

Report

Report to:	Planning Committee
Date of Meeting:	1 May 2018
Report by:	Executive Director (Community and Enterprise Resources)

Application no.	P/18/0226
Planning proposal:	Erection of 7 detached dwellings (Amendment to Planning Permission CL/16/0277 involving changes to site boundaries, house types and an additional dwelling)

1 Summary application information

Application type:	Detailed planning application
Applicant:	Mr John Allan
Location:	Clydegrove Holm Road Crossford

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: Bare Architecture
- ♦ Council Area/Ward: 01 Clydesdale West
- ♦ Policy Reference(s): **South Lanarkshire Local Development Plan (adopted 2015)**

Sustainable development and climate change
Policy 2- Climate change
Policy 3- Green belt and rural area
Policy 4- Development management and placemaking
Policy 12 – Housing Land
Policy 15- Natural and historic environment

Development management, placemaking and design supplementary guidance Assessment

Green Belt and Rural area Supplementary Guidance

**Natural and Historic Environment
Supplementary Guidance**

Sustainable Development and Climate Change

◆ **Representation(s):**

▶	1	Objection Letters
▶	0	Support Letters
▶	0	Comment Letters

◆ **Consultation(s):**

SEPA West Region

Roads Development Management Team

Roads Flood Risk Management

Planning Application Report

1 Application Site

- 1.1 The application site (0.67 ha) is situated at the settlement edge of Crossford on the north side of Holm Road. Other than the northernmost part of the site, which relates to a former nursery and contains associated hardstanding, the majority of the site falls within the boundaries of an approved residential development. The approved access road (which also serves the existing dwellings at 3 and 5 Clydegrove to the west of the site) and other associated infrastructure linked to this development has already been laid out along with the foundations of two dwellings. In the south west corner of the site is a former gatehouse with hardstanding to the rear which, in later years, has been used for storage.
- 1.2 On the south side of Holm Road, is a suburban housing estate of medium to high density alongside some traditional cottages. To the north of the site is the remainder of the agricultural field in the applicant's ownership which extends down to Clydegrove House. To the west are recently constructed dwellings, the gatehouse, the access to Clydegrove and beyond, vacant agricultural land and a large pond. To the east are two detached dwellings (Clydevale Orchard and Penny Farthing Cottage) which are contained by a substantial stone wall. Topographically, the site is relatively level.

2 Proposal(s)

- 2.1 The applicant seeks detailed Planning Permission for seven one and $\frac{3}{4}$ storey detached dwellings arranged around the recently completed access onto Holm Road. The proposals represent an amendment to Planning Permission (CL/16/0277) that was granted in August 2016 for the erection of 6 dwellings. The layout and design for the current application is similar to the previous proposal, the changes involving the inclusion of an additional plot, changes to site boundaries, revision to house designs and their orientation. To enable the provision of sufficient rear garden space for four of the plots, the northern boundary has been extended beyond the previous application site boundary into the neighbouring field by approximately 15 metres.
- 2.2 A Planning Statement and Updated Flood Risk Assessment has been submitted as supporting information.

3 Background

3.1 Local Plan Status

- 3.1.1 The adopted South Lanarkshire Local Development Plan identifies the site as falling within the Green Belt where Policy 3 Rural Area and Green Belt applies. However, following the previous granting of planning permission for residential development on most of the site, this land now forms part of the housing land supply where Policy 12 – Housing Land applies.
- 3.1.2 As the northern part of site lies within the identified 1 in 200 year flood plain, Policy 17 - Water Environment and Flooding is relevant as is Policy 2 – Climate Change and the associated Sustainable Development and Climate Change Supplementary Guidance. In addition, Policy 4 - Development Management and Place Making and Policy 15 - Natural and Historic Environment Natural and the associated Supplementary Guidance are applicable.

3.2 Relevant Government Advice/Policy

- 3.2.1 In terms of residential development, SPP advises that the planning system should identify a generous supply of land to support the achievement of housing land requirements and maintaining at least a 5 year supply of land at all times. It should also enable the development of well designed, energy efficient, good quality housing in sustainable locations and focus on the delivery of allocated sites. In terms of development in the rural area, SPP states that most new development should be guided to locations within or adjacent to settlements. Planning should take every opportunity to create high quality places and direct development to the right places, in particular by encouraging the re-use of brownfield sites.
- 3.2.2 The SPP states that the purpose of the Green Belt designation is to;
- Direct planned growth to the most appropriate locations and support regeneration
 - Protect and enhance the quality, character, landscape setting and identity of towns and cities
 - Protect and give access to open space within and around towns and cities.

3.3 **Planning Background**

- 3.3.1 Planning Permission CL/14/0091 was granted for the erection of 5 dwellings in June 2014. Following on from this the number of dwellings was increased to six by Planning Permission CL/16/0277.

4 **Consultation(s)**

- 4.1 **Roads and Transportation Services** - no objection subject to conditions covering visibility, access, parking, footpath provision and drainage.
Response: Noted. The proposed layout shows Roads requirements can be met. These are matters which can be covered by condition in the event planning consent is granted.
- 4.2 **Flood Unit** – No objection subject to conditions covering Sustainable Drainage Design and a Flood Risk Assessment.
Response: Noted. An appropriate condition has been attached.
- 4.3 **SEPA** – Initially objected to the application as insufficient information had been provided to show that the site was not at risk from flooding the objection was withdrawn. An updated of the original Flood Risk Assessment was submitted and following their consideration of the outcome the objection has been withdrawn.
Response: Noted.

5 **Representation(s)**

- 5.1 In response to the carrying out of neighbour notification and the advertisement of the application in the local press as Development Contrary to the Local Plan and for the non-notification of neighbours, one letter of objection was received. The issues raised are summarised as follows:
- a) **The original permission for 5 dwellings has been increased from to 6 and now 7. This is too many for the size of the site.**
Response: The proposal represents a low to medium density development with above average garden sizes assigned to each plot. It is therefore considered that the site can accommodate the form of development proposed.
- b) **The proposed houses would overlook and compromise the privacy of the neighbouring property, Clydevale Orchard.**

Response: An existing boundary wall effectively prevents overlooking from ground floor windows within the proposed houses. The nearest house to Clydevale at Plot 2 has no 1st Floor habitable windows with direct views over the objector's property. It is therefore concluded that the proposals would not result in loss of privacy for adjoining residents.

c) Loss of light and overshadowing.

Response: The orientation of the proposed houses with the objector's property means the development will not result in any significant loss of light or overshadowing.

d) Increase in traffic and lack of pavement across from the site will impact upon public and traffic safety. A 2 metre footway on the frontage of Holm Road is proposed.

Response: Roads and Transportation Services have not raised any road safety issues relating to this proposal.

- 5.2 This letter has been copied and is available for inspection in the usual manner and on the planning portal.

6 Assessment and Conclusions

- 6.1 The applicant seeks planning permission for 7 detached dwellings on land at Holm Road in Crossford (an amendment to Planning Permission CL/16/0277) at the northern edge of the settlement. The determining issues that require to be addressed in respect of this application are compliance with the adopted local development plan, government guidance, the planning history of the site and infrastructure and road safety implications.
- 6.2 In the South Lanarkshire Local Development Plan, the application site is located within the Green Belt where Policy 3 - Green Belt and Rural Area applies. This advises that development which does not require to be located in the countryside will be expected to be accommodated within the settlements, other than in a number of circumstances. These include instances where there is a specific locational requirement or established need for a proposal; the proposal involves the redevelopment of derelict or redundant land or buildings where environmental improvement can be shown; the proposal involves the conversion of traditional buildings; or the proposal is for limited development within identifiable infill or gap sites and existing building groups. Supplementary Guidance on the Green Belt and Rural Area goes on to provide detailed guidance on these types of development in order to determine if a proposal is appropriate in the context of a Green Belt location.
- 6.3 In this case, the vast majority of the site benefits from the previous consents for residential development described in paragraph 3.3 above. As a result, this land is identified as part of the housing land supply where Policy 12 – Housing Land applies. This states that the Council will support development proposals included in the Housing Land Audit and identified on the proposals map. The principle of residential development on this part of the site is, therefore, acceptable.
- 6.4 However, a minor encroachment into designated Greenbelt is proposed to enable the provision of additional garden space for dwellings along the northern boundary. The footprint of the houses does not extend beyond the extent of the previous consent nor do they project beyond the building line of adjoining dwellings. The proposal has been carefully assessed against the policy and guidance and, while there are elements that accord with some of the criteria (which are explored below), it does not fully comply with the local development plan or the associated Supplementary Guidance. As a

result, the proposed development in land use terms is contrary to the development plan.

- 6.5 While the application site is not within the village envelope, it is appropriate in assessing the current proposal to consider whether a small scale incursion beyond the settlement boundary is acceptable. A key factor is consideration of Scottish Planning Policy which, in relation to development in the Green Belt, states that the purpose of the Green Belt designation is to;
- Direct planned growth to the most appropriate locations and support regeneration
 - Protect and enhance the quality, character, landscape setting and identity of towns and cities
 - Protect and give access to open space within and around towns and cities.

The small area of encroachment includes hardstanding and debris associated with former nursery structures. The proposal involves a small extension to the settlement boundary which would not have an adverse impact on the character of the settlement, landscape features, valuable habitat or protected species. No amenity/recreational space or public right of access will be impeded or lost. The proposed structural planting will provide a robust settlement boundary. Overall, therefore, it is considered that the objectives of the SPP in respect of the Greenbelt will not be compromised.

- 6.6 Policy 4 - Development Management and Place Making and DM1 – Design requires the Council to seek well designed proposals which integrate successfully with their surroundings, take account of the local context and built form and are compatible with adjacent buildings and surrounding streetscape in terms of scale, massing, design, external materials and impact on amenity. In addition, development should be well related to existing development, public transport, local services and facilities. The layout respects the existing pattern of development while the design and scale of the proposed dwellings respect the rural character of the area and would be sympathetically integrated without any harm to neighbouring amenity. A similar form of development was granted under the previous consent. Access arrangements ensure that acceptable levels of visibility can be achieved. In consideration, the proposal is an appropriate form and scale of development for this location and therefore complies with Policies 4 and DM1.
- 6.7 The site falls within a designated Special Landscape Area where Policies 15 - Natural and Historic Environment and NHE16 - Landscape seek to conserve those features which contribute to local distinctiveness. In this respect, the proposal will not impact upon the established field pattern, trees, hedgerows or distinctive boundary features. The setting of Crossford relative to the corridor of the Rivers Clyde and Nethan will remain largely unchanged. In addition the principle of this scale and form of development has been established by the earlier consents. In view of these circumstances the proposal complies with policies 15 and NHE16.
- 6.8 Policy 17 - Water Environment and Flooding states that any development where flood risk cannot be appropriately managed to prevent a significant adverse increase in the risk of flooding either on the site or elsewhere will not be permitted. The avoidance principle of flood risk management must be met. The Council will not support any development in the functional floodplain except where a specific locational need is identified. Policy 2 - Climate Change states proposals for new development must, where possible, seek to minimise and mitigate against the effects of climate change by avoiding areas of medium to high flood risk. Policy SDCC2 - Flood Risk in the associated Sustainable Development and Climate Change Supplementary Guidance state that the storage capacity of the functional floodplain should be safeguarded.

Avoidance of development within it is the most sustainable option for the long term management of flood risk. An updated Flood Risk assessment which reflects the extended northern boundary has confirmed that the site lies outwith the 1 in 200 year (plus 20% global climate change) functional flood plain. The Assessment recommends minimal levels for the finished floors and site access and this this would be covered by condition. The development will not result in the loss of flood storage or impact upon water flow resulting in a neutral impact on flood risk elsewhere. Therefore the proposal complies with policies 2, 17 and SDCC2.

6.9 Following an assessment of the application it is concluded that the development largely accords with planning policy as the vast majority of the extent of the site forms part of the housing land supply as a result of previous approvals for residential development. Nevertheless a small part of the site remains within the Green Belt and the proposal, while satisfying most of the criteria on development in the Green Belt, does not accord with the adopted Local Development Plan. Section 25 of the Town and Country Planning (Scotland) Act 1997 does however allow for exceptions to be made to policy where other material considerations outweigh the provisions of the development plan. In this case, it is considered that a small extension to the boundary of the earlier consents would not compromise the objectives of the purposes of the Green Belt as set out in Scottish Planning Policy and can be integrated into the surrounding area without impact upon residential amenity and the character of the area. An objection has been received from an adjoining resident however the points raised are not considered to merit the refusal of the application. It is considered that an exception to policy has been demonstrated for the following reasons.

- (i) The objectives of Scottish Planning Policy in terms of the purposes of the Green Belt would not be compromised
- (ii) The proposal will visually integrate with an existing group of buildings.
- (iii) The small scale nature of the development will not have an adverse impact on the character of the area.
- (iv) There would be no adverse impact on residential or visual amenity; infrastructure; or biodiversity.

It is, therefore, recommended that planning permission be granted.

7 Reasons for Decision

7.1 For the reasons set out in paragraph 6.8 above.

Michael McGlynn
Executive Director (Community and Enterprise Resources)

10 April 2018

Previous references

- ◆ CL/16/0277
- ◆ CL/14/0091

List of background papers

- ▶ Application form
- ▶ Application plans
- ▶ South Lanarkshire Local Development Plan 2015 (adopted)

► Neighbour notification letter dated 9 March 2018

► Consultations
SEPA West Region
Roads Development Management Team
Roads Flood Risk Management

► Representations	Dated:
Mrs Margaret Dickson, Clydevale Orchard, Holm Road, Crossford, Carluke, ML8 5RG	26.03.2018

Contact for further information

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

Ian Hamilton, Planning Officer, Montrose House, 154 Montrose Crescent, Hamilton, ML3 6LB

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Email: ian.hamilton@southlanarkshire.gov.uk

Detailed planning application

Paper apart – Application number: P/18/0226

Conditions and reasons

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.

Reason: To ensure the development is satisfactory in appearance and to maintain the visual quality of the area.

2. That notwithstanding the terms of condition 1 above the roof of the approved dwellinghouses shall be clad externally in natural slate or a slate substitute unless otherwise agreed in writing with the Council as Planning Authority.

Reason: To ensure the development is satisfactory in appearance and to maintain the visual quality of the area.

3. That before the development hereby approved is completed or brought into use, a visibility splay of 2.5 metres by metres measured from the road channel shall be provided on both sides of the vehicular access 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.

Reason: In the interests of traffic and public safety.

4. That before any of the houses hereby approved are occupied, 3 no. parking spaces shall be laid out within each house plot (a double garage counts as one space), constructed and thereafter maintained to the specification of the Council as Roads and Planning Authority.

Reason: To ensure the provision of adequate parking facilities within the site.

5. 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 shall include the following signed appendices : 1 'Sustainable drainage design compliance certificate', 2 'Sustainable drainage design - independent check certificate' 3 'Flood risk assessment compliance certificate', 4 'Flood risk assessment - independent check certificate' and 5 'Confirmation of future maintenance of sustainable drainage apparatus' . The development shall not be occupied until the surface drainage works have been completed in accordance with the details submitted to and approved by the Council as Planning Authority.

Reason: 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.

6. 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.

Reason: To ensure the provision of a satisfactory drainage system.

7. The finished floor levels shall be 48.85m OD or above and access to and from the site shall be formed at a level of 48.0m OD or above.

Reason: To ensure that there will be no increased risk of flooding to residential properties on site.

8. 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.

Reason: To ensure the development is satisfactory in appearance and to maintain the visual quality of the area.

9. That before any of the dwellinghouses on the approved plans are occupied, a 2 metre high screen fence shall be erected along the boundaries marked blue on the approved plans.

Reason: In the interests of privacy.

10. 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 8, shall be erected and thereafter maintained to the satisfaction of the Council.

Reason: To ensure the development is satisfactory in appearance and to maintain the visual quality of the area.

11. That no dwellinghouses shall be occupied until the developer provides a written agreement from Scottish Water that the site can be served by a water and sewerage scheme constructed to the specification and satisfaction of Scottish Water as the Water and Sewerage Authority.

Reason: To ensure that the development is served by a water supply and sewerage system.

12. Prior to the commencement of development a plan showing the turning area and location and number of spaces for site staff / operatives shall be submitted for approval.

Reason: In the interests of public and traffic safety.

13. That before any work commences on the site, a scheme of landscaping along the northern site boundary 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., including, where appropriate, the planting of fruit/apple trees; (c) details of any top-soiling or other treatment to the ground; (d) sections and other necessary details

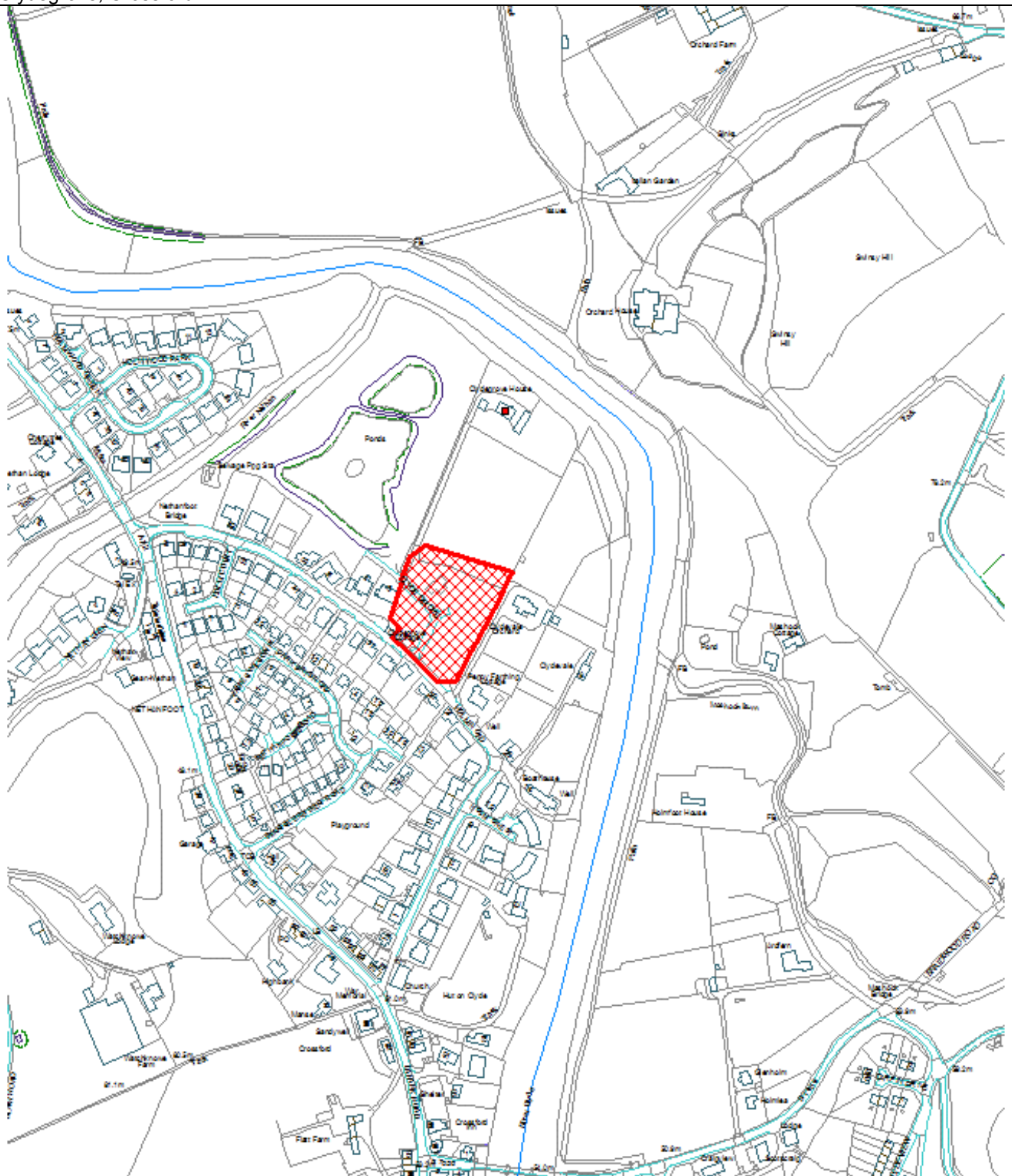
of any mounding, earthworks and hard landscaping; (e) proposals for the initial and future maintenance of the landscaped areas; (f) details of the phasing of these works; and no work shall be undertaken on the site until approval has been given to these details.

Reason: In the interests of the visual amenity of the area.

- 14 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.

Reason: In the interests of amenity.

Clydegrove, Crossford



FOR INFORMATION ONLY

