proposed building is excessive and out of character with the adjoining residential area.
- 2 That the proposal does not fulfil the requirements of South Lanarkshire Council as Roads Authority in terms of vehicular access, visibility splays, footpath provision and retention and as such would have an adverse effect on public safety.

For information only



For information only