

Report

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Report to:	Planning Committee
Date of Meeting:	17 May 2005
Report by:	Executive Director (Enterprise Resources)

Application No	CL/05/0051
Planning Proposal:	Erection of 16 dwellinghouses and associated infrastructure

1 Summary Application Information

- Application Type : Detailed Planning Application
- Applicant : Scott Building Services
- Location : 39 Station Road
Carluke

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 Listed Overleaf)

2.2 Other Actions/Notes

- (1) The Planning Committee has delegated powers to determine this application.
- (2) A financial contribution of £9,600 is required from the developer towards upgrading recreational provision in the area, to be lodged prior to the issue of consent.

3 Other Information

- ◆ Applicant's Agent: Architectonic (Scotland) Ltd.
- ◆ Council Area/Ward: 13 Law/Carluke
- ◆ Policy Reference(s): Lower Clydesdale Local Plan (Adopted)
- Policy RES1: Residential Areas

- ◆ Representation(s):
 - ▶ 3 Objection Letters

- ◆ Consultation(s):
 - Education Resources
 - Community Resources - Arboricultural Manager and Play Practice
 - Community Resources – Horticultural & Landscape Development Officer
 - Scottish Water
 - Roads and Transportation Services (South Division)
 - Environmental Services

Planning Application Report

1 Application Site

- 1.1 The site extends to approximately 0.8 hectares and until recently, it formed part of the site of the former residential children's home on the south side of Station Road. It includes part of the frontage onto Station Road, as well as the garden ground to the rear of the former premises. The ground rises up to the south and has several trees located on the periphery of the site.
- 1.2 It is bounded by Station Road and two-storey properties beyond to the north and to the west by the 'new' two-storey children's unit and a domestic curtilage. To the east is a plot of land with the benefit of outline planning consent for a dwellinghouse and Kirkton Parish Church Manse. To the south of the site are the steep slopes of the valley leading down to Jock's Burn, with housing beyond.

2 Proposal(s)

- 2.1 The applicant seeks detailed planning permission for the erection of 16 two-storey detached dwellinghouses and associated infrastructure on land formerly occupied by a children's unit. It should be noted that 6 of the dwellings also have attic accommodation. The level of accommodation ranges from 4-6 bedrooms. All dwellings are to be accessed off a short cul-de-sac formed off Station Road. In the absence of play provision within the application site, a financial contribution of £9,600 will be paid by the developer towards the improvement of recreational facilities in the area. The application site is currently in the ownership of the Council.

3 Background

3.1 Local Plan Status

In the adopted Lower Clydesdale Local Plan, the site is included within the settlement boundary for Carluke. Policy RES1: Residential Areas applies.

3.2 Relevant Government Advice

SPP3: Planning for Housing advocates that most housing requirements should be met within or adjacent to existing settlements, making efficient use of existing infrastructure and public services.

3.3 Planning Background

Planning permission for a replacement children's unit was granted in May 2003 under reference CL/03/0141. Construction of the new unit is now complete and this application relates to land subsequently declared surplus to operational requirements.

4 Consultation(s)

- 4.1 **Environmental Services** – no objections subject to conditions. These include that hours of audible construction activities should be restricted, and that a Phase 1 or Desk Study is carried out to determine the presence or otherwise of contaminants on the site.

Response: Noted. Hours of audible construction activities can be enforced by Environmental Services' own legislation. A condition can be attached to require investigation of potential contaminants.

- 4.2 **Roads & Transportation Services** – no objections subject to compliance with recommended conditions.

Response: Noted and agreed.

4.3 **Scottish Water** – no objections provided that the developer bears the cost of the increase in capacity of Scottish Water's existing infrastructure.

Response: The applicant is aware of the situation and is in discussion with Scottish Water. A condition can be attached to any consent to safeguard Scottish Water's position.

4.4 **Education Resources** – no objections.

Response: Noted.

4.5 **Community Resources (Arboriculture)** – indicated that a number of trees are affected by the proposal. They have requested that replacement planting take place within the site to compensate for the loss of trees.

Response: Details of all trees to be removed will be submitted as part of purifying Condition No 4 of the consent. This condition also requests landscape proposals for the site which will include the provision of a tree in every front garden.

4.6 **Community Resources (Play Provision)** – in the absence of play provision within the site, a financial contribution should be sought for off-site provision to be upgraded.

Response: Noted and agreed.

5 Representation(s)

5.1 Following neighbour notification, three letters of objection were received. The grounds of objection are summarised below:

(a) **Plans do not show traffic calming at the proposed new junction with Station Road.**

Response: Roads & Transportation Services are satisfied with the road layout. It should be noted that traffic calming measures will form an integral part of the Roads Construction Consent application.

(b) **There are no measures to solve the current problem of on-street parking on Station Road.**

Response: It would not be appropriate to enforce the developer of the site to remedy parking problems on land outwith his control. There will be sufficient parking provision within the application site for the proposed new dwellings. This development should not exacerbate the current situation.

(c) **The proposed new junction is in close proximity to Kirkton Avenue Junction. Can traffic calming measures be introduced to eliminate potential problems?**

Response: As with (a) above, Roads & Transportation Services are satisfied with the proposed junction and that there is sufficient distance between these two junctions.

(d) **The layout is not in keeping with the character of the existing properties on Station Road and will increase the number of properties on Station Road by 33%.**

Response: Disagree. The proposed density and layout is considered acceptable, meeting standards set out in the Council's approved Residential Development Guide. A 33% increase in properties on Station Road does not provide sufficient justification to refuse this proposal.

- (e) **The proposal will place dwellings on a hill that will be visible on the skyline from various locations in Carluke.**

Response: The visual impacts of the development are not considered to be harmful to amenity or the setting of the town.

- (f) **The scale and design of the proposal will not reflect the existing properties on Station Road.**

Response: I agree that Station Road provides a mature and attractive environment. There are also some newer properties, ie. the Children's Unit and properties to the western end of the road that illustrate a mix of design. I consider that the proposed design makes good use of the characteristics of the site and surroundings and will not adversely affect the residential character of the area. It will also be important that external finishes are appropriate and respectful of the character of existing development. This can be achieved by means of a planning condition.

- (g) **The site is contrary to the local plan.**

Response: Disagree. The site is covered by a residential designation where the principle of development is supported. Policy RES1: Residential Areas of the adopted local plan requires that proposals for new development will generally be acceptable where local character or amenity are not adversely affected. I consider the proposal to represent an acceptable infill development, entirely consistent with this policy.

- (h) **There is no demonstrable need for new housing in the area.**

Response: The site is located within an existing residential area. Provided that it meets Council standards with regard to design, access and layout, the local plan directs the Council to facilitate this form of development.

- (i) **There is insufficient information supplied with the application.**

Response: Disagree. I am satisfied that appropriate and accurate plans were submitted with the application.

- (j) **Due to the financial interest that South Lanarkshire Council have in the site, the application should be referred to the Scottish Executive as the Council could not take an impartial view of the application.**

Response: Disagree. The Town & Country Planning (Notification of Applications) (Scotland) Direction 1997 clearly sets out criteria for assessing whether applications require to be referred to the Executive. I am satisfied that referral is not required in relation to this application.

- (k) **The large houses to the front of the development are not in keeping with the houses opposite which are of traditional sandstone construction. The new houses are not sufficiently set back from the road.**

Response: There is a wide mix of housing on Station Road, representing different designs and external finishes. In addition, there is no definite building line along Station Road. It is not considered inappropriate for the two frontage houses to be positioned where they are as they are consistent with the adjacent children's unit building line. Minimum window-to-window distances are also maintained.

These letters have been copied and are available for inspection in the usual manner.

6 Assessment and Conclusions

- 6.1 The main determining issues in this case are the extent to which the proposal complies with the adopted local plan, Government advice, the Council's Residential Development Guide and the Council's standards with particular regard to roads and transportation issues.
- 6.2 In terms of the adopted Lower Clydesdale Local Plan, the site is located within a residential area where Policy RES1 applies. This policy states that proposals for new development will generally be acceptable provided they will not adversely affect local character or amenity. It is considered that the proposed development is compatible with existing land uses and would not have a detrimental affect on the character and amenity of the area. Accordingly, the proposal conforms to local plan policy.
- 6.3 In terms of Government advice, SPP3: Planning for Housing, states that previously developed sites should be used in preference to greenfield locations and should be located on sites accessible to public transport. The application site meets this criterion as it was, until recently, a children's unit and the site is located in close proximity to Carluke train station and local amenities.
- 6.4 The development accords with the Council's Residential Development Guide in terms of site layout and there are no adverse comments from the Council's Roads & Transportation Service.
- 6.5 I conclude that the proposal complies with local plan policy and will result in the satisfactory redevelopment of a previously developed site.

Iain Urquhart
Executive Director (Enterprise Resources)

4 May 2005

Previous References

- ◆ None

List of Background Papers

- ▶ Application Form
- ▶ Application Plans
- ▶ Consultations
 - Roads and Transportation Services (South Division) 03/03/2005
 - Education Resources 31/03/2005
 - Scottish Water 17/03/2005
 - Environmental Services 07/02/2005

Community Resources - Arboricultural Manager

09/02/2005

Community Resources – Play Practice

03/05/2005

► Representations

Representation from : Maggie Botham, 22 Station Road, Carluke ML8 5AD
DATED 04/03/2005

Representation from : Mr Stephen Mercer, 20 Station Road, Carluke ML8 5AD
DATED 03/02/2005

Representation from : A Merry, 44 Station Road, Carluke ML8 5AD
DATED 11/02/2005

Contact for Further Information

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

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CONDITIONS

- 1 That the development hereby permitted shall be started within five years of the date of this permission.
- 2 That the development shall be carried out strictly in accordance with the plans hereby approved and no change to the design or external finishes shall take place without the prior written approval of the Council as Planning Authority.
- 3 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.
- 4 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.
- 5 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 4 above, shall be erected and thereafter maintained to the satisfaction of the Council.
- 6 That within 2 months of the date of this permission, 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.; (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; (g) a tree in the front garden of each dwellinghouse; and no work shall be undertaken on the site until approval has been given to these details.
- 7 That the landscaping scheme, approved under the terms of Condition 6 above, shall be completed to the satisfaction of the Council as Planning Authority during the first available planting season following occupation of the last dwellinghouse hereby approved and shall thereafter be maintained and replaced where necessary to the satisfaction of the Council.
- 8 That no dwelling shall be completed or occupied until the site is served by a sewerage scheme constructed to the specification and satisfaction of Scottish Water as Sewerage Authority.
- 9 That before the dwellinghouse hereby approved is 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.

- 10 That before development starts, details of a surface water drainage system, incorporating Sustainable Urban Drainage System proposals, shall be submitted and approved by the Council as Planning Authority.
- 11 That the surface water drainage system, approved under the terms of Condition 10 above, shall be implemented simultaneously with the development hereby approved, to the satisfaction of the Council as Planning Authority and SEPA and shall be completed prior to the last dwellinghouse hereby permitted being occupied.
- 12 That no dwellinghouse shall be occupied until the access roads and footways leading thereto from the existing public road have been constructed to base course level.
- 13 That before the last dwellinghouse hereby permitted is occupied, all roads and footways within the development shall be completed to final wearing course level.
- 14 That before any of the dwellinghouses hereby approved are 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 and to the satisfaction of the Council as Roads and Planning Authority.
- 15 That before any of the dwellinghouses hereby approved are completed or brought into use, the new vehicular access shall be constructed with a 6 metre radius kerb and a 5.5 metre wide carriageway and 2 metre wide footway on both sides and so far as it lies within the boundaries of the road abutting the site shall be constructed in accordance with the specification and to the satisfaction of the Council as Roads and Planning Authority.
- 16 That before any of the dwellinghouses hereby approved are completed or brought into use, a visibility splay of 2.5 metres by 90 metres measured from the road channel shall be provided on both sides of the vehicular access and everything exceeding 1.05 metres in height above the road channel level shall be removed from the sight line areas and thereafter nothing exceeding 1.05 metres in height shall be planted, placed or erected within these sight lines.
- 17 That before development starts a Phase 1 or Desk Study, to review all currently available information about the historical uses of this site, shall be carried out to determine any types of contamination likely to be encountered and possible pathways to sensitive receptors shall be submitted to and approved by the Council as Planning Authority. If this investigation gives any indication of the potential for contaminants to be present, development shall not begin until a full intrusive survey has been carried out and its findings submitted to and, approved by the Council as Planning Authority. This survey shall clearly document the methodology, findings and results. The risks posed by the presence of pollutants in relation to sensitive receptors shall be assessed to current guidelines and, where appropriate recommendations for further investigations or remediation options to reduce these risks identified.

REASONS

- 1 To accord with the provisions of the Town and Country Planning (Scotland) Act 1997.
- 2 In the interests of amenity and in order to retain effective planning control.
- 3 In the interests of amenity and in order to retain effective planning control.
- 4 These details have not been submitted or approved.
- 5 In order to retain effective planning control
- 6 In the interests of the visual amenity of the area.
- 7 In the interests of amenity.
- 8 To ensure that an appropriate sewerage system is provided.
- 9 To ensure the provision of a satisfactory drainage system.
- 10 To ensure the provision of a satisfactory surface water drainage system.
- 11 To ensure the provision of a satisfactory surface water drainage system.
- 12 To ensure satisfactory vehicular and pedestrian access facilities to the dwellings.
- 13 To ensure satisfactory vehicular and pedestrian access facilities to the dwellings.
- 14 In the interest of public safety
- 15 In the interest of public safety
- 16 In the interest of road safety
- 17 To ensure the site is free of contamination and suitable for development.

For information only

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