

Report

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Report to:	Planning Committee
Date of Meeting:	31 October 2006
Report by:	Executive Director (Enterprise Resources)

Application No	HM/05/0571
Planning Proposal:	Residential Development With Associated Infrastructure, Open Space And Landscaping

1 Summary Application Information

- Application Type : Outline Planning Application
- Applicant : National Grid (formerly Second Site Property Holdings Ltd)
- Location : Bothwell Road
Uddingston

2 Recommendation(s)

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

- (1) Grant Outline Planning Permission (Subject to Conditions – Based on Conditions Listed)

2.2 Other Actions/Notes

- (1) The Planning Committee has the delegated powers to determine this application.
- (2) Given that the application is contrary to the adopted Local Plan and objections have been received a hearing may be required prior to determining the application.
- (3) If planning consent is granted, the decision notice should be withheld until a Section 75 Agreement between the Council and the applicant has been concluded to ensure the provision of 15% social/rented housing and play facilities within the site in addition to the provision of a financial contribution to upgrade community facilities in the area. The Council's legal expenses in connection with the Agreement will be borne by the Applicant.

3 Other Information

- ◆ Applicant's Agent: Hargest and Wallace Planning Limited
- ◆ Council Area/Ward: 40 Uddingston South/Bothwell
- ◆ Policy Reference(s): **Hamilton District Listed Plan**
Policy ED1 – Industrial Areas – General
Policy ED23 – Gas Holder Site, Uddingston
Policy RES1 – Residential Areas – General
Policy RES3B – Affordable Housing

Policy DC1 – Development Control – General
South Lanarkshire Planning Policies

Policy SLP6 – Development Control General
South Lanarkshire Local Plan (Finalised Plan)

Policy RES 3 – Residential Masterplan Site

Policy COM 6 – Out of Centre Retail Location

Policy RES 5 – Affordable Housing and
Housing Choice Policy

◆ Representation(s):

- ▶ 15 Objection Letters
- ▶ 1 Comments Letters

◆ Consultation(s):

Power Systems

TRANSCO (Plant Location)

West of Scotland Archaeology Service

Scottish Water

Uddingston Community Council

Economic Development (Regeneration Services)

Environmental Services

Roads & Transportation Services H.Q. (Geotechnical)

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

Roads and Transportation Services (Hamilton Area)

Planning Application Report

1 Application Site

- 1.1 The application relates to an area of previously developed land on Bothwell Road at the southern side of Uddingston which was formerly utilised as a gas works. The application site comprises a total of 7.1 hectares of land which is split into two sections; a larger area to the north and a smaller area fronting Bothwell Road next to the existing Lidl and Murdoch House sites. The site is screened to the east and west boundaries and to a lesser extent to the north. The site is generally flat and falls from Bothwell Road towards its north-west corner with a level difference of approximately 6 metres. Given the previous use of the site it has been the subject of various remedial works over the last 11 years to bring it up to acceptable standards for future development.
- 1.2 The site is bounded to the north and west by residential properties, to the east by light industrial and commercial properties and to the south by Bothwell Road and the adjacent Bothwell Castle Park and golf course. The immediate south east part of the site is bounded by Hornal Road and a Lidl foodstore is located immediately west of the existing access road with a call centre (Murdoch House) located immediately to the east of this road. The existing trees located at the junction of Bothwell Road and Hornal Road are covered by a Tree Preservation Order. Vehicular and pedestrian access to the site is via Bothwell Road.

2 Proposal(s)

- 2.1 This is an outline planning application for the redevelopment of the site for residential purposes. An indicative layout was submitted with the application showing a total of 141 dwellings located within the site. Specifically, 81 dwellings are shown located to the north-east of the existing Lidl store, which would be a mixture of detached, semi-detached and terraced houses, in addition to 60 flatted dwellings shown located along the Bothwell Road frontage of the site. The indicative layout states that the flats would be 4 storey in height with the top floor set back and photomontages and streetscape elevations were submitted to demonstrate how a well designed flatted development could look at this location in relation to the existing foodstore and adjacent conservation area. The layout also shows the provision of two play areas, an area of amenity open space incorporating sustainable urban drainage systems (SUDS) and boundary planting. The layout indicates that vehicular access will be taken from the existing access on Bothwell Road.
- 2.2 Supplementary marketing information was submitted to justify the proposed change of use from industrial land to residential. It states that the initial view taken was that the best value for the front site was for a supermarket use and the rear site for industrial/business uses. On further examination, however, it was found that there was virtually no demand for industrial/business use on the rear site. This was due to problems with contamination, competing sites, enterprise zones etc. which offered much better, more immediate and more flexible options. With regard to the front site the possibility of relocating the existing Lidl store closer to Bothwell Road was explored to allow a more comprehensive development of the site. However, it is stated that this was not practically possible as Lidl's current site had not been remediated to residential standards and it is National Grid's Company Policy not to re-acquire sites once they have been disposed of. There has been interest from retailers and developers during the marketing of the front site, however, for various reasons, including retailers changing their strategy, more appropriate competing

sites being on offer and other external factors the applicant has been unable to agree terms with these operators. Retail demand at the moment is fairly flat across most sectors and it would be difficult to attract a retail occupier for the site in the near future. Furthermore, developers are reluctant to acquire the site with the risk that there will be no end user for a development because of the potential lack of retailer demand. The supporting information concludes that the most viable option for the site is likely to be residential use for which there has been some previous interest shown and where an active market exists. A Transportation Assessment was also submitted as part of the application.

3 Background

3.1 Local Plan Status

3.1.1 The application site is partly zoned as the Gas Holder Site, Uddingston for the southern area of the site fronting Bothwell Road, and partly as industrial land for the northern area of the site in the adopted Hamilton District Local Plan. The policies relevant to this application are Policies ED1 Industrial Areas – General, ED23 - Gas Holder Site, Uddingston, RES1 – Residential Areas - RES3B – Affordable Housing and DC1 Development Control – General. South Lanarkshire Planning Policy SLP6 - Development Control General is also relevant to the application. In terms of the South Lanarkshire Local Plan (Finalised Plan) the northern part of the site is identified as a Residential Masterplan Site under Policy RES 3 and the southern part of the site is covered by Policy COM 6 - Out of Centre Retail Location. The application can also be assessed against Policy RES 5 – Affordable Housing and Housing Choice Policy.

3.2 Relevant Government Advice/Policy

3.2.1 Scottish Planning Policy 1 (The Planning System) states that the determination of planning applications should be made in accordance with the development plan unless material considerations indicate otherwise. A strong justification should be given for making a decision that is in conflict with the plan. The principles for determining an application that is contrary to the plan are set out, including cases where development plans become less relevant or are overtaken by events. In all cases, permission should only be refused where, whether because of the policies in place or other material considerations, there are sound reasons for doing so.

3.2.2 SPP3 (Planning for Housing) states that Planning Authorities should promote the re-use of previously developed land in preference to greenfield land.

3.3 Planning Background

3.3.1 Advertisement consent was granted to More Group Scotland for the erection of 2 advertisement hoardings within the site in March 2001.

3.3.2 Detailed planning consent was granted to British Gas for the erection of a 2.4m high palisade fence and extension to transmission reduction station in August 1986 (HN/86/351).

3.3.3 Detailed planning consent was granted to British Gas for the erection of a 2.4 m high palisade fence in April 1989 (HN/89/0123).

3.3.4 Detailed planning consent was granted to British Gas for the erection of a district office in August 1991 (HN/91/0334).

- 3.3.5 Outline planning consent was granted to British Gas for the erection of a district office and food retail unit in October 1991 (HN/91/0256).
- 3.3.6 Detailed planning consent was granted to British Gas for the erection of a temporary office in February 1992 (HN/92/0009).
- 3.3.7 Detailed planning consent was granted to British Gas for the erection of a gas governor house and wall in February 1993 (HN/93/0037).

4 Consultation(s)

- 4.1 **Economic Development** – have not objected to the application, however, they raised concerns regarding the loss of the site from the marketable industrial land supply for the Hamilton area. They also requested that the applicant submit evidence of market failure to assure the Council that the application is not merely surplus land speculation in order to maximise their capital receipt portfolio.

Response:- The site is not within a strategic industrial and business location as identified in the structure plan. There are a number of long-term vacant industrial sites in Bothwell Park, and there is little evidence of industrial demand in this area. On balance it is considered that the loss of this site would not raise major issues in respect of the industrial land supply. Supporting marketing information was submitted by the applicant which adequately addresses the above matters.

- 4.2 **Environmental Services** – have no objections to the proposal. Given that gas works sites have a high potential for serious contamination they initially requested that any consent granted include a condition requiring the submission of a contamination survey and remediation plan for further assessment in addition to a noise impact assessment. However, the applicant submitted various reports relating to site investigations, risk assessments and proposed remediation works and the above Service are satisfied that the risks from contamination on the site have been suitably assessed and in general should be satisfactorily addressed by the remedial works recommended. However, they have requested that conditions be attached to any consent granted requiring the submission of a noise impact assessment, procedural details for dealing with sub-surface pipes or tanks and recommendations for minimum clean top soil cover in garden and landscaped areas.

Response:- There are existing residential properties located within close proximity of the Lidl foodstore and it is not unusual to have a foodstore located adjacent to housing. I am satisfied that the operation of the foodstore will not have an adverse impact on residential amenity. However, any consent granted will include conditions requiring the submission of a noise impact assessment as requested in addition to procedural details for dealing with sub-surface pipes or tanks and recommendations for minimum clean top soil cover in garden and landscaped areas.

- 4.3 **Uddingston Community Council** – Whilst the Community Council would welcome the decontamination of the site and would be happy to see the land put to use they raised the following points:

- (a) **The houses are so densely packed that there is little open space. Also, the description of the application contains references to open space and landscaping and the oval designated play area is laughable.**

Response: Whilst the application is for outline planning consent an indicative layout was submitted with the application which complies with the guidance on new residential development contained in the Council's Residential Development Guide. However, should outline planning consent be granted

the above matters would also be carefully assessed under the submission of a detailed or reserved matters application.

- (b) **Traffic problems around Uddingston Cross are already considerable. A large number of homes would generate even more traffic. The proposals showed only one access point at the new traffic lights at the entrances to the golf course and Lidl supermarket. The increased traffic would exit onto Bothwell Road. It is reasonable to assume that much of it would turn right towards Uddingston Cross.**

Response: Roads and Transportation Services accepted the findings of the submitted Transportation Assessment that a residential development of the scale proposed would not have an adverse impact on traffic flows or road safety. The proposal is considered to be acceptable subject to conditions requiring the upgrading of the existing access road and roundabout to adoptable standards, and the formation of adequate traffic calming elements, parking and driveways in accordance with the Council's Guidelines.

- (c) **The infrastructure of Uddingston cannot adequately support additional large scale housing development. It is believed that Daldowie water treatment works are at near capacity. Can these works cope with additional pressure.**

Response: Scottish Water objected to the proposal, however, they stated that their objection can be deemed to be withdrawn if conditions are attached to any consent granted requiring the provision of a suitable sewerage system and a sustainable urban drainage system within the site. Any planning consent granted would require the submission of full details for the Council's approval in consultation with Scottish Water and SEPA. No other adverse comments were raised by consultees in relation to the existing infrastructure.

- (d) **There is no indication for the provision of social/rented housing.**

Response: The applicant has agreed to provide 15% of the site's capacity as serviced land for social/rented housing.

- (e) **What benefits would the community gain from this development? We urge the Council to examine the possibility of incorporating a leisure facility into the development.**

Response: As stated, the applicant has agreed to provide 15% of the site's capacity as serviced land for social/rented housing. The applicant has also agreed to submit a financial contribution to the Council to upgrade community facilities in the area in addition to the provision of play facilities within the site in accordance with the Council's Residential Development Guidelines.

- (f) **There is uncertainty about the future of Hermyon House and the Lidl site. Is it possible that the development could expand even further.**

Response: No information has been submitted to suggest that there is uncertainty about the future of Hermyon House and the Lidl site. The current planning application has been assessed on its own merits and any additional expansion would require the submission of a further planning application.

- (g) **The future capacity of the local secondary school is unclear.**

Response: It is considered that the scale of development proposed would not generate an excessive number of pupils and that the existing schools in the area have sufficient capacity to accommodate the proposal. During the

preparation of the Finalised South Lanarkshire Local Plan and the Programme for Primary Schools Modernisation all new and potential housing sites were considered by Education Resources. No specific actions are required in local schools as a result of this development.

- 4.4 **Scottish Power Energy Networks** – have no objections to the proposal, however, they have submitted details indicating the location of their apparatus in the area.

Response: - Noted and this information will be passed on to the applicant.

- 4.5 **Roads and Transportation Services** – have no objections to the application subject to conditions requiring the upgrading of the existing access road and roundabout to adoptable standards, and the formation of adequate traffic calming elements, parking and driveways in accordance with the Council's Guidelines.

Response:- Noted and any planning consent granted will be conditioned to this effect.

- 4.6 **Scottish Water** – objected to the proposal, however, they stated that their objection can be deemed to be withdrawn if conditions are attached to any consent granted requiring the provision of a suitable sewerage system and a sustainable urban drainage system within the site. Any planning consent granted would require the submission of full details for the Council's approval.

Response:- Noted and any planning consent granted will be conditioned to this effect.

- 4.7 **SEPA** – have no objections to the proposal subject to conditions requiring the provision of a sustainable urban drainage system within the site and the submission of details relating to the location of domestic bin storage facilities.

Response:- Noted and any planning consent granted will be conditioned to this effect.

- 4.8 **Scotland Gas Networks** – have no objections to the proposal, however, they have submitted details indicating the location of their apparatus in the area.

Response: - Noted and this information will be passed on to the applicant.

- 4.9 **West of Scotland Archaeology Service** – have no objections to the proposal.

Response:- Noted.

5 Representation(s)

- 5.1 Statutory neighbour notification was undertaken and the application was advertised as Development Potentially Contrary to the Development Plan. Fifteen letters of objection were received. The grounds of objection are summarised as follows:

- (a) **The proposal is contrary to Policies ED1 and ED23 of the adopted Local Plan.**

Response: The site is not within a strategic industrial and business location as identified in the adopted Glasgow and the Clyde Valley Joint Structure Plan. There are a number of long-term vacant industrial sites in Bothwell Park and there is little evidence of industrial demand in this area. On balance it is considered that the loss of this site would not raise major issues in respect of the industrial land supply. This matter is discussed in more detail in Section 6 of this report.

- (b) **The infrastructure of Uddingston, particularly existing drainage, cannot**

adequately support additional large scale housing development.

Response: Whilst Scottish Water objected to the proposal they stated that their objection can be deemed to be withdrawn if conditions are attached to any consent granted requiring the provision of a suitable sewerage system and a sustainable urban drainage system within the site. No other adverse comments were raised by consultees in terms of infrastructure provision.

- (c) **Any new development including boundary treatment should be complementary to the adjacent conservation area.**

Response: Whilst the application site is not located within a conservation area, any detailed or reserved matters application submitted would be carefully assessed to ensure that there is no adverse impact on the character of the adjacent Douglas Gardens Conservation Area.

- (d) **Increased traffic will have an adverse impact on the area. Bothwell Road is already extremely congested and the recent addition of a further junction at the entrance to the Golf Club directly adjacent to the entrance to the site will only add to the congestion.**

Response: Roads and Transportation Services accept the findings of the submitted Transportation Assessment that a residential development of the scale proposed would not have an adverse impact on traffic flows or road safety.

- (e) **Pollution will increase as a result of the development.**

Response: Environmental Services were consulted on the application and raised no adverse comments in terms of an increase in levels of pollution as a result of the development.

- (f) **Local shops will come under threat due to horrendous increases in traffic and lack of parking.**

Response: As stated, Roads and Transportation Services are satisfied that the proposal raises no road safety issues and that the required car parking can be accommodated within the site. I am therefore, satisfied that the proposal will not have an adverse impact on local shops.

- (g) **There is a lack of local amenities to provide for such a large influx in population.**

Response: It is considered that the application site will be adequately served by the existing facilities located within the nearby Bothwell and Uddingston village centres.

- (h) **Blocks of four storey flats overlooking existing properties would not be in keeping with surrounding development, particularly the properties in the Conservation Area. Dwellings should be a maximum of two storeys in height.**

Response: The application is for outline planning consent and any consent granted would not apply to the height of the buildings shown on the drawings. In addition, a masterplan for the site would have to be submitted for the Council's approval prior to the marketing of the site. The masterplan would resolve relationships between adjacent residential, commercial and business development and would consider matters relating to the scale, design and external appearance of all buildings.

- (i) **The new housing would have an impact on the existing houses in terms of noise from gardens and traffic.**

Response: Environmental Services raised no adverse comments in terms of an increase in noise levels from gardens or traffic.

- (j) **The proposed development may overshadow existing properties and result in a loss of privacy through overlooking.**

Response: The indicative layout submitted with the application complies with the guidance on new residential development contained in the Council's Residential Development Guide including matters relating to overshadowing and loss of privacy. However, these matters would be carefully assessed again upon the submission of any detailed or reserved matters application and the required masterplan for the site.

- (k) **The developers must be held accountable for any damage to existing properties caused by drilling etc.**

Response: Any potential damage to properties outwith the site would be a legal matter which would have to be resolved by the parties concerned. However, a building warrant would have to be submitted prior to the construction stage of any future development and the proposed works would have to comply with the appropriate section of the Building Standards.

- (l) **The proposed development will result in conflicts between residents and the existing Lidl's foodstore including adverse impacts on residential amenity as articulated vehicles servicing the store need to pass close to the rear of the proposed housing.**

Response: As stated previously, there are existing residential properties located within close proximity of the Lidl foodstore and it is not unusual to have a foodstore located adjacent to housing. I am satisfied that the operation of the foodstore will not have an adverse impact on residential amenity. However, any consent granted will include a condition requiring the submission of a noise impact assessment as requested by Environmental Services.

- (m) **Lidl have approached the applicant on a number of occasions to seek the relocation of Lidl to the front part of the site allowing comprehensive development of the remaining land in accordance with the provisions of the development plan.**

Response:

The applicant's agent stated that the possibility of relocating the existing Lidl store to the front of the site was explored, however, this was not practically possible as Lidl's current site had not been remediated to residential standards and it is National Grid's Company Policy not to re-acquire sites once they have been disposed of.

- (n) **The supporting statement does not refer to approaches for retail or other commercial development – uses which would normally be expected to generate significant value that could address problems resulting from contamination.**

Response: Further supporting information was submitted which adequately addresses the above matters.

- (o) **The supporting statement indicates clearly that the site is subject to significant contamination and although some investigations have been undertaken there is still a requirement for remediation and validation investigations to be carried out. In this instance, remediation measures have not been identified and the application should be refused for these grounds alone.**

Response: Various reports relating to site investigations, risk assessments and proposed remediation works were submitted by the applicant and Environmental Services are satisfied that the risks from contamination on the site have been suitably assessed and in general should be satisfactorily addressed by the remedial works recommended. However, as requested, conditions would be attached to any consent granted requiring the submission of procedural details for dealing with sub-surface pipes or tanks and recommendations for minimum clean top soil cover in garden and landscaped areas.

- (p) **What will happen to the burn presently owned and maintained by Scottish Gas. There are diseased or dying trees located next to the burn which may require removal. There are also general concerns regarding the loss of trees within the site.**

Response: Whilst these are matters for the owner of the site to deal with details relating to location of existing trees within the site and their possible removal would be addressed under the submission of a detailed or reserved matters application.

- (q) **The supporting statement does not refer to approaches for retail or other commercial development – uses which would normally be expected to generate significant value that could address problems resulting from contamination.**

Response: Further supporting information was submitted which adequately addresses the above matters.

- (r) **The removal of contaminated land may result in spillage of contaminated material into adjacent properties.**

Response: As stated, Environmental Services are satisfied that the risks from contamination on the site have been suitably assessed and in general should be satisfactorily addressed by the remedial works recommended. I am satisfied that the remedial works proposed would not have an adverse impact on adjacent properties.

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

6 Assessment and Conclusions

- 6.1 The determining issues that require to be addressed are whether the proposal complies with national and local planning policy, the impact on the local road network and whether the infrastructure in the area can accommodate a development of this scale.
- 6.2 The applicant seeks outline planning consent for residential development on the site of the former gas holder site. In terms of national planning policy, the application involves the re-use of a brownfield site for housing, therefore, the proposal would be in keeping with national planning policy, and in particular SPP3 (Planning for Housing) which states that Planning Authorities should promote the re-use of

previously developed land in preference to greenfield land. As such, the principle of the proposal is considered to be acceptable and in accordance with national planning policy.

- 6.3 In terms of local plan policy, the application site is covered by Policies ED1 – Industrial Areas – General and ED23 – Gas Holder Site, Uddingston of the adopted Hamilton and District Local Plan. Policies RES3b – Affordable Housing and DC1 Development Control – General of the adopted Local Plan are also relevant to the application in addition to South Lanarkshire Planning Policy SLP6 - Development Control General. Areas covered by Policy ED1 are recognized as main industrial areas where the Council will generally oppose the loss of industrial buildings or industrial land to other uses. Policy ED23 states that the Council, in association with British Gas PLC, seeks to promote the sensitive redevelopment of the former Gas Holder site at Bothwell Road, Uddingston. Acceptable development on this site would be for retail and business uses that are complementary and sympathetic to the centres of Bothwell and Uddingston. The main issues requiring assessment, therefore, are the change of use from an industrial zoning to residential use and whether or not there are material considerations which should be taken into account in the final determination of the application which would represent a sufficient justification for a departure from adopted local plan policy.
- 6.4 The site was added to the industrial land supply in 2001 as a potential marketable site. It had previously been covered by an industrial zoning but was not formally identified as a site. The site is located adjacent to Bothwell Park Industrial Estate but would not be accessed through the industrial estate but via the adjacent commercial area. The site is not within a strategic industrial and business location as identified in the adopted structure plan. There are a number of long-term vacant industrial sites in Bothwell Park and little evidence of industrial demand in this area. It is, therefore, considered that the loss of this site would not raise major issues in respect of the industrial land supply and based on the lack of market interest in the site it is considered that a change of zoning from industrial to residential use would be acceptable at this location. In terms of the applicant's justification for the proposal I am satisfied that sufficient detailed marketing information was submitted to justify the change of use from industrial to residential use on the rear site and from retail and business use to residential development on the front site.
- 6.5 Policy RES3B of the adopted Local Plan requires an element of affordable housing to be provided within major housing development sites. Information supplied by the Council's Housing and Technical Resources clearly shows that there is a need for social/rented housing in the area and on this basis the applicant has agreed to provide 15% of the site's capacity as serviced land for social/rented housing. The applicant has also agreed to submit a financial contribution to the Council to upgrade community facilities in the area in addition to the provision of play facilities within the site in accordance with the Council's Residential Development Guidelines. All of the above matters would be covered by a Section 75 Agreement which would have to be concluded before the outline consent is issued.
- 6.6 Policy DC1 states that all planning applications should take fully into account the local context and built form – i.e. development should not take place in isolation and must take cognizance of scale, position and materials of adjacent buildings and surrounding streetscape. South Lanarkshire Planning Policy SLP6 - Development Control General broadly reflects the content of the above Policy. Whilst the application is for outline planning permission a condition will be attached to any

consent granted requiring the submission of a masterplan for the site which would resolve the relationships between adjacent residential, commercial and business development and provide guidance on the key development standards required. Any subsequent detailed or reserved matters application would also have to comply with the Council's Residential Development Guide and be in keeping with development in the surrounding area.

- 6.7 In terms of the South Lanarkshire Local Plan (Finalised Plan) the rear area of the site is identified as a Residential Masterplan Site under Policy RES 3 where the Masterplan requires resolution of the relationships between adjacent residential, commercial and business development. The part of the site fronting Bothwell Road is designated as an Out of Centre Retail Location under Policy COM 6 which states that these Centres will continue primarily in retail/commercial use. For the avoidance of doubt, they do not form part of the town, village/neighbourhood centre framework as defined by Policies COM 1 'Town Centre Land Use Policy' and COM 5 'Village/Neighbourhood Centres Policy'. The application can also be assessed against Policy RES 5 – Affordable Housing and Housing Choice Policy which states that within any housing market area where a quantifiable need arises as demonstrated by the Local Housing Strategy, developers will be expected to provide 25% of the site's capacity as serviced land. This is to be transferred to the Council or a suitable Registered Social Landlord at a value equal to or less than its value for affordable socially rented housing in the locality concerned (determined annually by Communities Scotland cost benchmarks).
- 6.8 As part of the preparation of the South Lanarkshire Local Plan a review of the industrial land supply was undertaken. In accordance with SPP2, the Finalised Plan identifies a number of industrial sites which it is considered could be re-allocated for other uses. There is significant pressure for residential development in the Bothwell and Uddingston areas and limited opportunities for urban expansion to meet this. As stated, there are a number of long-term vacant industrial sites in Bothwell Park, and little evidence of industrial demand in this area. On balance, it was, therefore, concluded that the loss of this site would not raise major issues in respect of the industrial land supply. The Gas Works site was, therefore, identified as a potential Brownfield housing site in the Finalised Plan. The Industrial land supply category was changed in 2005 from category 2 'Potential Marketable' to category 7 'Housing or other Development Potential' to reflect this change.
- 6.9 As stated, information supplied by the Council's Housing and Technical Resources clearly shows that there is a need for affordable housing in the area. On this basis, the applicant has agreed to provide 15% of the site's capacity as serviced land for social/rented housing. Given the additional costs that have been incurred by the applicant in terms of remediating the site it is considered that 15% of the site's capacity is acceptable in this instance.
- 6.10 In terms of impact on the local road network and infrastructure, Roads and Transportation Services accept the findings of the submitted Transportation Assessment that a residential development of the scale proposed would not have an adverse impact on traffic flows or road safety. Whilst I acknowledge Scottish Water's objection to the application and the views of the representations received in relation to the proposed scale and density of future development, it is considered that the concerns raised do not warrant the refusal of the application and can be addressed through the use of appropriate conditions.

6.11 In summary, the proposal to develop the site for housing is contrary to the adopted Hamilton District Local Plan in that the site is identified as being located within land zoned for industrial use. However, I am of the opinion that a departure from the development plan is justified in this instance for the following reasons:

- (a) The site has been unsuccessfully marketed for industrial and commercial development and the loss of this site does not raise issues in respect of the industrial land supply.
- (b) The South Lanarkshire Local Plan (Finalised Plan) designates the main part of the site for residential use.
- (c) The applicant has agreed to provide 15% of the site's capacity as serviced land for social/rented housing.
- (d) The proposal involves the re-use of a brownfield site for housing which conforms with national policy guidance.
- (e) The site can be safely accessed with adequate levels of car parking provision and raises no environmental or infrastructure issues.

6.12 Given the above I would recommend that outline planning permission be granted.

7 Reasons for Decision

7.1 As set out in paragraph 6.11 above.

Iain Urquhart
Executive Director (Enterprise Resources)

24 October 2006

Previous References

- ◆ HN/86/351
- ◆ HN/89/0123
- ◆ HN/91/0334
- ◆ HN/91/0256
- ◆ HN/92/0009
- ◆ HN/93/0037

List of Background Papers

- ▶ Application Form
- ▶ Application Plans
- ▶ Consultations
 - Economic Development (Regeneration Services) 31/08/2005
 - Roads and Transportation Services (Hamilton Area) 31/08/2005
 - West of Scotland Archaeology Service 30/08/2005

Environmental Services	05/09/2005
Scottish Water	28/09/2005
S.E.P.A. (West Region)	22/09/2005
TRANSCO (Plant Location)	16/08/2005
Uddingston Community Council	18/10/2005

► Representations

- Representation from : Anne Marie & William Vosilius, 19 Douglas Gardens, Uddingston, G71 7HB, DATED 06/09/2005
- Representation from : Duncan J Harkness, 14 Douglas Gardens, Uddingston, G71 7HB, DATED 02/09/2005
- Representation from : John M. Ritchie, 20A Douglas Gardens, Uddingston, DATED 01/08/2005
- Representation from : The Anderson Partnership Solicitors, 125 West Regent Street, Glasgow , G2 2SA, DATED 08/08/2005
- Representation from : Gerry & Margaret Hepburn, 25 Bothwell Road, Uddingston, G71 7HA, DATED 08/08/2005
- Representation from : James Gall, The Bungalow, 21B Douglas Gardens, Uddingston, G71 7HB, DATED 08/08/2005
- Representation from : Lidl U.K. GmbH, Tailend Farm, Deans Road, Deans Industrial Estate, Livingston, EH54 8SE, DATED 08/08/2005
- Representation from : Uddingston Community Council, 7 Brooklands Avenue, Uddingston, G71 7AT, DATED 08/08/2005
- Representation from : John M Ritchie, 20A Douglas Gardens, Uddingston, G71 7HB, DATED 15/08/2005
- Representation from : The Owner/Occupier, 13B Douglas Gardens, Uddingston, G71 7HB, DATED 15/08/2005
- Representation from : John Mulgrew, 18 Douglas Gardens, Uddingston, Glasgow, G71 7HB, DATED 15/08/2005
- Representation from : Margaret McGarrigle, 11 Douglas Gardens, Uddingston, G71 7HB, DATED 16/08/2005
- Representation from : Alastair Gibson, 12 Douglas Gardens, Uddingston, G71 7HB, DATED 16/08/2005
- Representation from : GVA Grimley, Sutherland House, 149 St. Vincent Street,

Glasgow G2 5NW, DATED 28/10/2005

Representation from : Pamela Loudon, Rycroft, 27 Douglas Gardens, Uddingston,
G71 7HB, DATED 12/09/2006

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 either within five years of the date of this permission or within two years of the date on which the last of the reserved matters are approved, whichever is the later;
- 2 That before the expiration of three years from the date of this outline permission and before any development starts, a written application and plans in respect of the following Reserved Matters shall be submitted to and approved by the Council as Planning Authority:
 - (a) a site layout plan at a scale of 1:500 showing the position of all buildings, roads, footpaths, parking areas (distinguishing where appropriate between private and public spaces), walls, fences, landscaping, open space and recreational provision;
 - (b) plans and elevations of each house and garage type showing their dimensions and type and colour of materials;
 - (c) a landscaping plan at a scale of 1:500 showing the location, species and ground spread of existing and proposed trees, shrubs and hedges;
 - (d) details of the phasing of development (covering all relevant aspects of development detailed in (a) above);
 - (e) detailed cross-sections of existing and finished ground levels and finished floor levels, in relation to a fixed datum, preferably ordnance datum.
- 3 That the further application required under the terms of Condition 2 above shall comply with the guidance on new residential development contained in the Council's Residential Development Guide.
- 4 That before the site is marketed the applicant shall prepare a masterplan for the site which shall be submitted to and approved by the Council as Planning Authority. The masterplan shall resolve relationships between adjacent residential, commercial and business development and consider matters relating to:
 - (a) scale, design and external appearance of all buildings and other structures which shall reflect the local development context;
 - (b) access to the site;
 - (c) layout of the site, including all roads, footways and parking;
 - (d) design and location of all boundary walls and fencing;
 - (e) details of hard and soft landscaping;
 - (f) provision of open space and equipped play areas;
 - (g) provision of 15% social/rented housing;
- 5 That no consent is granted for the layout as shown on the approved drawings.
- 6 That the further application required under the terms of Condition 2 above shall include written confirmation from Scottish Water to the Council as Planning Authority that the site can be satisfactorily served by a sewerage scheme. The developer shall be responsible for all costs involved in upgrading the existing

public sewerage system to serve the residential development at this site. No dwellinghouse within the site shall be occupied until the upgrading works have been completed to the specification and satisfaction of Scottish Water as the Water and Sewerage Authority.

- 7 That the further application required under the terms of Condition 2 above, shall include a noise impact assessment which shall include details of full mitigation measures to be implemented.
- 8 That the further application required under the terms of Condition 2 above, shall include procedures for dealing with sub-surface pipes or tanks and shall include recommendations for minimum clean topsoil cover in garden and landscaped areas.
- 9 That remediation of the site shall be carried out in accordance with a remediation plan to be submitted to and approved by the Council, prior to the proposed development being brought into use. Any amendments to the approved remediation plan shall not be implemented unless accepted in writing by the Council as Planning Authority.
- 10 That on completion of the remediation works, the developer shall submit a completion report to the Council as Planning Authority, confirming that the works have been carried out in accordance with the accepted remediation plan and that the works have successfully reduced these risks to acceptable levels.
- 11 That the further application required under the terms of Condition 2 above, shall include a detailed scheme for surface water drainage. Surface water from the site shall be treated in accordance with the principles of the Sustainable Urban Drainage Systems Design Manual for Scotland and Northern Ireland and with the Council's Sustainable Drainage Design Criteria and requirements and shall be agreed in writing with the Council as Planning Authority in consultation with SEPA.
- 12 That the further application required under the terms of Condition 2 above shall include details of all parking provision within the site and these details shall comply with the Council's Guidelines for Development Roads and the maximum standards as set down in SPP17.

REASONS

- 1 To accord with the provisions of the Town and Country Planning (Scotland) Act 1997.
- 2 Consent is granted in outline only.
- 3 In the interests of amenity and in order to retain effective planning control.
- 4 To ensure the appropriate future development of the site.
- 5 Consent is granted in outline only.
- 6 To ensure the provision of a satisfactory sewerage system.
- 7 In the interests of amenity.
- 8 To ensure the site is free from contamination.
- 9 To ensure the site is free from contamination.
- 10 To ensure the site is free from contamination.
- 11 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

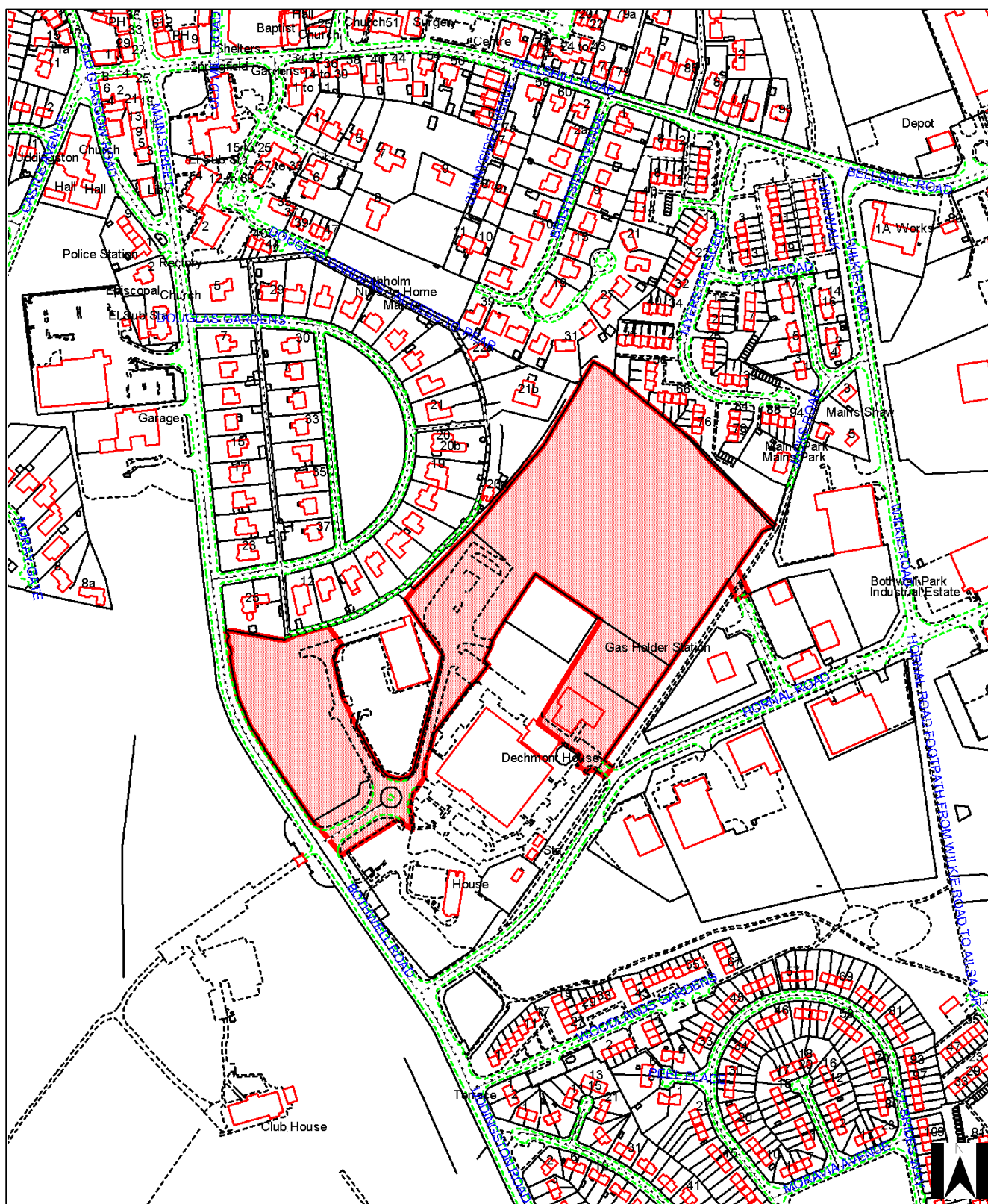
adverse impact on people and the environment and to alleviate the potential for on-site and off-site flooding.

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

For information only

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