

Report

Report to:	Planning Committee
Date of Meeting:	14 December 2021
Report by:	Executive Director (Community and Enterprise Resources)

Application no.	P/21/1391
Planning proposal:	Residential development comprising 105 dwellings, MUGA, landscaping and associated infrastructure

1 Summary application information

Application type:	Detailed planning application
Applicant:	Bancon Homes and HJ Paterson
Location:	Land 115M Northwest of 52 Rickard Avenue Rickard Avenue Strathaven South Lanarkshire

2 Recommendation(s)

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

- (1) Grant detailed planning permission (subject to conditions) based on conditions attached.

2.2 Other actions/notes

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

3 Other information

- ◆ Applicant's Agent:
- ◆ Council Area/Ward: 05 Avondale and Stonehouse
- ◆ Policy Reference(s): **South Lanarkshire Local Development Plan 2 (Adopted 2021)**
Policy 1 Spatial Strategy
Policy 2 Climate Change
Policy 3 General Urban Areas
Policy 5 Development Management and Placemaking
Policy 7 Community Infrastructure Assessment
Policy 11 Housing
Policy 12 Affordable Housing
Policy 13 Green Network and Greenspaces
Policy 14 Natural and Historic Environment
Policy 15 Travel and Transport
Policy 16 Water Environment and Flooding

◆ **Representation(s):**

▶	20	Objection Letters
▶	0	Support Letters
▶	3	Comment Letters

◆ **Consultation(s):**

Roads Development Management Team

Environmental Services

Roads Flood Risk Management

Scottish Water

West of Scotland Archaeology Service

SP Energy Network

Estates Services - Housing and Technical Resources

Countryside and Greenspace

Community and Enterprise Resources - Play Provision Community Contributions

Education Resources School Modernisation Team

Housing Planning Consultations

Arboricultural Services

National Grid UK Transmission

Strathclyde Partnership for Transport (SPT)

Strathaven and Glassford Community Council

Planning Application Report

1 Application Site

- 1.1 The site, which is known as Phases 3 and 4, extends to approximately 8.8 hectares and is part of the larger East Overton Masterplan site of 22.6 hectares. The site is located on the northeast edge of Strathaven. Phase 3 is located west within the masterplan to the north of Phase 2 and the existing East Overton House. It is bounded to the west by surplus Council owned land and to the east by the established Phase 1. Phase 4 is located north within the masterplan. To the north is greenfield land which has been recently zoned for further residential development, known as the East Overton extension area, which would be subject of a separate masterplan in the future. The eastern boundary comprises a length of mature tree belt and beyond to the greenbelt. A section of land to the north of Phase 3 and to the west of Phase 4 is designated for business use within the approved masterplan with access provided from the existing Hamilton Road industrial area.
- 1.2 The application site is irregularly shaped and relatively flat. Vehicular access to these two phases would be taken via the existing infrastructure constructed as part of the earlier phases, linking through to the roundabout on Glassford Road. Phases 3 and 4 are essentially the final private housing phases of the East Overton Masterplan site.
- 1.3 Phase 3 shows two hammerheads proposed on the western boundary, puncturing into Council owned land which also lies within the masterplan boundary. These are intended to link with a future affordable housing proposal which it is understood would be brought forward in the near future under cover of a separate planning application.

2 Proposal(s)

- 2.1 Planning permission in principle (PPP) was granted in December 2014 (EK/12/0003) following Committee approval in March 2012. As stated above, this application is the third and fourth phase of the East Overton Masterplan area. Detailed planning permission is sought for a residential development of 105 dwellings on the site, a MUGA and recreational area together with landscaping and associated infrastructure.
- 2.2 More specifically, in terms of layout, the proposal comprises two phases. Phase 3 has 54 dwellings and Phase 4 has 51 dwellings. 15 different house types are proposed, mainly detached dwellings. Within Phase 3, some semi-detached and terraced are proposed. All the properties are two-storey design, with 2, 3, 4 and 5 bedrooms some with integral garages or detached garages. The materials to be used are a mix of dry-dash render finish, cedar weatherboard cladding and fyfestone blockwork. Concrete roof tiles together with UPVC windows are also proposed.
- 2.3 Phase 3 of the layout would link into the first phase of the masterplan site via two access roads, known as Henderson Way, Baron Todd Road. The layout would link with the established internal road network of the established housing to access Glassford Road via the existing roundabout. As mentioned above, it is intended that Phase 3 would link to the west with an area of Council owned land where a future affordable housing proposal would be brought forward in the near future under cover of a separate planning application.
- 2.4 Phase 4 would be connected with the established first phase of development via Rickard Avenue, Black Street and Rees Way and would ultimately link into the future masterplan site (East Overton extension area) lying to the north. The overall layout includes the formation of a large recreational area including a MUGA. Informal

footpaths are proposed through established peripheral woodland which is located along the northern edge of Phase 3 and the western edge of Phase 4. A footway and cycleway are proposed from the layout to link through to Hamilton Road. A large mature sycamore tree located adjacent to the northern boundary of Phase 3 is to be retained and an area of open space proposed creating a landscape feature at this locale.

- 2.5 As required by the PPP, the development will incorporate the principles of Sustainable Urban Drainage (SUDS) with the development linking into an established drainage pond located within the northeast corner of the site. Peripheral recreational footpaths are proposed along this northeast section of the site linking to the established Phase 1 footpath network.

3 Background

3.1 Local Plan Status

- 3.1.1 In determining this planning application, the Council must assess the proposed development against the policies contained within both the adopted South Lanarkshire Local Development Plan 2 (2021) and Supplementary Guidance (SG) produced in support of the SLLDP2.
- 3.1.2 In land use terms, the application site is identified within the adopted SLLDP2 as forming part of the Council's housing land supply (Policy 12) within the general urban area (Policy 3) and as forming part of the green network and greenspaces area (Policy 13). Policy 3 requires that new proposals should not adversely impact on the amenity and character of such areas. In terms of Policy 12, their development for residential purposes is supported (subject to compliance with normal development management criteria), as this will assist the Council in meeting its housing needs. Policy 13 advises that the partial loss of such areas may be considered acceptable where the retention and enhancement of any remaining network area can be assisted by the redevelopment proposal.
- 3.1.3 With regard to normal development management criteria, a number of additional policies within the adopted SLLDP2 are considered appropriate as follows:-
- Policy 2 – Climate Change
 - Policy 5 - Development Management and Placemaking
 - Policy 7 - Community Infrastructure Assessment
 - Policy 12 - Affordable Housing
 - Policy 14 - Natural and Historic Environment
 - Policy 15 - Travel and Transport
 - Policy 16 - Water Environment and Flooding
- 3.1.4 In addition, the Council has prepared a Residential Design Guide. The aim of the associated policies and guidance is to seek well designed development which is located in appropriate locations and is appropriately serviced. An assessment of the proposal against these specific policies is contained in Section 6 of this report.

3.2 Relevant Government Advice/Policy

- 3.2.1 Relevant Government guidance is set out within the consolidated Scottish Planning Policy (SPP) 2014 and National Planning Framework 3 (NPF3). NPF3 aims to facilitate new housing development, particularly in areas where there is continuing pressure for growth. SPP introduces a presumption in favour of development that contributes to sustainable development. In terms of residential development, the SPP advises that the planning system should enable the development of well designed, energy efficient, good quality housing in sustainable locations and allocate

a generous supply of land to meet identified housing requirements. The Council must also maintain a five-year supply of effective housing land.

3.3 **Planning Background**

- 3.3.1 In land use terms, the site is identified within the adopted South Lanarkshire Local Development Plan 2 as part of the East Overton Residential Masterplan. Planning permission in principle (PPP) was granted in December 2014 (EK/12/0003). As stated above, this proposal forms the third and fourth phases of the approved PPP. The principle of residential development is therefore established.

4 **Consultation(s)**

- 4.1 **Roads Development Management Team** – No objections to the proposed layout, subject to standard conditions including parking provision and site drainage. It should be noted that discussions have been ongoing in connection with the phasing of development, in particular the upgrading works to Berebriggs Road for which a Road Construction Consent has been submitted by the applicants and is under consideration.

Response: Noted. Any consent would have appropriately worded conditions attached to reflect the above including the requirement to upgrade Berebriggs Road.

- 4.2 **Environmental Services** – No objections subject to conditions relating to noise impact assessment and construction noise.

Response: Noted. Appropriately worded conditions can be attached to any consent issued.

- 4.3 **Roads Flood Risk Management** – have no objections to the application subject to the undertaking of a Flood Risk/Drainage Assessment in accordance with the latest industry guidance listed within the Council's Developer Design Guidance Note dated May 2020 and the provision of a sustainable urban drainage system (SUDS) within the site.

Response: Appropriately worded conditions can be attached to any consent issued.

- 4.4 **Scottish Water** – No objections.

Response: Noted.

- 4.5 **West of Scotland Archaeology Service (WOSAS)** – Advises that the application affects ground which has not yet been subject to intrusive evaluation trenching. Therefore, the developer will require to secure the implementation of a programme of archaeological works to the satisfaction of WOSAS and the Council.

Response: Noted. The developer is aware of this and an appropriately worded condition would be attached to any planning consent.

- 4.6 **SP Energy Network** – No objections. It should be noted that SP Distribution PLC reserve the right to protect and/or deviate their cable /apparatus at the applicant's expense.

Response: Noted.

- 4.7 **Estates Services - Housing and Technical Resources** – No objections.

Response: Noted.

- 4.8 **Countryside and Greenspace** – No response to date.

Response: While no formal response has been received to date, this layout proposes a generous amount of open space, informal woodland pathways to link with the established first phase of development as well as the wider surrounding area. A quality landscape scheme has also been lodged.

- 4.9 **Community and Enterprise Resources - Play Provision Community Contributions** – Verbally advised have no objections.
Response: Noted. The application is covered by the original Section 75 Legal Agreement which covered the overall East Overton masterplan site. However, within that S75 the Community contribution had been agreed and has been paid in full to the Council during the construction of the first phases (1 and 2).
- 4.10 **Education Resources School Modernisation Team** – No objections.
Response: Noted. The application is covered by the original Section 75 Legal Agreement which covered the overall East Overton masterplan site (EK/12/0003). However, within that S75 the Community Contribution had been agreed and has been paid to the Council during the construction of the first phases (1 and 2).
- 4.11 **Housing Planning Consultations** – No objections and are happy to support this private housing development.
Response: Noted. It is understood that Housing Services are in discussion with Bancon Homes to agree in principle a housing mix for around 32 affordable housing units on Council owned land adjacent to Phase 3. As explained above, in respect of the proposed affordable housing on the adjacent land, a separate planning application would require to be lodged and given due consideration. In respect of Phase 4, Housing Services are agreeable to taking a commuted sum, in lieu of on-site affordable housing provision.
- 4.12 **Arboricultural Services** – No response to date.
Response: While no formal response has been received to date, the Council's Arboricultural Officer was supportive of the retention of the peripheral woodland and the introduction of open space around an existing large Sycamore to create a landscape feature. Additional tree planting is also proposed to enhance the Green Network.
- 4.13 **National Grid UK Transmission** – No response to date.
Response: Noted
- 4.14 **Strathclyde Partnership for Transport** – No objections.
Response: Noted
- 4.15 **Strathaven and Glassford Community Council** – No response to date.
Response: Noted

5 Representation(s)

- 5.1 Statutory neighbour notification was undertaken and the proposal was also advertised in the local press as not all neighbours could be identified. Twenty letters of objection and three letters of comment were received, the points of which are summarised below:-

a) Pleased with play area but better access required to communal path to Hamilton Road.

Response: The play area, to the west of phase 4 will enhance the facilities for recreation within the overall masterplan site. The link through to Hamilton Road will be 3 metres wide from the phase 3 section of the development to provide for pedestrians and cyclists. This section will require to be lit. It will link into the informal woodland path network or, alternatively, pedestrians can connect through the residential layout via the internal road and pavement network.

- b) **Access via streets like Rickard Avenue and Fleming Boulevard within the existing estate means huge increase in traffic volume and flow of traffic going past the play park. Current traffic calming measures are inadequate. With 105 houses proposed and potentially 210 more cars, another route should have been made off Hamilton Road or within the new development itself. A single point of access off the roundabout on Glassford Road is unacceptable.**

Response: The Council's Roads Service has carefully assessed the proposed road layout in detail in discussion with the developer's traffic consultant. It is considered that the proposed layout is acceptable in terms of traffic and pedestrian safety and that it would not be appropriate to have a vehicular access from the site to Hamilton Road or within the new development itself. The new road network, together with the existing estate's roads and the Glassford Road roundabout have been designed to national roads standards including the design of traffic calming measures and forward visibility splays to encourage drivers to safely manoeuvre through the estate at lower speeds.

- c) **It is perceived that the proposal will bring traffic congestion, access issues and most of all safety problems for children on the established estate.**

Response: As stated above under b), the proposed roads layout and access points have been assessed by the Council's Roads Engineers and are found to be satisfactory in terms of traffic and pedestrian safety.

- d) **Plot 43 is likely to compromise light and overshadowing to existing house.**

Response: Careful assessment has been made in respect of the positioning of this house, its blank gable of which is around 15.9 metres distance from the rear elevation of the existing dwelling which faces west. It is considered that, given the westerly aspect, this is adequate distance to ensure that no significant amenity is compromised in terms of loss of light and or overshadowing.

- e) **Concern for the privacy of an entire row of houses as it is not in anyone's interest to see a whole range of household gardens.**

Response: The layout has been carefully assessed to ensure that it meets the Council's requirements in window to window distancing in terms of the Council's Residential Design Guide. It is a common occurrence in modern residential developments that householders can view other householders' gardens.

- f) **There is no clear separation between house at 1 Black Street and Plot 43. Who maintains this section? Some landscaping should be introduced.**

Response: This area between the feature wall and the rear boundary fencing of the houses in Black Street will be planted in grass and will be maintained through a factoring arrangement. There is clear separation as there is an existing rear boundary fence. It is understood a narrow strip of ground running north to south along the rear boundary fencing is a drainage wayleave.

- g) **Concern that adjacent new houses will not fit in with the existing houses in terms of finishing materials.**

Response: Each individual developer generally has its own pallet of finishing materials. It is considered that although some of the materials and styles may be contrasting, within a modern development setting, this is acceptable and adds to interest and variety.

- h) **Plot 43 should be removed and the road closed off to provide distinct separation from David Wilson/Taylor Wimpey and the new development.**

Response: The roads layout as proposed is acceptable to the Roads Service and with two accesses serving Phase 3, this will provide better circulation of traffic. Removing Plot 43 and closing off the access at this location is considered unnecessary.

- i) **Shared space approach should be considered to encourage drivers to be aware of their surroundings and to slow down.**

Response: In this instance the traditional roads layout of road and contiguous footpaths has been adopted and has been designed to the satisfaction of the Roads Service.

- j) **Privacy will be violated. Back row of houses should be spaced further down.**

Response: In terms of the Council's Residential Design Guide acceptable window to window distances are achieved between the existing dwellings on Rees Way and the new dwellings proposed to the north.

- k) **Concern as to whether the previous planning condition requiring Berebriggs Road to be upgraded will be met.**

Response: A condition would be attached to any planning consent to introduce carriageway widening along Berebriggs Road to permit two-way flow along its length prior to commencing phase 3 or 4 of the development, or otherwise agreed by the Council.

- l) **Adding hundreds of more cars to the surrounding road network and junctions at Glassford Road/Commercial road is irresponsible traffic management. A roundabout is required here.**

Response: As stated in b) above, the Roads Service has carefully assessed the proposed layout including against the capacity of the surrounding road network. They are satisfied that with the upgrade of Berebriggs Road the additional vehicles, as a result of the new dwellings, can be accommodated within the new road layout and the surrounding local road network.

- m) **Although the new recreational equipment is to be welcomed it may attract people from the wider Strathaven area which may result in additional traffic in and around the estate. CCTV should be a requirement at the new recreational area together with dog bins.**

Response: it is anticipated that the new play facilities will be used mainly by residents who live within walking and cycling distance so increased vehicle movements is unlikely. CCTV is considered inappropriate at this location and dog bins would be installed if there was a requirement once the new development is completed.

- n) **Please give all possible protection to all wildlife, flora and fauna, eg Moles, hedgehogs, weasles, stotes, nesting birds.**

Response: Peripheral woodland is being retained and the proposed landscape plan indicates significant planting including native hedge planting which will be advantageous to wildlife.

- o) **There is a lot of wildlife in the fields to the rear of Rees Way. The new houses will kill them all. Also frogs which may be protected in adjacent field drain.**

Response: An ecology report was undertaken to support the planning application. No concerns for protected species were noted. Peripheral woodland is being retained and the proposed landscape plan indicates significant planting including native hedge planting which will be advantageous to wildlife. The SUDs area which is established is likely to encourage amphibians given the wet nature of this section of the site.

p) It is assumed that the proposal will include affordable housing.

Response: It is understood that affordable housing adjacent to Phase 3 will be proposed through a separate planning application in the near future and a financial contribution will be required to be paid by the developer to the Council in lieu of the provision of on-site affordable housing at phase 4. This is controlled through the original Section 75 which relates to all phases of the development.

q) The layout of Plot 64 is far too close to the back gardens of 2 and 4 Rees Way. Privacy and the lack of light are the issues.

Response: The house type on Plot 64 has been changed and re-positioned on the plot together with a single garage introduced between its gable and the rear boundary fencing of the Rees Way dwellings. This adjustment is satisfactory and results in no significant amenity impact on the existing dwellings, in terms of privacy or lack of light issues.

r) The development will make Berebriggs Road even more dangerous as people will use it to connect to the A71.

Response: As mentioned above, Berebriggs Road requires to be upgraded. A condition would be attached to any planning consent to introduce carriageway widening along Berebriggs Road to permit two-way flow along its length prior to commencing phase 3 or 4 of the development, or otherwise agreed by the Council.

s) The application site floods in winter. Building on it would put other residential properties at greater risk.

Response: There is an overarching flood risk assessment relating to the Masterplan site. The developer will be required to ensure the flood risk information is comprehensive and up to date and appropriate drainage would be designed to ensure that the area does not flood nor that there is run-off affecting existing properties. The new development will be linked to an existing SUDs pond in the northeast corner of the site.

t) Ensure adequate ground levelling and distancing between properties (Plot 54 and 22 Henderson Way) is achieved together with adequate drainage and existing field drains are maintained to prevent surface water from encroaching into existing gardens.

Response: The levels at this location appear generally at grade with the established houses. With the dwellings being perpendicular to one another and with 10 metres distance achieved between the gable of 22 Henderson Way and Plot 54's rear elevation it is considered that the layout is acceptable in amenity terms. It will be a requirement of the developer to install surface water adequate drainage to prevent ponding in gardens.

u) Will the Council take on maintenance of these open space areas?

Response: The Council will not maintain the areas, rather a factoring arrangement will be set up for future maintenance of the open space and play area and facilities.

- v) **Can an entrance from Overton Park off Hamilton Road be inserted to allow quicker access to the development from a major trunk road.**

Response: This is considered inappropriate and the land required is not in the control and ownership of the developer.

- w) **Concern expressed that the sales team at Bancon Homes are stating that the development has already been approved, and that this application is just a formality.**

Response: The sales team has been made aware of this concern. The principle of residential use on this land has been established through the approval of the original East Overton Masterplan, EK/12/0003. However, every phase of development requires a detailed assessment through a detailed planning application submission, in terms of the design and layout of the houses, roads, landscaping, drainage etc. In this respect careful consideration against local development plan policy, consultation with statutory consultees and other Council Guidance over the period of consideration has taken place.

5.2 These letters are available for inspection on the planning portal.

6 Assessment and Conclusions

- 6.1 Detailed planning permission is sought for 105 dwellings divided into phases 3 and 4 of the development, 54 and 51 dwellings respectively. The applicant is Bancon Homes Ltd and Patersons Partners. Bancon Homes is developing Phase 2 at East Overton which is well under construction and nearing completion. The determining issues in the assessment of this application are compliance with local plan policy, its impact on the amenity of the adjacent properties and road safety matters.
- 6.2 In terms of Section 25 of the Town and Country Planning (Scotland) Act 1997, planning applications have to be determined in accordance with the development plan unless other material considerations indicate otherwise.
- 6.3 Scottish Planning Policy (SPP 2014) and National Planning Framework 3 (NPF3), highlights that development proposals which accord with up-to-date plans should be considered acceptable in principle. The site is identified within the adopted South Lanarkshire Local Development Plan 2 as a housing site and, therefore, raises no issues in this regard as detailed in paragraph 6.4 below.
- 6.4 This application is a detailed planning application. However, the principle of residential development has been firmly established by approval in December 2014 of the East Overton Masterplan planning permission in principle (PPP), EK/12/0003.
- 6.5 With regard to the adopted South Lanarkshire Local Development Plan 2 (2021) (SLDP2) and associated Supplementary Guidance (SG), the application site, as stated above, is identified as being a proposed housing site (Policy 11) and located within a general urban area (Policy 3), together with being part of the Green Network and Greenspaces (Policy 13). The proposed development layout has endeavoured to enhance the green network through the design of a large open space area together with retention of significant belts of established woodland which would be enhanced for recreational use by the introduction of informal footways which link with the earlier phases and the wider surrounding area. In addition, quality landscaping is proposed involving significant tree and hedgerow planting, and therefore it is considered that the proposal accords with Policy 13 and its supporting guidance. Residential development of the site is, therefore, acceptable, subject to compliance with normal development management criteria.

- 6.6 The issues considered relevant from a development management perspective, are set out within Section 3.1 above. Principally, these policies seek to ensure that any development within an area which is predominantly residential in character does not adversely impact on the amenity of such areas and that any such proposal can be adequately served by appropriate services. Where possible, the proposed development seeks to minimise and mitigate against the effects of climate change (Policy 2). The overall design and layout are considered to provide a very high quality residential area which complies with the relevant planning policies. I am, therefore, satisfied that the scheme is capable of being developed, subject to conditions, without conflict with the general requirements of the applicable policies and guidance. The layout complies with the Council's approved Residential Design Guide in terms of window to window distances, plot size and permeability. Furthermore, it is noted that the site will be linked to the surrounding area with a footway/cycle link onto Hamilton Road and is within walking distance of a bus route. As such, this accessibility in terms of walking, cycling and public transport would ensure that the proposed development would minimise and mitigate against the effects of climate change.
- 6.7 No specific concerns, subject to conditions, have been raised by the various consultees. The site is classed as an urban location, albeit that it is on the edge of Strathaven. Sewerage and water infrastructure is accessible. On this basis, it is considered that the proposal accords with Policy 16 and the associated policies within the supplementary guidance.
- 6.8 The proposal will result in the development of the 3rd and 4th phases of a larger Masterplan site, with phase 1 already established and phase 2 nearing completion. I am satisfied that the proposal has been designed in such a manner that it takes cognisance of the surrounding area and has properly assessed any impact on the adjacent historic building known as East Overton House. The proposal, therefore, accords with Policies 14 and 15. Furthermore, the site is capable of integrating well with the adjacent Phases 1 and 2 development's road and footpath network and amenity areas. The formation of a footway/cycle link with Hamilton Road together with informal recreational footpaths through the established woodland corridor around the edges of the layout are also proposed. Furthermore, a large recreational area including a MUGA is proposed adding additional amenity opportunities for existing and new residents alike.
- 6.9 The Council's adopted policy on Community Infrastructure Assessment (Policy 7) advises that a financial contribution from developers will be sought where it is considered that a development requires capital or other works or facilities to enable the development to proceed. In this instance, the community infrastructure contributions for community and education facilities, were agreed at the earlier planning permission in principle (PPP) stage, under EK/12/0003. Staged payments were secured through the original Section 75 Legal Agreement associated with this PPP and have been paid in full to cover up to 480 units. This proposal is for an additional 105 units at this Masterplan site. It is understood that around 32 affordable houses will be developed on Council owned land directly to the west of phase 3. This will be considered under a separate planning application, and it is understood that it is to be lodged in the near future. A financial contribution in lieu of on-site provision of affordable housing will be received from the developer in relation to phase 4.
- 6.10 The third party comments letters received raised some minor design issues and have been responded to by the applicants who have made minor adjustments to the layout. Any requirements of the various consultees can be addressed through the use of conditions, where appropriate to do so.

6.11 In conclusion, the proposed development has been considered against the relevant policies in the adopted South Lanarkshire Local Development Plan 2 and its appropriate supplementary guidance. In terms of detailed design and layout, the proposed dwellings offer a quality living environment for residents and are of a quality and style in keeping with those within phases 1 and 2. In terms of the Council's Residential Design Guide (2011), each property/plot can meet the requirements in terms of window to window distances, plot ratios and parking requirements. I am, therefore, satisfied that the proposed scheme will integrate successfully with the surrounding area, including the historic building East Overton House. It is, therefore, considered that the proposal fully complies with the adopted South Lanarkshire Local Development Plan 2 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 and raises no road safety concerns. The development complies with the provisions of the adopted South Lanarkshire Local Development Plan 2 (adopted 2021) namely (Policies 1 - Spatial Strategy, 2 - Climate Change, 5 - Development Management and Placemaking, 7 - Community Infrastructure Assessment, 11 - Housing, 12 - Affordable Housing, 13 - Green Network, 14 - Natural and Historical Environment, 15 - Travel and Transport and 16 - Water Environment and Flooding).

Michael McGlynn
Executive Director (Community and Enterprise Resources)

Date: 2 December 2021

Previous references

◆ EK/12/0003

List of background papers

▶ Application form	
▶ Application plans	
▶ South Lanarkshire Local Development Plan 2 (adopted 2021)	
▶ Neighbour notification letter dated 4 August 2021	
▶ Consultations	
Roads Development Management Team	24.11.2021
Environmental Services	13.09.2021
Roads Flood Risk Management	29.11.2021
Scottish Water	16.08.2021
West of Scotland Archaeology Service	18.08.2021
SP Energy Network	04.08.2021
Estates Services - Housing and Technical Resources	03.08.2021
Community and Enterprise Resources - Play Provision	01.09.2021
Community Contributions	
Education Resources School Modernisation Team	06.10.2021

Housing Planning Consultations	14.10.2021
SPT	16.08.2021
► Representations	Dated:
Lisa Paton, 4 Rees Way, Strathaven, South Lanarkshire, ML10 6GR	30.08.2021
Mrs Lindsay Galloway, 7 Fleming boulevard, Strathaven, ML10 6GU	30.08.2021
Mr Charles Beattie, 2 Rees Way, Strathaven, Strathaven, ML10 6GR	24.08.2021
Mrs S Irshad, 16 Rees Way, Strathaven, ML10 6GR	06.08.2021
Mrs Shabana Irshad, 16 Rees Way, Strathaven, ML10 6GR	06.08.2021
Mrs Fiona Hunter, 2 Fleming Boulevard, Lauder Gardens, Strathaven, ML10 6GU	09.08.2021
Mr Alastair Hunter, 2 Fleming Boulevard, Strathaven, ML10 6GU	30.08.2021
Mrs Jennifer McLeish, 10 Rees Way, Strathaven, ML10 6GR	10.08.2021
Mr Richard Sandilands, 14 Fleming Boulevard, Strathaven, ML10 6GU	06.08.2021
Mr Glen Crake, 22 Rickard Avenue, Strathaven, ML10 6GW	06.08.2021
Mrs Louise Berkley, 5 Fleming Boulevard, Strathaven, ML10 6GU	09.08.2021
Holly McGhee, Via Email	15.08.2021
Mr Andrew Webb, 3 Fleming Boulevard, Strathaven, South Lanarkshire, ML10 6GU	06.08.2021
Mr Euan Cumming, 3 Fleming Boulevard, Strathaven, ML10 6GU	06.08.2021
Dr Cathy Lenaghan, 14 Rickard Avenue, Strathaven, ML10 6GW	06.08.2021
Mr Desmond Wilmot, 3 Ramsay Mews, Strathaven, ML10 6GN	03.09.2021
Mrs Mandi McGurk, 2 Rickard Avenue, Strathaven, ML10 6GW	07.08.2021
Amer Irshad, Received Via Email	10.09.2021
Mrs Lyndsey Shankland, 17 Rickard Avenue, Strathaven, ML10 6GW	07.08.2021

Mrs Claire Knight, 12 Fleming Boulevard, Lauder Gardens, Strathaven, ML10 6GU	06.08.2021
Joe Allan, 94 Franklin Place, East Kilbride, G75 8LS	22.08.2021
Mr Przemyslaw Latka, 22 Henderson Way, Strathaven, ML10 6GS	25.08.2021
Mr Amer Irshad, 1 Black Street, Strathaven, ML10 6GL	08.08.2021

Contact for further information

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

Maud McIntyre, Planning Officer, Montrose House, 154 Montrose Crescent, Hamilton, ML3
6LB

Phone: 01698 455043

Email: maud.mcintyre@southlanarkshire.gov.uk

Conditions and reasons

01. That before any development commences on site or before any materials are ordered or brought to the site, details and samples of all materials to be used as external finishes on the development shall be submitted to and approved by the Council as Planning Authority.

Reason: In the interests of amenity and in order to retain effective planning control.

02. That before the dwellinghouses hereby approved are completed or brought into use, a private vehicular access or driveway of at least 6m metres in length shall be provided and the first 2 metres of this access from the heel of the footway/service strip shall be hard surfaced across its full width to prevent deleterious material being carried onto the road.

Reason: In the interests of traffic and public safety and to prevent deleterious material being carried onto the carriageway

03. That the driveway dimensions shall be detailed as per the National Roads Development Guide, 3m x 6m for each parking space. These dimensions exclude pedestrian access. To allow a garage to count as a space it will require to meet the minimum dimensions as per the National Roads Development Guide, an internal minimum size of 3m x 7m, unless otherwise agreed.

Reason: To ensure adequate on-curtilage parking is provided.

04. That a suitable system of site drainage shall be required to prevent surface water flowing onto the public road, details of which shall be submitted for consideration and approval to the Council as Planning and Roads Authority.

Reason: To ensure that the disposal of surface water from the site is dealt with in a safe and sustainable manner, to return it to the natural water cycle with minimal adverse impact on people and the environment and to alleviate the potential for on-site and off-site flooding.

05. That all construction and/or other vehicles shall be able to access and exit the site in forward gears, therefore a turning area must be provided, together with sufficient parking to accommodate all site staff/operatives parking requirements, details to be submitted for approval in writing by the Council as Planning and Roads Authority.

Reason: In the interests of traffic and public safety.

06. That access to all off street parking should be by means of a drop kerb footway / service strip crossing. All service strip crossings should be constructed as footway / carriageway specification.

Reason: In the interests of traffic and pedestrian safety.

07. That the applicant shall provide a Traffic Management Plan (TMP), including details of the haul road link with the industrial estate, the traffic routes of construction

vehicles, site compound, show where all vehicles and deliveries will be located, on-site parking and wheel washing facilities/road cleaning systems. The TMP should restrict all site work (incl. vehicle movements) from operating within the school opening and closing times, unless otherwise agreed. No work shall commence until the TMP has been approved in writing by the Council as Planning Authority.

Reason: In the interests of road and public safety.

08. That the introduction of carriageway widening along Berebriggs Road shall be undertaken to permit two way flow along its length prior to commencing phase 3 or 4 of the development, or otherwise agreed by the Council as Planning Authority.

Reason: In the interests of traffic and public safety.

09. That all new residents within the approved site shall be issued by the applicant with a Residential Travel Pack.

Reason: To encourage the use of public transport, walking and cycling.

10. That prior to commencement of works on site, details of provision of vehicle electric charging points associated with each dwelling shall be submitted to and approved in writing by the Council as Planning and Roads Authority.

Reason: In the interests of climate change.

11. That the 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 (or any subsequent updated version of this guidance) and shall be agreed in writing with the Council as Planning Authority in consultation with SEPA.

Reason: To ensure that the disposal of surface water from the site is dealt with in a safe and sustainable manner, to return it to the natural water cycle with minimal adverse impact on people and the environment and to alleviate the potential for on-site and off-site flooding.

12. That prior to commencement of works on site the applicant shall submit a flood risk assessment is to be carried out in accordance with the latest industry guidance. Copies of the self-certification and Independent Check certificates contained within Appendices A and B (refer to the Council's developer design guidance May 2020) duly signed by the relevant party is to be submitted.

Reason: In order to ensure the risk of flooding to the application site from any source is at an acceptable level as defined in the Scottish Planning Policy and there is no increase in the future flood risk to adjacent land as a result of the proposed development.

13. That prior to commencement of works, a drainage strategy to support development Phase 3 and 4 and a sustainable drainage system serving the application site, designed and independently checked in accordance with the Council's current developer design guidance May 2020 is to be provided. Copies of the self-certification and Independent Check certificates contained within Appendices C and D (refer to the Council's developer design guidance May 2020) duly signed by the relevant parties are to be submitted.

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

14. That the approved landscaping scheme (Drawing No. **BH255-BHL-XX-XX-DR-A-L(90)001 P03**) shall be completed to the satisfaction of the Council as Planning Authority during the first available planting season following occupation of the buildings or completion of the development hereby approved, whichever is the sooner, and shall thereafter be maintained and replaced where necessary to the satisfaction of the Council.

Reason: In the interests of amenity.

15. That prior to any work commencing on the site, a maintenance management schedule for the landscaping scheme approved under the terms of Condition 14 above shall be submitted to and approved by the Council as Planning Authority. Thereafter, the landscaping shall be maintained in accordance with the approved management schedule to the satisfaction of the Council.

Reason: In the interests of amenity and to retain effective planning control.

16. That prior to the completion, or occupation, of the last dwellinghouses within the development all of the works required for the provision of equipped play area(s) included in the scheme hereby approved, shall be completed, and thereafter, that area shall not be used for any purpose other than as an equipped play area.

Reason - In order to retain effective planning control

17. 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.

Reason: In the interests of amenity.

18. That no development shall commence on site until the applicant provides written confirmation from Scottish Water to the Council as Planning Authority that the site can be satisfactorily served by a sewerage scheme designed in accordance with Scottish Water's standards.

Reason: In order to retain effective planning control.

19. That notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992, a change of use of any garage (whether integral or detached) to living accommodation associated with the dwellinghouse on the plot shall be subject to a further planning application to the Council as Planning Authority.

Reason: In order to retain effective planning control.

20. That details of the construction and makeup of the footpath/cycleway linking the development with Hamilton Road and the peripheral woodland footpaths shall be submitted for approval in writing by the Council as Planning Authority within 3 months of the date of this consent. For avoidance of doubt the 3 metre wide footpath/cycleway shall incorporate a pedestrian barrier, drainage and street lighting.

Reason: These details have not been submitted.

21. The footpath/cycleway and peripheral woodland footpaths referred to in Condition 20 above shall be implemented and operational prior to the completion of the last dwellinghouse. Thereafter, the footpath/cycleway shall be constructed and maintained to the satisfaction of the said Authority.

Reason: To encourage the use of public transport, walking and cycling.

22. Where the footpath/cycleway, referred to in Conditions 20 & 21 above meets Hamilton Road, the existing footway, over the boundary of the applicants' site, shall be widened to a minimum of 2 metres to the satisfaction of the Council as Roads Authority.

Reason: In the interests of public safety.

23. That no development shall take place within the development site as outlined in red on the approved plan until the developer has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted by the applicant, agreed by the West of Scotland Archaeology Service, and approved by the Planning Authority. Thereafter the developer shall ensure that the programme of archaeological works is fully implemented and that all recording and recovery of archaeological resources within the development site is undertaken to the satisfaction of the Planning Authority in agreement with the West of Scotland Archaeology Service.

Reason: In order to safeguard any archaeological items of interest or finds.

24. That the applicant shall undertake a noise impact assessment examining the design and use of the proposed outdoor facilities. The report shall consider the noise escape from the skate park and play areas in connection with any nearby residential properties including those being developed. This shall be submitted to the Council within 3 months of the date of the planning permission, and thereafter approved in writing by the Council as Planning Authority. Any measures required to minimise noise shall be implemented prior to the development being brought into use and shall thereafter be implemented in accordance with the approved scheme to the satisfaction of the Council as Planning Authority.
For the avoidance of doubt, the report shall identify any measures required to ensure that there is minimal noise impact on neighbouring properties and shall include issues such as management of the facilities and hours of operation.

Reason: In the interests of amenity.

25. Prior to commencement of development, or otherwise agreed by the Council as Planning Authority, the applicant shall undertake a noise assessment to determine the impact of noise from (specify relevant sources) on the proposed development. This shall use the principles set out in British Standard BS 4142:2014 - Method for Rating and Assessing Industrial and Commercial Sound, or a method agreed by the Planning Authority. The assessment shall be submitted to and approved by the Planning Authority and shall identify:-
- 1 The maximum Rating Levels- $L_{Ar,Tf}$ (Including penalties either subjective or objective as appropriate)
 - 2 The statistical average Background Noise Level ($L_{A90,30min}$) to which any part of the development will be exposed. The Background Noise Level for the most noise sensitive period that the source could operate shall be used for this assessment.

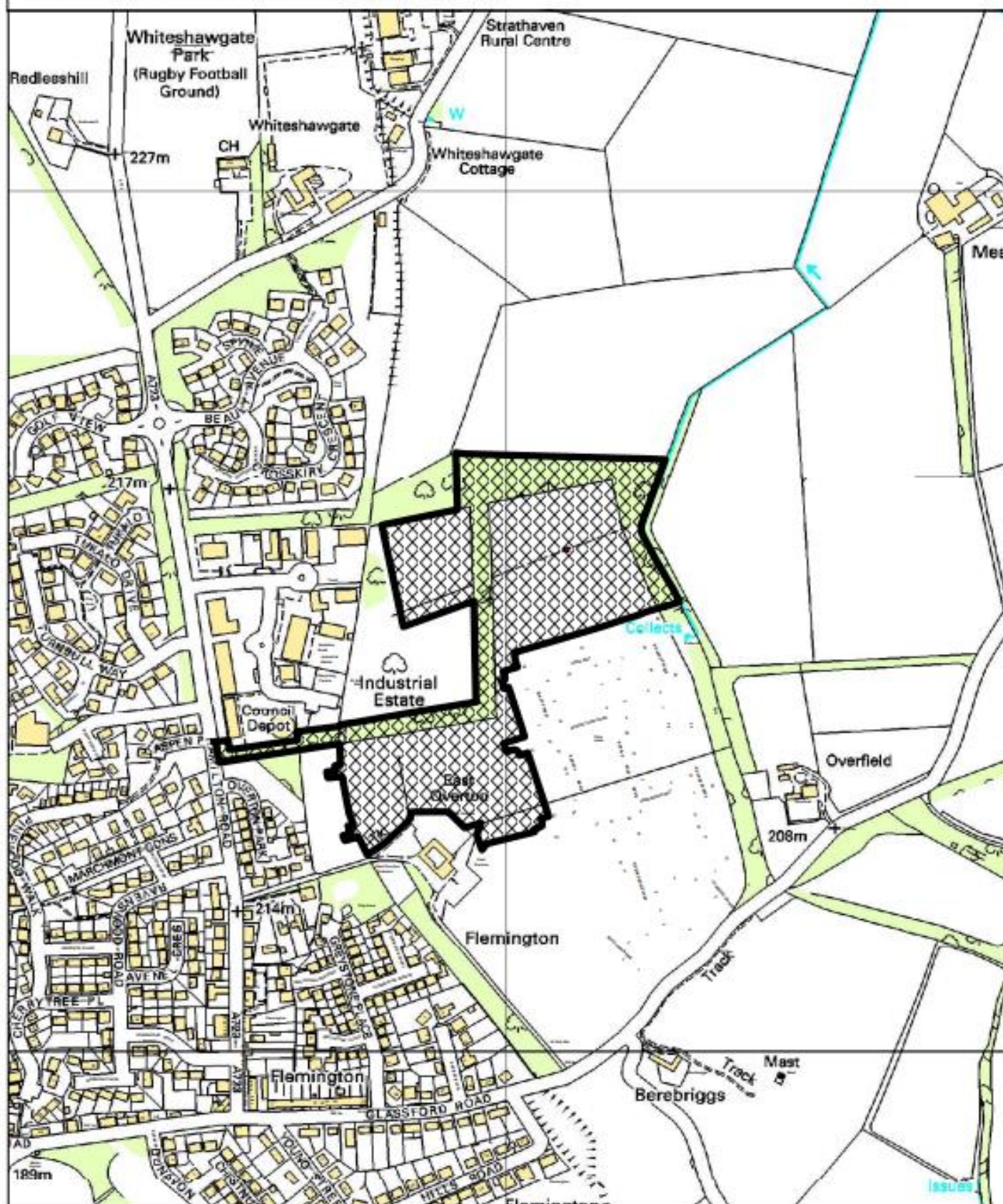
- 3 Details of uncertainty shall be provided accompanied with meteorological data for the measurement period
- 4 The levels should indicate the compliance with:-
 - The external Community noise levels relative to The WHO Community Noise Guideline levels
 - The internal noise levels relative to BS8233:2014 Guidance on sound insulation and noise reduction for buildings.

Where the Level of Significance as described within the Scottish Government Document: Technical Advice Note Assessment of Noise, identifies changes in noise as moderate or greater (assessed with windows open), a scheme for protecting the proposed dwelling(s) from the noise shall be submitted to, and approved by, the Planning Authority. The approved scheme for the mitigation of noise shall be implemented prior to the development being brought into use and where appropriate, shall be retained in accordance with the approved scheme to the satisfaction of the Council as Planning Authority. Any survey submitted should assess the noise effects of commercial vehicle deliveries on adjacent dwellings.

Reason: in the interests of amenity.

P/21/1391

Land 115M Northwest of 52 Rickard Avenue, Strathaven



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Scale:
1:6,000
Date:
21/10/2021



South Lanarkshire Council
Community and Enterprise Resources
Planning and Economic Development