

Report

Report to:	Planning Committee
Date of Meeting:	13 February 2018
Report by:	Executive Director (Community and Enterprise Resources)

Application No	HM/17/0484
Planning Proposal:	Erection of 48 Dwellinghouses

1 Summary Application Information

- Application Type : Detailed Planning Application
- Applicant : AS Homes Scotland Limited
- Location : Carlisle Road
Strutherhill
Larkhall

2 Recommendation(s)

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

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

2.2 Other Actions/Notes

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

3 Other Information

- ◆ Applicant's Agent: Roy Mitchell Design Limited
- ◆ Council Area/Ward: 20 Larkhall
- ◆ Policy Reference(s): **South Lanarkshire Local Development Plan (adopted 2015)**
Policy 4 - Development Management and Place Making
Policy 12 - Housing Land
Policy 14 - Green Network and Greenspace
Policy 16 - Travel and Transport
Policy 17 - Water Environment and Flooding

Development Management, Place Making and Design Supplementary Guidance (2015)

Residential Design Guide (2011)

- ◆ Representation(s):

▶	1	Objection Letter
▶	0	Support Letters
▶	0	Comments Letter

◆ Consultation(s):

Roads & Transportation Services (Flood Risk Management Section)

Scottish Water

The Coal Authority - Planning and Local Authority Liaison Department

Larkhall Community Council

Education Resources

Environmental Services

Roads Development Management Team

Housing Services

Countryside & Greenspace

Planning Application Report

1 Application Site

- 1.1 The application relates to an area of land located at the edge of the Strutherhill Industrial Estate off Carlisle Road to the south of Larkhall town centre. The site is currently vacant comprising large areas of hardstanding, grass and scrub and forms part of the land that was previously occupied by the former DAKS Simpson warehouse. The site is fairly irregular in shape and extends to approximately 1.8 hectares. The site is bounded to the north and south by residential properties and industrial/business premises, to the east by land associated with the former DAKS Simpson Warehouse and to the west by Carlisle Road and adjacent residential properties. A narrow corridor of land extends beyond the main area of the site to the west and serves as the existing access road into the site from Carlisle Road.

2 Proposal(s)

- 2.1 The applicant seeks detailed planning permission for the erection of 48 dwellinghouses. The proposed development would comprise a mix of 40 semi-detached and 8 terraced two and three bedroom dwellings. The proposed houses would be two storeys in height and would be finished with concrete roof tiles, brick walls and UPVC windows and doors. Car parking within the development would be located on driveways to the front of the dwellings and within parking courts. The layout also incorporates two parcels of amenity open space within the western area of the site in addition to a toddler's play facility.
- 2.2 A supporting letter has been submitted from Clyde Valley Housing Association which confirms that the proposed dwellings are for social rent and that they will remain in the ownership of the Housing Association in perpetuity. Additional supporting documents submitted include a Noise Report, an Ecology Assessment and a Mining Desk Study Report.

3 Background

3.1 Local Plan Background

- 3.1.1 In terms of local plan policy, the application site is designated as a proposed housing site in the adopted South Lanarkshire Local Development Plan. The site is also covered by the Green Network. The relevant policies in terms of the assessment of this application are Policy 4 - Development Management and Place Making, Policy 12 - Housing Land, Policy 14 - Green Network and Greenspace, Policy 16 - Travel and Transport and Policy 17 - Water Environment and Flooding of the adopted South Lanarkshire Local Development Plan. The Development Management, Place Making and Design Supplementary Guidance relating to 'Design' is also relevant to the assessment of the application. The content of the above policies and guidance 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 In terms of residential development, SPP requires Councils to maintain a five year supply of effective housing land. Planning Authorities are also 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.

3.3 Planning Background

- 3.3.1 Planning permission in principle was granted to Patersons of Greenoakhill Ltd by the Planning Committee on 21 November 2017 for residential development within the

whole of the former DAKS Simpson site (HM/17/0167). This was subject to the conclusion of a Section 75 Obligation to ensure that appropriate financial contributions are made at appropriate times during the development towards additional nursery, primary and secondary education accommodation as appropriate, provision of appropriate and/or financial contribution to community facilities partly on site and off and the provision of affordable housing by way of a commuted sum. This Section 75 Obligation is currently being progressed.

- 3.3.2 Planning Permission in Principle was granted to Patersons Property Investment Partnership LLP on 6 May 2015 for a proposed residential and commercial development within the whole of the former DAKS Simpson site (HM/13/0269). This permission was granted subject to the conclusion of a Section 75 Obligation to ensure that appropriate financial contributions are made at appropriate times during the development towards additional nursery, primary and secondary education accommodation as appropriate, provision of appropriate and/or financial contribution to community facilities partly on site and off and the provision of affordable housing by way of a commuted sum. The current application site is located within the area proposed for residential development in HM/13/0269.

4 Consultation(s)

- 4.1 **Education Resources** – have no objections to the application subject to the applicant agreeing to a financial contribution towards additional education accommodation requirements at Larkhall Academy and Holy Cross High and their feeder primary schools and nurseries where appropriate.

Response:- The above comments are noted. As the proposal relates to the provision of affordable housing no financial contributions would be requested by the Council in this instance.

- 4.2 **Environmental Services** – have no objections to the application subject to conditions requiring the submission of a scheme of mitigation for the Council's approval to ensure that the requirements of BS4142:2014 - Methods for rating and assessing industrial and commercial sound are achieved.

Response:- Noted. Appropriately worded conditions would be attached to any consent granted to address the above matters.

- 4.3 **Roads Development Management** – have no objections to the application subject to conditions relating to the provision of appropriate visibility splays, car parking, surfacing and driveways.

Response:- Noted. Appropriately worded conditions would be attached to any consent granted to address the above matters.

- 4.4 **Roads and Transportation Services (Flood Risk Management Section)** – have no objections to the application subject to conditions requiring the submission of a drainage assessment for the Council's approval and the Council's Sustainable Urban Drainage Systems (SUDS) design criteria being satisfied through the completion of a self certification document.

Response:- Noted. Appropriately worded conditions would be attached to any consent granted to address the above matters.

- 4.5 **Scottish Water** – has no objections to the application and has advised that Skellyton Waste Water Treatment Works has capacity to service the proposed development.

Response:- Noted.

- 4.6 **Countryside and Greenspace** – the submitted Ecology Assessment has been carried out by a suitably qualified surveyor. Based on the information contained in the

survey report the site does not appear to have any significant biodiversity sensitivities. There should be some opportunities to enhance the biodiversity of the site through redevelopment and the formulation of appropriate landscape proposals.

Response:- Noted. Any consent granted would be conditioned to ensure the submission of a landscaping scheme for the Council's further approval which could incorporate the use of native species or those with known benefits to biodiversity to ensure continued opportunities for biodiversity within the site and the surrounding area.

- 4.7 **The Coal Authority** – initially objected to the proposal due to the location of a recorded mine entry in the southern area of the site and they requested the submission of additional information to clarify this matter. Following the submission of the additional information, the Coal Authority have advised that they concur with the submission's conclusions and that further intrusive site investigation works should be undertaken prior to development in order to discount, or otherwise, the presence of the mine entries from being on the application site. A condition should be attached to any consent granted requiring that these site investigation works be undertaken prior to the commencement of development. In the event that the site investigations confirm the need for remedial works to treat the mine entries and/or areas of shallow mine workings to ensure the safety and stability of the proposed development, this matter should also be conditioned to ensure that any remedial works identified by the site investigation are undertaken prior to commencement of the development.

Response:- Noted. Any consent granted would incorporate appropriately worded conditions to address the matters raised.

- 4.8 **Larkhall Community Council** – no response to date.

Response:- Noted.

- 4.9 **Housing Services** – have no objections to the application. The application site is identified in the Council's Strategic Housing Investment Plan and is prioritised for Scottish Government grant funding for social rented housing in 2018/2019. Clyde Valley Housing Association are common housing register partners and the new social rented housing provided will be let through the common housing register home finder.

Response:- Noted.

5 Representation(s)

- 5.1 Statutory neighbour notification procedures were undertaken and the application was advertised under the heading Non-Notification of Neighbours in the Hamilton Advertiser. One letter of representation was received in relation to the application. The grounds of representation are summarised below:

(a) The main entrance to my house is less than 3 metres from the boundary between the properties in this space the pipe for waste water for all 8 houses runs under the path.

Response: Whilst none of the consultees raised any adverse comments in relation to the proposed development any consent granted would be conditioned appropriately to ensure the submission of a drainage assessment for the Council's approval, the provision of a sustainable urban drainage system (SUDS) within the site and to ensure that no dwellings are occupied until the site is served by a sewerage scheme constructed in accordance with Scottish Water standards.

(b) There are mature trees at the front of the property that could be affected as the land drops several metres on the side to be developed.

Response: Any damage to the trees referred to would be a legal matter which would need to be resolved between the parties concerned.

- 5.2 This letter is available for inspection in the usual manner and on the Councils Planning Portal.

6 Assessment and Conclusions

- 6.1 The applicant seeks detailed planning permission for the erection of 48 dwellinghouses. The determining issues in consideration of this application are its compliance with national and local plan policy and the proposal's impact on the amenity of adjacent properties and on the local road network.
- 6.2 In terms of residential development, SPP requires Councils to maintain a five year supply of effective housing land. Planning Authorities are also 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. In this instance, the proposal involves the re-use of a previously developed site which would have a positive impact on the built and natural environment. The proposal also promotes development in a sustainable location which would be easily accessible by public transport and well integrated into existing walking and cycling networks. It is, therefore, considered that the proposal is in accordance with national planning policy.
- 6.3 In terms of local plan policy, the application site is designated as a proposed housing site in the adopted South Lanarkshire Local Development Plan. The site is also covered by the Green Network. The relevant policies in terms of the assessment of this application are Policy 4 - Development Management and Place Making, Policy 12 - Housing Land, Policy 14 - Green Network and Greenspace, Policy 16 - Travel and Transport and Policy 17 - Water Environment and Flooding of the adopted South Lanarkshire Local Development Plan. The Development Management, Place Making and Design Supplementary Guidance relating to 'Design' is also relevant to the assessment of the application.
- 6.4 As the application site is designated for residential use under the terms of Policy 12 the proposal raises no policy issues and therefore, conforms with this policy.
- 6.5 In terms of the detailed design of the development, Policy 4 requires new development to have due regard to the layout, form, design and local context of the area and to promote quality and sustainability in its design. 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 window to window distances, garden depths and car parking. It is considered that the development is of a high quality design incorporating a suitably high standard of finish materials and that it will be in keeping with the existing residential development in the surrounding area. It is also considered that the layout of the development has been designed appropriately to ensure that the proposal will have no significant adverse impact on existing properties adjacent to the site in terms of overshadowing, overlooking or loss of privacy. Overall, it is considered that the proposal represents a sensitive re-use of a previously developed site, which has been lying in a vacant and untidy condition for a number of years, and it is considered that the re-development of this vacant and untidy site will improve the visual and environmental quality of the area.
- 6.6 Policy 14 states that development proposals should safeguard the local green network, identified on the proposals map, and identify opportunities for enhancement and/or extension which can contribute towards:

- i placemaking,
- ii mitigating greenhouse gases,
- iii supporting biodiversity,
- iv enhancing health and quality of life,
- v providing water management including flood storage, and buffer strips,
- vi providing areas for leisure activity, and
- vii promoting active travel.

- 6.7 The submitted Ecology Report has been assessed and considered to be acceptable. Based on the information contained in the survey report the site does not appear to have any significant biodiversity sensitivities. It is considered that the design and layout of the residential development will assist in increasing the sense of place in the immediate area and the re-use of a previously developed site, which has been lying in a vacant and untidy condition for a number of years, will have a positive impact on the built and natural environment. Boundary planting and areas of landscaping are proposed throughout the development and any consent granted would be conditioned to ensure the submission of a landscaping scheme for the Council's further approval which could incorporate the use of native species or those with known benefits to biodiversity to ensure continued opportunities for biodiversity and leisure within the site and the surrounding area. Given the above, it is considered that the development of the site will have a positive impact on the environment and the quality of life for those living in the surrounding area. I am, therefore satisfied that the proposal meets the aims of Policy 14.
- 6.8 Policy 16 - Travel and Transport seeks to ensure that development considers, and where appropriate, mitigates the resulting impacts of traffic growth and encourages sustainable transport options that take account of the need to provide proper provision for walking, cycling and public transport. In this regard, the site is easily accessible by public transport and the development would be well integrated into existing walking and cycling networks. Furthermore, Roads and Transportation Services are satisfied that the proposal raises no access, parking or road safety issues. It is, therefore, considered that the proposal complies with Policy 16.
- 6.9 The proposal has been assessed by the relevant consultees in terms of Policy 17. With regard to flooding and surface water drainage no adverse comments were raised by Roads and Transportation subject to the inclusion of conditions requiring the submission of a drainage assessment for the Council's approval and the provision of a sustainable urban drainage system (SUDS) within the site. Scottish Water have also confirmed that they have no objections to the application and any consent granted would include a condition to ensure that no dwellings are occupied until the site is served by a sewerage scheme constructed in accordance with Scottish Water standards. It is, therefore, considered that the proposal is in accordance with the terms of Policy 17.
- 6.10 In summary, it is considered that the application conforms with both national and local plan policy and that the proposal raises no significant environmental or infrastructure issues. I would, therefore, raise no objection to the application and recommend that planning permission be granted subject to the conditions listed.

7 Reasons for Decision

- 7.1 The proposal has no adverse impact on residential or visual amenity nor raises any environmental or infrastructure issues and complies with Policies 4, 12, 14, 16 and 17 of the adopted South Lanarkshire Local Development Plan and the supplementary guidance of the Development Management, Place Making and Design Supplementary Guidance relating to 'Design.'

Michael McGlynn
Executive Director (Community and Enterprise Resources)

29 January 2018

Previous References

HM/17/0167
HM/13/0269

List of Background Papers

- ▶ Application Form
- ▶ Application Plans
- ▶ South Lanarkshire Local Development Plan (Adopted 2015)
- ▶ Development Management, Place Making and Design Supplementary Guidance (2015)
- ▶ Residential Design Guide (2011)
- ▶ Neighbour notification letter dated 11.10.2017
- ▶ Press Advertisement, Hamilton Advertiser 19.10.2017

- ▶ Consultations
 - Scottish Water 20/10/2017
 - The Coal Authority - Planning and Local Authority Liaison Department 07/11/2017
& 25/01/2018
 - Education Resources 07/11/2017
 - Roads & Transportation Services (Flood Risk Management Section) 24/10/2017
 - Roads Development Management Team 22/11/2017
 - Countryside & Greenspace 15/12/2017
 - Housing Services 25/01/2018
 - Environmental Services 18/01/2018
- ▶ Representations
 - Representation from : Mary P Walker, 29 Strutherhill, Larkhall ML91LP, DATED 17/10/2017

Contact for Further Information

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

Jim Blake, Planning Officer, Montrose House, 154 Montrose Crescent, Hamilton, ML3 6LB
Ext 3657 (Tel: 01698 453657)
E-mail: jim.blake@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.
- 2 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.
- 3 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 2 above, shall be erected and thereafter maintained to the satisfaction of the Council.
- 4 That before any work commences on the site, a scheme of landscaping 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.
- 5 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.
- 6 Between the hours of 0800 and 2000 the measured noise rating level emitted from the premises (LA90,1 hour) shall not exceed the pre-existing background noise level (LA90,30 min) by more than 4dB when measured in accordance with British Standard BS 4142:2014 - Method for Rating and Assessing Industrial and Commercial Sound at the proposed development. Between the hours of 2000 and 0800 the noise rating level emitted from the premises (LA90,15 min) shall not exceed the pre-existing background noise level (LA90,30min) by more than 4dB when measured in accordance with BS4142:2014 at the proposed development.
- 7 The internal noise levels shall comply with BS 8233:2014 Guidance on sound insulation and noise reduction for buildings as follows-

The scheme shall ensure that-
a) the internal levels with windows open (or under exceptional circumstances closed) do not exceed an LAeq,16hr of 40dB daytime (07:00 - 23:00)

- b) the internal levels with windows open (or under exceptional circumstances closed) do not exceed an LAeq,8hr of 30dB night-time (23:00 - 07:00).
- c) the internal levels with windows open (or under exceptional circumstances closed) do not exceed an LA,max of 45dB night-time (23:00 - 07:00).
- d) The external levels shall not exceed an LAeq,16hr of 55dB daytime in any garden areas, when measured free-field.

- 8 That prior to any development commencing on site, a scheme of mitigation shall be submitted to and approved by the Council as Planning Authority to ensure compliance with the terms of Conditions 6 and 7 above.
- 9 That before the development hereby approved is completed or brought into use, the new vehicular access so far as it lies within the boundaries of the road abutting the site, shall be constructed in accordance with the specification of the Council as Roads and Planning Authority.
- 10 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.
- 11 That before the development hereby approved is completed or brought into use, a visibility splay of 2.4 metres by 43 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.
- 12 That the developer shall arrange for any alteration, deviation or reinstatement of statutory undertakers apparatus necessitated by this proposal all at his or her own expense.
- 13 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 signed appendices as required. 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.
- 14 That prior to any work starting on site, a Flood Risk/Drainage Assessment and Independent Check shall be carried out, submitted to, and approved in writing by the Council as Planning Authority. This Assessment shall include confirmation that a suitable FFL is provided and procedures are considered to ensure access/egress can be obtained should flooding occur. The Assessment and Independent Check shall be carried out in accordance with the latest industry guidance listed within Section 4.0 of the Council's SuDS Design Criteria Guidance Note.
- 15 That before the development hereby approved is completed or brought into use, all of the parking spaces shown on the approved plans shall be laid out, constructed and thereafter maintained to the specification of the Council as Roads and Planning Authority.
- 16 That prior to any development taking place on site, a scheme of intrusive site

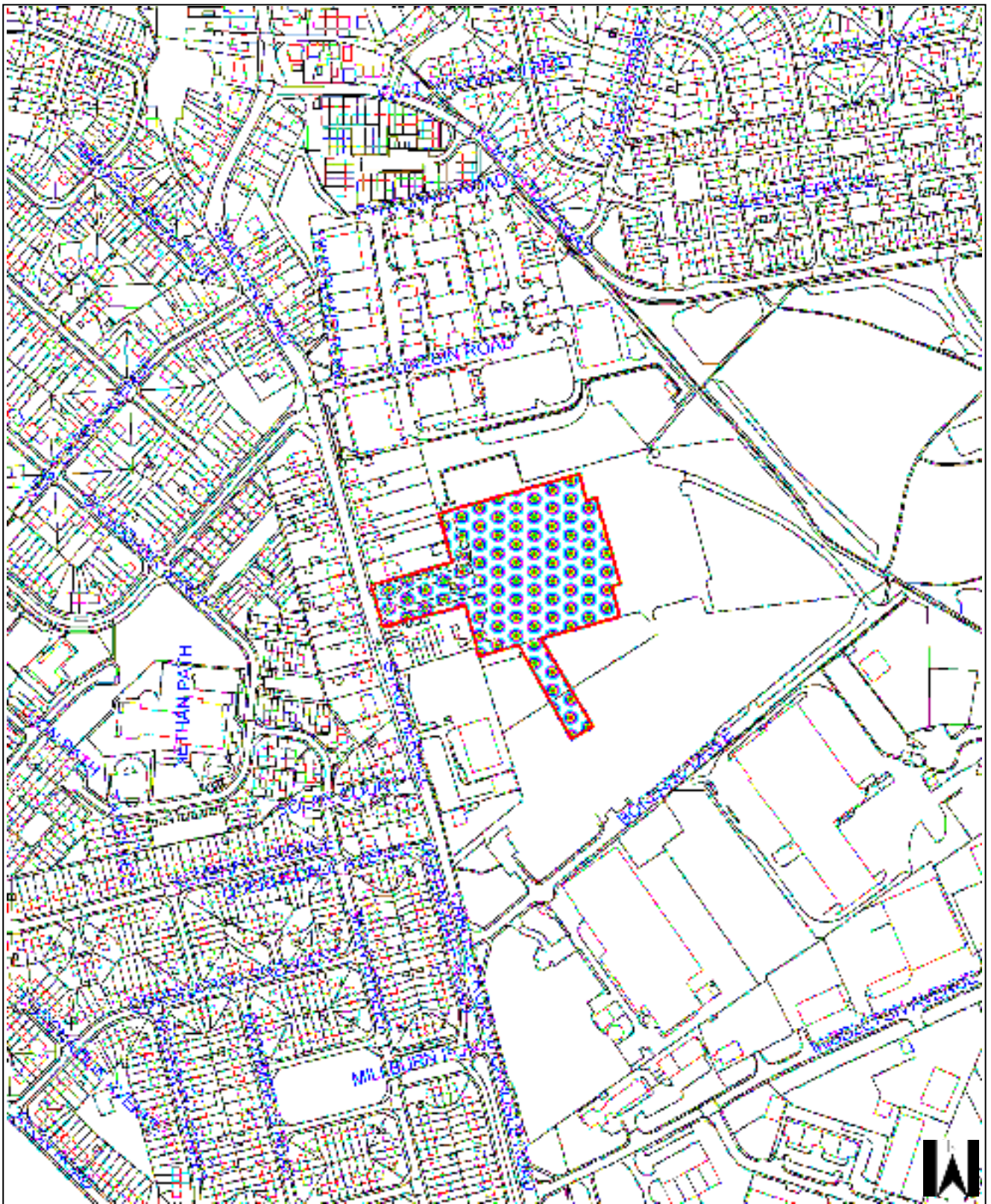
investigation works shall be submitted to and approved by the Council as Planning Authority. The submission shall include a report of findings arising from the intrusive site investigations, including the results of any gas monitoring, and a scheme of remedial works for the Council's approval in consultation with The Coal Authority.

- 17 In the event that the site investigations required under Condition 16 above confirm the need for remedial works the required remedial works shall be undertaken prior to any dwellings being occupied to the Council's satisfaction.

REASONS

- 1.1 In the interests of amenity and in order to retain effective planning control.
- 2.1 These details have not been submitted or approved.
- 3.1 In order to retain effective planning control
- 4.1 In the interests of the visual amenity of the area.
- 5.1 In the interests of amenity.
- 6.1 To minimise noise disturbance to occupants.
- 7.1 To minimise noise disturbance to occupants.
- 8.1 To minimise noise disturbance to occupants.
- 9.1 In the interest of public safety
- 10.1 To ensure satisfactory vehicular and pedestrian access facilities to the dwellings
- 11.1 In the interest of road safety
- 12.1 In order to retain effective planning control
- 13.1 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.
- 14.1 In order to establish the flood risk to both the proposed development and adjacent properties.
- 15.1 To ensure the provision of adequate parking facilities within the site.
- 16.1 To ensure the safety and stability of the proposed development.
- 17.1 To ensure the safety and stability of the proposed development.

For information only



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