

Report

Report to:	Planning Committee
Date of Meeting:	13 August 2019
Report by:	Executive Director (Community and Enterprise Resources)

Application no.	P/19/0738
Planning proposal:	Erection of temporary sales cabin with associated parking.

1 Summary application information

Application type:	Detailed planning application
Applicant:	Westpoint Homes Ltd
Location:	Peel Road Thorntonhall East Kilbride

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: Sofia Michailidou
 - ♦ Council Area/Ward: 09 East Kilbride West
 - ♦ Policy Reference(s): **South Lanarkshire Local Development Plan 2015**
Policy 4 Development management and placemaking
Policy 6 General urban area/settlements
- Proposed South Lanarkshire Local Development Plan 2**
Policy 3 General Urban Areas
Policy 5 Development Management and Placemaking
Placemaking

◆ **Representation(s):**

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

◆ **Consultation(s):**

Roads Development Management Team

Planning Application Report

1 Application Site

- 1.1 The application site covers an area of approximately 600sqm and relates to an area within an existing development site at the end of Baron Court and Baroness Drive, Thorntonhall. The site will be located adjacent to the proposed access road. To the north are 12 existing properties, constructed in 2011. There are a number of older properties to the east on Osbourne Crescent. To the west is farmland located in East Renfrewshire. To the south is the Glasgow to East Kilbride railway line. The site is undulating and slopes down from south eastern corner to the west and north towards a watercourse.

2 Proposal(s)

- 2.1 The application relates to the siting of a temporary sales cabin related to the construction of 28 flatted dwellinghouses which was granted at the Planning Committee meeting in May 2019. The sales cabin itself will cover an area of 36 square metres and will have 3 associated parking spaces and a footpath. The applicants have intimated that the cabin will be in situ for 16 months.

3 Background

3.1 Local Plan Status

- 3.1.1 The site has been identified as an extension to the Thorntonhall settlement boundary as part of the South Lanarkshire Local Development Plan (as per Policy 12 – Housing Land) and the related flats have been granted in compliance with this.
- 3.1.2 Policies 4 - Development Management and Place Making, Policy 6 – General Urban Area/Settlements are relevant in this instance.
- 3.1.3 On 29 May 2018, the Planning Committee approved the proposed South Lanarkshire Local Development Plan 2 (Volumes 1 and 2) and Supporting Planning Guidance on Renewable Energy. The new plan builds on the policies and proposals contained in the currently adopted South Lanarkshire Local Development Plan. For the purposes of determining planning applications, the proposed South Lanarkshire Local Development Plan 2 is now a material consideration. In this instance, Policies 3 and 5 are relevant.

3.2 Planning Background

A previous applicant, Cala Homes, received approval in March 2015 for a development of 53 dwellings of which 42 dwellings have been constructed (EK/13/0338). A further approval of 28 flats was granted in March 2019 (EK/18/0001) for the current site which formed part of a larger site. The current applicants, Westpoint Homes, received consent in May 2019 for 28 flats which was an amendment to the 2018 application. (P/19/0392). All of these applications were approved by the Planning Committee.

4 Consultation(s)

- 4.1 **Roads and Transportation Services (Development Management)** – no objections subject to conditions relating to access and parking.
Response: Noted. These conditions have been attached.

5 Representation(s)

- 5.1 Following statutory neighbour notification and advertisement in the East Kilbride News, 10 letters of objection and 1 comment letter have been received. The points raised are summarised as follows:

- (a) **This will impact on all residents of the phase 1 Cala homes on Peel Road, Baroness Drive and Baron Court. It is disingenuous of you to only notify 3 households and a dereliction of your responsibilities to us.**

Response: Only three properties are within the notifiable area of the site. The application was also advertised in the East Kilbride News for non-notification of neighbours.

- (b) **No indication is given of the size of the proposed temporary office, neither are the parking, appearance, design or materials.**

Response: All the relevant sizes, plans and elevations are on the planning portal and have been since the application was submitted.

- (c) **No details are given of the opening times of the office.**

Response: The opening hours will be limited to 11am to 5.30pm daily. This is also annotated on the elevational drawings.

- (d) **No indication is given of any advertising boarding which will accompany the proposed office.**

Response: Any advertisement would be subject to an advertisement consent application.

- (e) **No indication is given if the office will overlook numbers 5 and 6 Baron Court.**

Response: Due to the change in levels, the sales cabin will sit below the houses to the north and there will be no property overlooked.

- (f) **There is an outstanding ecology inspection and report for the proposed area, this application should not proceed till that report has been produced and raised no concerns.**

Response: The ecology report relates to the construction of the houses and the submission of it will precede any construction work commencing. This will also precede the siting of the sales cabin.

- (g) **There is a small pond adjacent to the area which has been built by the residents. There is wildlife within this and it is our understanding that wildlife is a protected species.**

Response: This application relates solely to the siting of the sales cabin. No works to the sales cabin will have any impact to the pond.

- (h) What do you propose the children should do who regularly play on this area and how will you guarantee the safety of the children playing in this area?**

Response: The area will be a construction site and will be subject to the relevant health and safety requirements.

- (i) The residents use this area for social use. There are benches which belong to the residents. We will continue to use this area. How will you mitigate against traffic and noise generation which will impact the residents if you approve the proposal?**

Response: The site is owned by the applicants/developer and will be a working construction site. Use of the area by the residents of the properties to the north is a separate legal matter.

- (j) The Westpoint website apparently states that 28 flats are due to be built in the near future. We ask that you inform Westpoint of the ongoing objections being made by the residents who will be impacted and that you are still to reach your conclusion about granting approval.**

Response: The sales cabin will not be sited until planning permission is in place, however, work on the flats can begin as planning permission is in place.

- (k) This should not be a tick box exercise and the current application is another example of lack of consultation in a flawed Planning Process.**

Response: The applicant has submitted all the relevant plans and they have been available for inspection on the portal. The process is not flawed and has been followed appropriately as have all the other applications.

- 5.2 These letters have been copied and are available for inspection in the usual manner and on the planning portal.

6 Assessment and Conclusions

- 6.1 The determining issues that require to be addressed in respect of this application for detailed planning permission are the proposal's compliance with the adopted local development plan and its relationship with both the properties recently constructed in the vicinity and those previously consented on the site.

- 6.2 The adopted South Lanarkshire Local Development Plan classifies the site as Housing Land and the site was previously included as an acceptable settlement extension and benefits from planning permission for 28 flats. For the purposes of this application, policies 4 and 6 are relevant. Policy 4 – Development Management and Placemaking, Policy 6 – General Urban Areas and Policy DM1 – Design require that all planning applications take account of the local context and built form and are compatible with adjacent buildings and surrounding streetscape in terms of scale, massing, design, external materials and impact on amenity. All developments require to have no significant adverse impact on the local environment and to enhance its quality and appearance. The site is currently an area of open space which will shortly become a housing site. As the application relates to the siting of a temporary sales cabin, for the duration of the siting, the site will be a construction site. The cabin is proposed to be in situ for 16 months and will be removed once a sales flat has been constructed or the development has been completed, whichever is the sooner.

- 6.3 The development will raise no privacy issues and will take access from the existing Baron Court and Baroness Drive. Roads and Transportation Services are satisfied with the layout of the parking spaces and the retention associated with the cabin. A condition has been attached to ensure that the site will be returned to open space following removal of the cabin.
- 6.4 On 29 May 2018, the Planning Committee approved the proposed South Lanarkshire Local Development Plan 2 (Volumes 1 and 2) and Supporting Planning Guidance on Renewable Energy. Therefore, the Proposed SLLDP2 is now a material consideration in determining planning applications. The proposed development has been considered against the relevant policies in the proposed plan and it is noted that these policies are broadly consistent with the current adopted South Lanarkshire Local Development Plan 1. It is considered that the proposals accords with Policies 3 and 5 in the Proposed plan.
- 6.8 None of the statutory consultees have objected to the proposal and none of the matters raised through representations would justify refusal of the planning application. The proposal solely relates to the siting of temporary sales cabin associated with an existing housing site which already planning permission. Given this, it is recommended that detailed planning permission be granted.

7 Reasons for Decision

- 7.1 The proposal complies with Policies 4, 6, 12 and DM1 of the South Lanarkshire Local Development Plan 2015 and policies 3, 5, 11, and DM1 of the Proposed South Lanarkshire Local Development Plan 2.

Michael McGlynn
Executive Director (Community and Enterprise Resources)

Date: 23 July 2019

Previous references

- ◆ EK/18/0001

List of background papers

- ▶ Application form
- ▶ Application plans
- ▶ South Lanarkshire Local Development Plan 2015 (adopted)
- ▶ Proposed South Lanarkshire Development Plan 2
- ▶ Neighbour notification letter dated 3 June 2019
- ▶ Consultations

Roads Development Management Team	18.06.2019
	&
	23.07.2019
- ▶ Representations

Mrs Bernadette Sinclair, 5 Baroness Drive, Thorntonhall, G74 5BN	Dated: 18.06.2019
Mr Faisal Butt, 4 Baron Court, Thorntonhall, G74 5BP	18.06.2019

Sai Ding And Kun Zhao, 2 Baron Court, Thorntonhall, G74 5BP	18.06.2019
Joe Allan, 94 Franklin Place, Westwood, East Kilbride, G75 8LS	20.06.2019
Mr And Mrs Gordon, 3 Baroness Drive, Thorntonhall, G74 5BN	18.06.2019
Jill Hollinshead, 2 Baroness Drive, Thorntonhall, Glasgow, South Lanarkshire, G74 5BN	18.06.2019
Israr Chaudry, Received Via Email	18.06.2019
Paul And Karen Brooks, 4 Baroness Drive, Thorntonhall, Glasgow, G74 5BN	18.06.2019
Kenneth And Christina Webster, 1 Baroness Drive, Thorntonhall, G74 5BN	18.06.2019
Mr & Mrs McCarthy, 6 Baron Court, Thorntonhall, Glasgow, South Lanarkshire, G74 5BP	18.06.2019
Sabharwal Family, 5 Baron Court, Thorntonhall, Glasgow, South Lanarkshire, G74 5BP	18.06.2019

Contact for further information

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

Iain Morton, Planning Officer, Montrose House, 154 Montrose Crescent, Hamilton, ML3 6LB

Phone: 01698 455048

Email: iain.morton@southlanarkshire.gov.uk

Detailed planning application

Paper apart – Application number: P/19/0738

Conditions and reasons

01. That the permission hereby granted is for a temporary period only and shall expire on 28 February 2021.

Reason: Temporary consent is granted.

02. That the access to the sales cabin hereby approved shall be formed via dropped kerbs and a surfaced crossing of the service strip. This will be returned to grass and kerbs raised, after the cabins are removed.

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

03. That the parking spaces must be surfaced, trapped and sealed to prevent any deleterious material or water from leaving the driveway and entering the carriageway and have gradients less than 8%.

Reason: In the interests of road safety and in order to retain satisfactory planning control.

04. That all parking spaces associated with the sales cabin hereby approved shall be 5.5m x 2.5m.

Reason: In the interests of road safety

05. That no consent is hereby granted for any of the signage shown on the application plans.

Reason: A separate advertisement consent will be required for all signage.

06. That opening hours of the sales cabin hereby approved are limited until from 11am to 5.30pm Monday to Sunday.

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

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Peel Road, Thorntonhall, East Kilbride



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